



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

FOR THE ADJOURNED REGULAR MEETING OF THE PLANNING COMMISSION

March 9, 2015

5:00 p.m.

**Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670**

**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.

5:00 p.m.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
Commissioners Arnold, Johnston, Madrigal, Ybarra, and Zamora.
4. **STUDY SESSION – Goodman Santa Fe Springs Logistics Center**

6:00 p.m.

PLANNING COMMISSION MEETING

5. **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.
6. **MINUTES**
Approval of the minutes of the February 18, 2015 Adjourned Planning Commission Meeting.
7. **PUBLIC HEARING (Continued from February 18, 2015 PC Meeting)**
CONDITIONAL USE PERMIT Case No. 751 and Environmental Documents
A request to allow the construction and operation of a new double-face billboard (50-foot tall with display area of 14' x 48') on the property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

ZONE VARIANCE Case No. 78
A request to vary from Section 155.384 (H)(5) to allow a reduction to the 1,000 foot separation requirements for billboards on the same side of the freeway and also to vary from Section 155.384 (H)(7) to allow a reduction to the 5-acres minimum of size requirement applied to property's with a digital billboard and specifically for property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

8. PUBLIC HEARING**ZONING TEXT AMENDMENT – Parking for Industrial Zoned Properties**

Ordinance No. 1063, an ordinance of the City Council of the City of Santa Fe Springs, amending Sections 155.480 (restrict tandem parking), 155.481 (revise parking ratio), 155.487 (require truck parking), 155.491 (establish maneuvering space) and 155.497 (establish truck door dimension) of Title 15, Chapter 155 of the City Code regarding parking within industrial zoned properties.

9. NEW BUSINESS**Modification Permit Case No. 1249**

Request for a Modification of Property Development Standards to not provide required parking stalls related to a proposed 15,000 sq. ft. office mezzanine at 13833 Freeway Drive (APN: 8069-014-009), within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (Golden Springs Development Company)

10. ANNOUNCEMENTS

- ♦ Commissioners
- ♦ Staff

11. 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

March 6, 2015

Date

**MINUTES
ADJOURNED MEETING
SANTA FE SPRINGS PLANNING COMMISSION
February 18, 2015**

1. CALL TO ORDER

Chairperson Johnston called the meeting to order at 4:35 p.m.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

Staff: Wayne Morrell, Director of Planning
Steve Skolnik, City Attorney
Cuong Nguyen, Senior Planner
Kristi Rojas, Planning Consultant
Paul Garcia, Planning Consultant
Luis Collazo, Code Enforcement
Gurdeep Kaur, Planning Intern
Elijio Sandoval, Planning Intern
Teresa Cavallo, Planning Secretary
Mike Crook, Fire Chief
Tom Hall, Deputy Director of Environmental Services

4. ORAL COMMUNICATIONS

Oral Communications were opened at 4:36 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 January 12, 2015 Planning Commission Meeting

Commissioner Arnold moved to approve the minutes of the January 12, 2015 meeting; Vice Chairperson Madrigal seconded the motion. There being no objections the minutes were unanimously approved and filed as submitted.

6. PUBLIC HEARING

Conditional Use Permit Case No. 688-1

A request by T-Mobile for approval to modify an existing T-Mobile wireless facility by replacing (3) three existing AIR21 antennas with (3) three – 8'-0" high Quad 700MHz AIR21 antennas, adding (3) three RRU's within the existing cabinet enclosure, installing (2) two 7/8"Ø Coax cable per sector (6 total), installing XMU, and upgrading the DC power in the existing cabinet. The wireless facility is 80'-4" tall, designed to resemble a ball field light standard, and is located within a public park at 10900 Pioneer Boulevard. The property is zoned PF-Public Use Facilities with a General Plan land use designation of Open Space. (Suzanne Iselt for T-Mobile)

Chairperson Johnston opened the Public Hearing meeting at 4:38 p.m. Wayne Morrell, Director of Planning presented Item No. 6 before the Planning Commission.

Having no questions, Chairperson Johnston closed the Public Hearing at 4:43 p.m. and requested a motion on Item No. 6.

Commissioner moved to approve Item No. 6; Commissioner Ybarra seconded the motion. There being no objections Item No. 6 was unanimously approved.

7. PUBLIC HEARING

Conditional Use Permit Case No. 751 and Environmental Documents

A request to allow the construction and operation of a new double-face billboard (50-foot tall with display area of 14' x 48') on the property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

Zone Variance Case No. 78

A request to vary from Section 155.384 (H)(5) to allow a reduction to the 1,000 foot separation requirements for billboards on the same side of the freeway and also to vary from Section 155.384 (H)(7) to allow a reduction to the 5-acres minimum of size requirement applied to property's with a digital billboard and specifically for property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

City Attorney Steve Skolnik went over the Public Speaking rules.

Chairperson Johnston opened the Public Hearing at 4:44 p.m. Senior Planner Cuong Nguyen presented Item No. 7 before the Planning Commission. Present in the audience were Pete Pirzadeh, Principal and Rick Landis on behalf of Newport Diversified, Inc.

Senior Planner Cuong Nguyen indicated that he received phones calls from both approved billboard owners and from the property owner for the Freeway Springs Center who was present and wanted to speak on this matter before the Planning Commission.

Commissioner Ybarra inquired about the dimensions of the other approved billboards. Senior Planner Cuong Nguyen replied that the billboard dimensions are exactly the same size.

Commissioner Arnold inquired about the City's billboard application process and the 5-acre requirement affecting another applicant. City Attorney Steve Skolnik replied that this situation might affected another applicant, especially with the 1,000 ft. buffer requirement; however, the City's application process is on a first come first served basis.

Vice Chairperson Madrigal inquired if the billboard was strictly for advertising the Swap Meet and if the maintenance guidelines had change. Senior Planner Cuong Nguyen indicated that a majority of the time will identify the Swap Meet but the billboard would create advertising space also and that the maintenance guidelines are addressed within the conditions of approval.

Chairperson Johnston called upon Pete Pirzadeh of Pirzadeh & Associates to the podium.

Pete Pirzadeh addressed the Planning Commission and thanked staff and everyone for

providing the project details and background. Mr. Pirzadeh indicated that he was an ex-Caltrans employee and as everyone knows Caltrans comes into town and rip everything but when they are done everything looks great and everyone will be happy with the end result. As part of the I-5 widening the existing sign, which has been there for well over 25 years, is being impacted. It was Caltrans that came to us and asked for our cooperation in facilitating their I-5 widening project. Instead of going through the condemnation process and delaying the project by anywhere from 9-12 months, Caltrans asked if we could accommodate and relocate the sign. Newport Diversified agreed with Caltrans and began negotiations to relocate the sign. As part of those negotiations the understanding was that we had the ability to upgrade the sign and operate the sign as a billboard. It was due to those negotiations that we had to come before the Planning Commission and request the CUP to be approved. The main purpose of the sign is identity and directional guidance on the freeway and also the ability to have a message billboard. We are here as part of the good neighbor policy requesting your approval for the CUP.

Rick Landis stated that the issue at hand is that we are replacing an existing 25 year old sign which is difficult to update manually. Primarily we will use the billboard sign for Swap Meet promotional advertisement and directional purposes, and hopefully, in the future the billboard can be used for advertising. The I-5 widening has diminished our exposure. If you have driven in that area, Alondra Blvd. and Freeway Drive have been elevated 13 feet and has placed the Swap Meet into a hole. The Swap Meet marquee is no longer visible from the northbound I-5 freeway. I understand that we need the freeway widening; however, the widening has impacted our business and we need this billboard more than ever. The billboard is important to our business. We generate income both through sales tax revenue but through fees and licenses that we pay to the City. We employ 130 employees and a lot of them are residents and provide entrepreneurial opportunities to residents also. We believe that we are good for the community and are going to be here for the long run and ask for your support on this matter.

Moshe Sassover, property owner of Freeway Springs Center addressed the Planning Commission. Mr. Sassover indicated that his center was located on the other side of the freeway and has a billboard development agreement with the City in placed and has received City approvals to build over a year ago. He has been unable to build his billboard because in addition to receiving City approvals he also has to receive Caltrans' approval; however, Caltrans has taken the position that because they are in the process of building a freeway they will not issue a permit to Mr. Sassover to build the billboard because construction is not allowed, even on your property, during the I-5 widening. Mr. Sassover brought up the following points for the Planning Commission's consideration:

- 1) When and if the Planning Commission grants this CUP they may be affecting the Caltrans permit for the LeFiell billboard, which has already been approved by the Planning Commission. If it turns out that the Swap Meet has a deal with Caltrans, it is because Caltrans is trying to avoid litigation. They will grant the Swap Meet to build this billboard. Subsequently, when Caltrans looks at the LeFiell billboard application then Caltrans will say that Caltrans has a rule that states that you cannot build within a 1,000 ft. LeFiell may be prevented from building its billboard which has already been approved by the City; therefore, LeFiell will not get equal treatment under the law in terms of their billboard compared to the Swap Meet's billboard.
- 2) When the Swap Meet says they are good citizens, Mr. Sassover stated that he hopes that he is also considered a good citizen: Freeway Springs and Golden Springs, one of the

largest tax payers in the City and are also here for the long term. Mr. Sassover stated that he has no objection to the billboard but only is requesting to be treated equally.

- 3) The Swap Meet is requesting two variances: less than a 1,000 ft. and less than 5-acres. Mr. Sassover has a concern with these two variances and would object to them. Mr. Sassover requested that the Planning Commission place a condition that states "If the Swap Meet gets the billboard they can only get permission to build if Caltrans has approved all the billboards at the same time." It shouldn't be that the Swap Meet billboard gets built and the other approved billboards are still waiting to be approved by Caltrans.
- 4) The City, Director of Planning, and the City Manager has been very helpful in trying to get Caltrans to approve all billboards with no success.

Mr. Sassover thanked the Planning Commission for their consideration and time.

City Attorney Steve Skolnik clarified that Newport Diversified had an opportunity to address Mr. Sassover's concerns.

Pete Pirzadeh addressed the Planning Commission again and stated that the Swap Meet billboard is 1,000 ft. from any approved LeFiell billboard and that the difference is that the Swap Meet is in possession of an active sign and the location of the sign has been there for many, many years and that they are accommodating Caltrans in relocating the sign.

A discussion ensued regarding the 1,000 ft. Caltrans requirement, etc.

Andy Goodman, representative for Bulletin Displays commented on the Caltrans 1,000 ft. requirement. The digital sign located on the Swap Meet property needs to be 1,000 ft. or more away from the LeFiell digital sign, located at the far north end of the LeFiell property, those distances are fine. However, Caltrans asks that between a digital sign that has an off premise permit and a static sign that has an off premise permit, being the one that is 496 ft. away. Caltrans Mr. Goodman suggested that during plan check would be to speak with either the Swap Meet or with LeFiell and suggest that one of them move their sign four (4) feet in one direction to be further apart so that they get their distance of 500 ft. in order to get Caltrans approval.

City Attorney Steve Skolnik further explained the distance requirements by Caltrans.

Moshe Sassover further explained that in addition to the distance and the potential for Caltrans not to approve the LeFiell sign. Mr. Sassover explained that Caltrans has taken the position, so far, that we cannot build the billboard signs on our own properties as long as the I-5 freeway widening project is taking place. Both Freeway Springs and LeFiell in the meantime are forced to wait. What is going to happen with this particular billboard because Caltrans is trying to avoid a condemnation lawsuit Caltrans has a settlement with the Swap Meet allowing the Swap Meet the ability to put up a sign on Caltrans' property. Mr. Sassover is afraid that once the Planning Commission approves the CUP, Caltrans will allow the Swap Meet to build and not hold the Swap Meet to the same standards that Caltrans is holding everyone else too. Mr. Sassover appealed to the Planning Commission to condition construction of the Swap Meet billboard upon approval of Caltrans' agreement with all billboards to be built at the same time.

The city has been very helpful in trying to persuade Caltrans in allowing all billboard owners

to move forward at the same time, but the City has been unsuccessful.

City Attorney Steven Skolnik explained to the Planning Commissioners that the issue brought up by Mr. Sassover is a completely different issue and doesn't address the distance requirement.

Pete Pirzadeh explained the agreement that the Swap Meet has with Caltrans and provided staff with a copy. Mr. Pirzadeh expressed that Caltrans is demanding that the Swap Meet sign be relocated and the difference between all the signs mentioned is that the Swap Meet sign is an existing sign impacting the Caltrans I-5 freeway widening project.

Having no further questions, Chairperson Johnston closed the public hearing at 5:18 p.m. and requested a motion regarding Item No. 7.

Vice Chairperson Madrigal expressed that he is uncomfortable with the Caltrans situation and would like to continue Item No. 7 to the March 9, 2015 Planning Commission meeting.

Commissioner Ybarra asked if moving the matter to the March 9, 2015 Planning Commission meeting affect anything in place. City Attorney Steve Skolnik replied that it would not since a development agreement is not currently in place and asked for further clarification from Director of Planning Wayne Morrell. Mr. Morrell replied that this matter has the probability of coming back at the next meeting or thereafter once the development agreement is ready.

Chairperson Johnston asked the Planning Commissioners if there is a second to Vice Chairperson's Madrigal's motion to continue Item No. 7 to the March 9th Planning Commission meeting.

Commissioner Arnold second the motion to continue Item No. 7 to the March 9th Planning Commission meeting.

Senior Planner Cuong Nguyen wanted to clarify that the CUP has a condition allowing the applicant nine (9) months, from the effective date of approval of the CUP, to execute a development agreement. Theoretically, the issue may come back as early as the next month but can take up to nine (9) months also.

City Attorney Steve Skolnik stated that from the various comments that were heard it appears that, with respect to Caltrans' billboard approval, the only issue is that four foot issue which sounds like a potentially solvable issue administratively in the context.

City Attorney Steve Skolnik reminded everyone that a motion to continue Item No. 7 to the March 9th Planning Commission had been made.

Item No. 7 was continued to the March 9th Planning Commission by the following vote: In favor: Johnston, Madrigal, Arnold, Ybarra and Zamora. Opposed: None.

8. PUBLIC HEARING

Conditional Use Permit Case No. 762

A request for approval to allow the establishment, operation and maintenance of a sandblasting facility on property located at 10630-B Painter Ave. (APN: 8011-013-019), within the M-2, Heavy Manufacturing, Zone. (Premium Sandblasting Company)

Chairperson Johnston called the Public Hearing open at 5:25 p.m. for Item No. 8. Planning Intern Gurdeep Kaur presented Item No. 8 before the Planning Commission. Present in the audience was Cindy Kirchen on behalf of Premium Sandblasting Company.

Planning Intern Gurdeep Kaur indicated that she had received a phone call regarding noise levels and lots of activity going on at this location. Ms. Kaur dispatched Code Enforcement Officer Luis Collazo to ensure that the applicant was in compliance.

Ms. Kirchen addressed the noise complaint before the Planning Commission. Ms. Kirchen indicated that based upon the manufacturers cut sheets the noise level is 63 decibels. Ms. Kirchen believes that the complaint is due to the machinery being testing with the doors open. All the equipment is self-contained and no dust is being generated.

Commissioner Arnold inquired if the dust collection booth was designed as an explosion proof booth. Ms. Kirchen replied that it was an enclosed sound blasting booth.

Commissioner Ybarra inquired if the noise was considered normal business operations. Ms. Kirchen replied that no it is not. When parts are going to be sandblasted and cleaned everything will be done inside the enclosed unit with a 5hp motor and the doors will be closed. Ms. Kirchen believes because a forklift was being used and the location has not had any movement for quite some time this generated the phone call to the City.

Commissioner Arnold also inquired about if a condition of approval addressed the noise levels. Senior Planner Cuong Nguyen replied that the condition is a catch all condition which includes the noise ordinance. Commissioner Arnold requested that a condition be applied specifically addressing the noise level. Senior Planner Cuong Nguyen indicated that a condition will be addressed and added to the conditions of approval.

Having no further questions, Chairperson Johnston closed the Public Hearing at 5:36 p.m. and requested a motion on Item No. 8.

Commissioner Ybarra moved to approve Item No. 8; Commissioner Zamora seconded the motion. There being no objections Item No. 8 was unanimously approved.

9. PUBLIC HEARING

Development Plan Approval No. 890

A request by applicant to allow a tenant improvement of a 2,400 sq. ft. multi-tenant pad building into a single tenant with an addition of 105 sq. ft. drive-thru window and a drive-thru lane for property located at 7930 Norwalk Boulevard (APN: 8176-017-029), within the C-4 (Community Commercial) Zone. (Starbucks Coffee Company).

Conditional Use Permit Case No. 760

A request by applicant to allow the establishment, operation and maintenance of an indoor café with a drive-thru lane property located at 7930 Norwalk Boulevard (APN: 8176-017-029), within the C-4 (Community Commercial) Zone. (Starbucks Coffee Company).

Chairperson Johnston opened the Public Hearing meeting at 5:36 p.m. regarding Item No. 9. Planning Consultant Kristi Rojas presented Item No. 9 before the Planning Commission. Present in the audience were Courtney Trujillo, Charlie Arbing, and Catherine Otis on behalf of Starbucks Coffee Company.

Commissioner Arnold inquired about the 12 parking spaces being removed. Planning Consultant Kristi Rojas replied that Starbucks will be short 4 parking spaces but that a condition has been placed to ensure that Starbucks restripes the parking lot.

Vice Chairperson Madrigal expressed his concerns regarding the entrance and exiting along Norwalk Blvd. Planning Consultant Kristi Rojas addressed Vice Chairperson Madrigal's concerns to his satisfaction.

Chairperson Johnston called upon Courtney Trujillo. Ms. Trujillo represents the shopping center owners and has been working in conjunction with Starbucks to bring this new business to the community.

Commissioner Zamora inquired if the existing tenant was given adequate notice. Courtney Trujillo replied that there are two spaces at this building, one space is vacant and the other space is occupied a tenant, whose lease expires at the end of this June and beyond that there is no remaining terms left in the lease itself.

Commissioner Arnold inquired if there was any option for the tenant to extend their lease period. Courtney Trujillo replied that through their leasing representatives they have met with the tenant last week and explored potential relocation opportunities within the shopping center. There is still ongoing discussions with the tenant and discussions regarding the possibility of helping the tenant in relocating to another shopping center; however, there are some economics behind that and both Starbucks and the property owner have been very interested in continuing these discussions. The tenant has current terms to the end of June with no option to extend.

Commissioner Zamora thanked Ms. Trujillo for the clarification. Especially, since he is concerned with helping out our small business owners and ensuring that they are notified in a timely manner. I feel for the small business owner since this is their living and how they feed their family. Ms. Trujillo further elaborated that a couple of different relocation scenarios that were suggested within our shopping center or at one of our other shopping centers.

Chairperson Johnston called upon Charlie Arbing, a representative for Starbucks Coffee Company. Mr. Arbing thanked City Staff and the City of Santa Fe Springs for the opportunity to partner with the community. Mr. Arbing indicated that Starbucks is open to discussion to assist the existing tenant.

Chairperson Johnston called upon Ken Ramirez, a patron of Home Style Donuts, the existing tenants, requested that the Planning Commission take care of the small business owners of the community. Mr. Ramirez requested compassion for the existing tenants since the property owners did not notify them in a timely manner and that the existing owners has been going through personal issues. Mr. Ramirez mentioned that Home Style Donuts has been located at the location for 30 years with the current owners being there for seven years. Mr. Ramirez indicated that this has been the only forum where the existing tenant can voice their concerns and that a petition has been circulated among the patrons of the existing tenant. Mr. Ramirez further indicated that there is a language barrier and he is here to assist the tenants in any way since he cares about the Soks.

Chairperson Johnston called upon Kanika Sok, the existing owner of Home Style Donuts. Ms. Sok indicated that her business is the livelihood of her family and relocating is an obstacle at this time due to financial constraints. Ms. Sok emotionally pleaded with the Planning Commission to deny Starbucks Coffee Companies CUP.

Having no further questions, Chairperson Johnston closed the Public Hearing for Item No. 9 at 5:53 p.m. and requested a motion.

Vice Chairperson Madrigal expressed his concerns and only hopes the both Starbucks and the property owner considers assisting the existing tenant.

City Attorney Steve Skolnik clarified that the City doesn't have any ability to control the tenant mix on private property if a business is legal with regard to the type of use that it is conducting and that it would be unlawful to compel the extension of a lease. Mr. Skolnik indicated that he realizes that no one is excited about a motion regarding this matter but someone has to make a motion.

Commissioner Ybarra asked if there was any assistance from the City for the existing tenant to relocate. City Attorney Steve Skolnik replied that with the elimination of redevelopment the City no longer has the tools or money to assist tenants like this but that the City has other agencies to assist people and referred to Planning Director Wayne Morrell for references. Mr. Morrell indicated that the City has access to various brokers within the City to assist in the existing tenants on seeking a new location, but that the City does not have financial assistance or any incentives or benefits that the City can offer.

Commissioner Arnold expressed that he was recently involved in a similar situation with a donut shop that had to relocate due to the I-5 freeway widening. Commissioner Arnold understands that what the owners are going through is very difficult and sympathizes with the Sok family. Unfortunately, the Planning Commission cannot ask the property owners to extend their lease, although, it would be a great thing to do.

Commissioner Ybarra moved to approve Item No. 9; Commissioner Arnold seconded the motion. Item No. 9 was approved by the following vote: In favor: Arnold, Ybarra, and Zamora. Opposed: Madrigal and Johnston.

10. PUBLIC HEARING

Tentative Parcel Map No. 73059

Request for approval to consolidate two (2) existing parcels and one (1) easement measuring approximately 24,724 sq. ft. into one (1) parcel located at 11651 Telegraph Road (APN: 8005-002-095 and 8005-002-054) in the ML-D (Limited Manufacturing Administrative and Research - Design) Zone. (76 Gas Station)

Chairperson Johnston opened the Public Hearing for Item No. 10 at 6:02 p.m. Kristi Rojas presented Item No. 10 before the Planning Commission.

Having no questions, Chairperson Johnston closed the Public Hearing at 6:03 p.m. and requested a motion.

Commissioner Ybarra moved to approve Item No. 10; Vice Chairperson Madrigal seconded the motion. There being no objections Item No. 10 was unanimously approved.

11. 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

Alcohol Sales Conditional Use Permit Case No. 14

Compliance review of Alcohol Sales Conditional Use Permit Case No. 14 to allow the continued operation and maintenance of an alcoholic beverage sales use for off-site consumption by El Super, Inc. located at 10531 Carmenita Road and within the Gateway Plaza shopping center. (La Bodega Corporation.)

B. CONSENT ITEM

Conditional Use Permit Case No. 39-1

A request by applicant to allow for exterior alterations to be made to an existing apartment complex on property located at 8121 Broadway Avenue (APN: 8178-001-057), within the R-3 (Multiple-Family Residential) Zone. (Broadway Street Apartments, LLC)

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

Having no questions, Chairperson Johnston requested a motion regarding Item Nos. 11A and 11B.

Commissioner Ybarra moved to approve Item Nos. 11A and 11B; Commissioner Arnold seconded the motion. There being no objections Item Nos. 11A and 11B were unanimously approved.

12. GOODMAN SANTA FE SPRINGS LOGISTICS CENTER PRESENTATION

Senior Planner Cuong Nguyen introduced Lang Cantrell, a representative of Goodman Birtcher. Mr. Cantrell gave a presentation to the Planning Commission regarding the upcoming Goodman Santa Fe Springs Logistics Center project.

13. ANNOUNCEMENTS

♦ Commissioners

Commissioner Zamora requested if the Planning Commission meeting could be adjourned in honor of Sara Mendez and Jessie Madrid.

♦ Staff

None.

14. ADJOURNMENT

At 6:31 p.m. Chairperson Johnston adjourned the meeting to Monday, March 9, 2015 at 5:00 p.m. and in honor of Sara Mendez and Jessie Madrid.

Chairperson Johnston

ATTEST:

Teresa Cavallo, Planning Secretary



PUBLIC HEARING (Continued from February 18, 2015 PC Meeting)

CONDITIONAL USE PERMIT Case No. 751 and Environmental Documents

A request to allow the construction and operation of a new double-face billboard (50-foot tall with display area of 14' x 48') on the property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

ZONE VARIANCE Case No. 78

A request to vary from Section 155.384 (H)(5) to allow a reduction to the 1,000 foot separation requirements for billboards on the same side of the freeway and also to vary from Section 155.384 (H)(7) to allow a reduction to the 5-acres minimum size requirement applied to property's with a digital billboard and specifically for property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
2. Find that the applicant's request meets the criteria set forth in §155.716 of the Zoning Regulations, for the granting of Conditional Use Permit.
3. Find that the applicant's request meets the criteria set forth in Sections 155.675 of the City Zoning Regulations for the granting of a Zone Variance.
4. Approve and adopt the proposed Negative Declaration which, based on the findings of the Initial Study, indicates that there is no substantial evidence that the proposed project will have a significant adverse effect on the environment.
5. Approve Conditional Use Permit Case No. 751 and Zone Variance Case No. 78, subject to the conditions of approval as contained within the original staff report dated February 18, 2015 and any new conditions the Commission deems necessary.

BACKGROUND

On February 18, 2015, and after receiving staff's presentation and also hearing testimony from various members of the audience, the Planning Commission unanimously voted to continue the subject CUP and ZV to the March 9th Planning Commission meeting.

During the February 18th Planning Commission meeting, the following potential issues were expressed to the Commission:

- Approval of the billboard sign could potentially conflict with Caltrans separation requirements and thus require either Le Fiell Manufacturing Company and/or Newport Diversified, Inc. to re-locate their sign(s).
- Approval of the proposed billboard sign would allow the subject sign to be constructed before other previously approved billboard signs.

STAFF REMARKS:**Conflict with Caltrans requirements**

Regarding the potential issue with Caltrans separation requirement, staff did some research following the meeting and found the following:

OUTDOOR ADVERTISING PERMIT REQUIREMENTS

In order for an outdoor advertising display application to be considered for a permit adjacent to an Interstate or primary highway the following criterion must be met:

Display Location

- Must be outside the right of way of any highway.
- Must be outside of any stream, or drainage channel.
- There must be an existing business activity within 1000 feet of proposed display location on either side of the highway.
- Location of property where display is to be placed must be zoned industrial or commercial.
- Must have current property owner consent, in writing, to place the display at desired location.
- Must have written permission (building permit) from the local government having jurisdiction where the display is to be located.
- Location may not be adjacent to a landscaped section of a freeway*.
- Location may not be adjacent to a scenic highway**.
- If adjacent to a Bonus*** segment of an Interstate freeway, copy, size, and spacing is more restrictive.

Display

- Display must be 500 feet from any other permitted display on same side of any highway that is a freeway.
- Display must be 300 feet from any other permitted display on same side of any primary highway that is not a freeway in an unincorporated area.

- Display must be 100 feet from any other permitted display on same side of any primary highway that is not a freeway and is within the limits of an incorporated city.
- Display must be 500 feet from an interchange; intersection at grade or safety roadside rest if the highway is a freeway and the location is outside the limits of an incorporated city and outside the limits of an urban area.
- An electronic changeable message center display must meet the above spacing requirements and be 1000 feet from another electronic message center display.
- Maximum height for the advertising display area is, 25 feet in height and 60 feet in length, not to exceed an overall maximum of 1200 square feet.

The above information is to be used as general guidelines and does not guarantee approval.

- * Landscaped freeway is a section of a freeway which is now, or hereafter may be, improved by the planting at least on one side of the freeway right-of-way of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.
- ** Scenic highway is a section of a highway that has been officially designated and maintained scenic pursuant Section 260, 261, 262, and 262.5 of the Streets and Highways Code or as referred to in Section 131(s) of Title 23 of United States Code.
- *** Bonus segment is any portion of an Interstate freeway which is constructed upon any part of right of way, the entire width of which was acquired for right of way subsequent to July 1, 1956, except those segments of the Interstate system that traverse commercial or industrial zones within the boundaries of incorporated municipalities, as such boundaries existed on September 21, 1959, or other areas where the land use, as of September 21, 1959 was clearly established by State law as industrial or commercial.

The subject sign would comply with the 1,000 feet separation between two electronic changeable message center displays (or electronic billboards) required by Caltrans. As proposed, the electronic billboard for Newport Diversified, Inc. would be setback 1,170' from the nearest electronic billboard (Le Fiell – CUP 743). The subject sign, however, would NOT comply with the 500 feet separation between two displays on the same side of the freeway. As proposed, the electronic billboard for Newport Diversified, Inc. would be setback only 496 feet from the nearest static billboard (Le Fiell – CUP 744).

Staff has met the representative from Newport Diversified and explained that since LeFiell already has an approved CUP, staff is recommending that their proposal be revised to accommodate the 500 feet separation between two displays on the same side of the freeway. The applicant is agreeable to this solution which is now reflected as a new condition of approval (see condition below):

- That the subject billboard will be located a minimum of 500 feet from the previously approved LeFiell billboard (CUP 744) to meet Caltrans' separation requirement between two displays on the same side of the freeway.

If the Commission agrees, the condition above will be added as condition #34 for the subject project.

Timing for Construction

Regarding the issue surrounding the potential for allowing the subject sign to be constructed before other previously approved billboard signs (CUP 743, 744 for Le Fiell Manufacturing Company and CUP 739, 740 for Freeway Springs LLC), staff believes that this issue should be resolved directly with Caltrans since it relates to their existing regulations and not a City Code requirement. Specifically, existing Caltrans regulations prohibits construction of any new signs while construction along the freeway is still ongoing.

Additionally, as explained by the applicant's representative during the last PC meeting, this project is unique to the previously approved billboard signs. Unlike the billboards that were previously approved for LeFiell and Freeway Springs, the subject request involves an existing sign that has been impacted by the I-5 freeway expansion. As a result, the applicant has an agreement with Caltrans which allows them to re-construct or otherwise upgrade the existing sign in a new location on-site that would not impact the freeway expansion. This same agreement does not exist with the other four previously approved billboards since all four are considered new signs.

For the aforementioned reasons, staff finds that approval of Conditional Use Permit Case No. 751 and Zone Variance Case No. 78 will not be detrimental to the surrounding property or to the community as a whole and is therefore recommending approval of the project subject to the conditions of approval as contained within the original staff report dated February 18, 2015 and any new conditions the Commission deems necessary.



Wayne M. Morrell
Director of Planning

Attachments:

1. Staff Report dated February 18, 2015

C:\Cuong\Cases\Aug.14-Aug.15\CUP751 & ZV78 - SFS Swap Meet (Sign)\CUP751&ZV78_PCStaffReport 2_March9.doc



PUBLIC HEARING

Conditional Use Permit Case No. 751 and Environmental Documents

A request to allow the construction and operation of a new double-face billboard (50-foot tall with display area of 14' x 48') on the property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

Zone Variance Case No. 78

A request to vary from Section 155.384 (H)(5) to allow a reduction to the 1,000 foot separation requirements for billboards on the same side of the freeway and also to vary from Section 155.384 (H)(7) to allow a reduction to the 5-acres minimum of size requirement applied to property's with a digital billboard and specifically for property located at 15718 Marquardt Avenue (*previous* APN: 7003-01-904), in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Newport Diversified, Inc.).

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. 751 and Zone Variance Case No. 78, and thereafter close the Public Hearing.
2. Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
3. Find that the applicant's request meets the criteria set forth in §155.716 of the Zoning Regulations, for the granting of Conditional Use Permit.
4. Find that the applicant's request meets the criteria set forth in Sections 155.675 of the City Zoning Regulations for the granting of a Zone Variance.
5. Approve and adopt the proposed Negative Declaration which, based on the findings of the Initial Study, indicates that there is no substantial evidence that the proposed project will have a significant adverse effect on the environment.

RECOMMENDATIONS (Cont.)

6. Approve Conditional Use Permit Case No. 751 and Zone Variance Case No. 78, subject to the conditions of approval as contained within the Staff Report.

BACKGROUND

The subject property is a triangular-shaped lot located at 15718 Marquardt Avenue (APN: 7003-01-904). The property is bordered by Marquardt Avenue to the west, Alondra Boulevard to the south, and the I-5 Freeway to the northeast. It measures 18,915 sq. ft. (approximately .43-acres) and is located within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone.

The property is currently a vacant parcel that was previously used as an overflow lot for Mike Thompsons RV. A 50' tall freestanding sign, measuring approximately 30' x 20', is still currently located on the subject site. The subject sign, used by the Santa Fe Springs Swap Meet, was originally permitted under Conditional Use Permit Case No. 488. The existing sign is located within an easement that is on a remnant parcel of land that is currently owned by the State of California (Caltrans). A remnant parcel is defined as a parcel that is left over as a result of a public improvement project, which is typically not large enough to accommodate development that complies with the required development standards such as lot width, depth, or setbacks.

Due to the Santa Ana (I-5) Freeway widening project, the existing sign must be re-located to accommodate the new freeway layout/expansion. In order to avoid conflict with the freeway expansion and thus remain outside the freeway limits, Caltrans has asked that the applicant re-locate the existing sign approximately 15-20 feet southeast from its current location. However, since the total cost to re-locate the existing sign may be significantly absorbed into the cost of installing a new billboard. The applicant would like to take this opportunity to upgrade the existing freestanding sign to a new contemporary billboard sign which would be an economic benefit for both the swap meet and the City.

REQUEST

Pursuant to Section 155.384 (A) of the City's zoning regulations, billboards are allowed for properties in the FOZ only after a valid Conditional Use Permit (CUP) has first been obtained and a Development Agreement has been approved. The applicant, Newport Diversified, Inc., is, therefore, requesting approval of the subject Conditional Use Permit (CUP 751) to allow the construction and operation of a new double-face billboard on the subject property. It should be noted that staff is still working with the applicant on the required Development Agreement (DA). Once the

DA has been finalized, staff will present it to the Planning Commission for their review and recommendation to the City Council. It should be noted that staff has added a condition of approval (condition #17) to ensure that negotiations on the DA continue and that the DA is executed within nine (9) months from the effective date of the CUP approval.

The subject request, however, also requires approval of a Zone Variance (ZV 78) to allow two deviations to the City's billboard sign requirements. Below are the specific variance requests:

1. A variance from Section 155.384(H)(5) of the City's zoning regulations to allow a reduction to the 1,000 foot separation requirements for billboards on the same side of the freeway; and
2. A variance from Section 155.384(H)(7) of the City's zoning regulations to allow a reduction to the 5-acres minimum size requirement applied to property's with a digital billboard.

Therefore, concurrently with the CUP request, the applicant is also requesting approval of the subject Zone Variance.

CONDITIONAL USE PERMIT CASE NO. 751:

Site Plan

The proposed sign will be located along the west side of the site and will be approximately 15-20 feet southeast of the existing freestanding sign. According to the provided plans, the base of the proposed billboard will be setback more than 25' from all property lines and that no portion of the billboard will extend over any property lines.

Elevations

The proposed billboard will be contemporary in design. The proposed billboard is shown at 50' tall (including the column and display) with a 14' x 48' display area. The billboard will be double-sided, meaning it will have a display area on both sides of the sign. However, only the north side of the sign (viewable to southbound traffic) will employ a full-color LED screen initially. The south side (viewable to northbound traffic) will be static at first but will be designed and constructed to allow it to be converted into a full color LED screen in the future. Potential advertisement for the electronic face will be placed on the billboard via satellite/internet service. Advertising is sold to local, regional and national clients on a monthly basis. The digital sign is intended to operate on a twenty four (24) hour basis.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Pursuant to Section 155.716 of the Zoning Regulations, before any Conditional Use Permit request shall be granted, the Planning Commission shall satisfy itself that the applicant has shown that all of the following conditions apply:

1. 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

As per conditions #13 and #14, the proposed billboard is required to conform to both Section 155.384 of the Zoning Regulations and also Ordinance No. 1036 which control the placement and manner in which the billboard material is presented to the public. The subject billboard, therefore, is anticipated not to be a detriment to persons or property in the immediate vicinity nor will it adversely affect the city in general.

2. That the Commission shall 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.

The proposed billboard will be contemporary in design. The proposed billboard is shown at 50' tall (including the column and display) with a display area measuring 14' in height and 48' in width. The billboard will be double-sided, meaning it will have a display area on both sides of the sign. However, only the north side of the sign will employ a full-color LED screen initially. The south side will be static at first but will be designed and constructed to allow it to be converted into a full color LED screen in the future.

Consistent with the digital billboard's contemporary design, staff has conditioned that the proposed billboard shall not have any walkways or platforms or any type of appendages or attachments. The only exception shall be for a camera to monitor the face of the billboard. As proposed, the billboard will be similar to the previously approved billboards and thus will preserve the general appearance and welfare of the general area and overall community.

3. In addition to the required findings for a conditional use permit set forth in Section 155.716 of the City's Zoning Regulations, the Planning Commission or City Council (as applicable) shall not approve a conditional use permit for any billboard project unless it can make a finding that the billboard will not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway.

To ensure that the subject billboard does not become a distraction to local commuters and/or adjacent property owners, staff has placed several conditions in

the CUP to help control the materials advertised, the transitions, and also the lighting levels. Staff, therefore, finds the subject sign will not be constituted as a hazard to the safe and efficient operation of vehicles upon a street or freeway.

STAFF REMARKS:

Based on the findings set forth in the staff report, Staff finds that the applicant's request meets the criteria set forth in Section 155.716 of the City's Zoning Regulations for the granting of a Conditional Use Permit.

ZONE VARIANCE CASE NO. 78:

Separation Requirement:

Pursuant to Section 155.384(H)(5) of the City's zoning regulations, the minimum distance from another billboard not on the same property but on the same side of the freeway shall be 1,000 feet, as measured from the vertical centerline of each billboard. The proposed billboard will be approximately 1,170 feet from the existing future digital billboard at the Le Fiell site (13700 Firestone Boulevard) and approximately 496 feet from the future static billboard at the Le Fiell site (13750 Firestone Boulevard). Although the proposed sign will be more than 1,000 from Le Fiell's digital billboard, it will only have 496 feet separation between itself and Le Fiell's static billboard. A Zone Variance is therefore required for a reduction of the 1,000 minimum distance requirement applied to all digital billboards located on the same side of the freeway.

Lot Size Requirement:

Pursuant to Section 155.384(H)(7) of the City's zoning regulations, the minimum size on which a billboard can be located shall be 5-acres, unless a variance is granted to allow a billboard on a smaller property. As stated previously, the subject property measures .43-acres, thus is 4.57-acres short of the 5-acre minimum. It should be noted that the subject site is an existing remnant freeway parcel that is impacted by the I-5 Freeway expansion. As noted previously, the existing freestanding sign must be re-located to accommodate the new freeway layout. Nevertheless, since the site is less than 5-acres, a Zone Variance is required for a reduction of the 5-acres minimum of size requirement applied to property's with a digital billboard.

CRITERIA FOR GRANTING A ZONE VARIANCE

Pursuant to Section 155.675 of the Zoning Regulations, before any Zone Variance request shall be granted, the Planning Commission shall satisfy itself that the applicant has shown that all of the following conditions apply:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone.

In reviewing the project request, staff identified the following four unique circumstances associated with the applicant's request:

- a) The property is a remnant freeway parcel. Although, the parcel is located within the Santa Fe Springs city boundary, the property is actually owned by the State of California and is part of the Caltrans right-of-way. In fact, the previous Assessor Parcel Number (APN: 7003-01-904) is no longer used to identify the property;
- b) Caltrans and other government owned land are generally preempted from local zoning regulations. In this case, and mostly as a general courtesy, Caltrans would like the City to review and approve the project;
- c) The location, size and configuration of the property makes the property almost impossible to develop. Other than the existing sign or maybe an outdoor storage use, there is really no other viable use for the property; and
- d) The subject property is already developed with a 50' tall freestanding sign that was permitted under Conditional Use Permit (CUP) Case No. 488. The proposed billboard sign, therefore, is technically not a new sign on the site. Aside from it being a modern digital sign, the site will appear very similar to the average passerby.

Within the Freeway Overlay Zone, where potential billboards may be permitted, no other property would meet all four unique circumstances as identified above.

2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question.

The subject property measures .43-acres and is a remnant freeway parcel that was recently impacted by the I-5 Freeway expansion. Historically, the site has been used as an overflow lot for Mike Thompson's RV. The site also has an existing 50' tall freestanding sign, measuring approximately 30' x 20' that was permitted under Conditional Use Permit (CUP) Case No. 488.

Because of the location, size and configuration of the property, it would be a significant challenge if not impossible to develop. The only viable use of the remnant parcel is to simply maintain the existing sign. However, the existing freestanding sign must be re-located to accommodate the new freeway layout. However, since the total cost to re-locate the existing sign could be significantly absorbed into the cost of the new billboard, the applicant would like to take this opportunity to upgrade the

existing sign to a new contemporary billboard sign which would be an economic benefit for both the swap meet and the City.

3. That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity.

As noted previously, the subject property is already developed with a 50' tall freestanding sign that was permitted under Conditional Use Permit (CUP) Case No. 488. The proposed billboard sign, therefore, is technically not a new sign on the site. Aside from it being a modern digital sign, the site will appear very similar to the average passerby.

Nevertheless, to ensure that the subject sign does not become a distraction to local commuters and/or adjacent property owners, staff has placed several conditions in the CUP to help control the materials advertised, the transitions, and also the lighting levels.

4. That the granting of such variance will not adversely affect the master plan of the City.

Ordinance No. 1036 which effectively amended Section 155.384 of the Zoning Regulations was adopted by the City Council in November of 2012. Allowing billboards along the Freeway Overlay Zone is, therefore, an activity that the City had envisioned and supported.

Additionally, the proposed billboard has been designed to be consistent with other recently approved billboards and thus, will preserve the general appearance and welfare of the general area and overall community.

Although, the two subject variances are required for the subject billboard, staff finds the unique circumstances related to the subject request do warrant the consideration for approving such request without the fear of setting an unduly precedence.

STAFF REMARKS:

Based on the findings set forth in the staff report, Staff finds that the applicant's request meets the criteria set forth in Section 155.675 of the City Zoning Regulations for the granting of a Zone Variance.

STREETS AND HIGHWAYS

The subject site has frontage on Marquardt Avenue to the west, Alondra Boulevard to the south, and Santa Ana (I-5) Freeway to the northeast. Alondra Boulevard is designated as a Major Highway within the Circulation Element of the City's General

Plan, while Marquardt Avenue is designated as a Secondary Highway. Access and egress from the site is obtained via an existing driveway along Marquardt Avenue.

ZONING AND LAND USE

The subject property is zoned M-2 FOZ, Heavy Manufacturing - Freeway Overlay Zone with a General Plan Land Use designation of Industrial. The Zoning, General Plan and land use of the surrounding properties are as follows (see Table 1 below):

Table 1 – Current Zoning, General Plan and Land Use

Surrounding Zoning, General Plan Designation, Land Use			
Direction	Zoning District	General Plan	Land Use (Address/Business Name)
North	M-2 FOZ: Heavy Manufacturing - Freeway Overlay Zone	Industrial	Along east side of the I-5 FWY: Corporate Office for grocery store (El Tapatio Markets); unleased warehouse/logistics building (Freeway Springs).
South	M-2 FOZ: Heavy Manufacturing - Freeway Overlay Zone	Industrial	RV rental and sales (Mike Thompson's RV)
East	M-2 FOZ: Heavy Manufacturing - Freeway Overlay Zone	Industrial	Outdoor swap meet and Drive-In Theater (Santa Fe Springs Swap Meet)
West	M-2 FOZ: Heavy Manufacturing - Freeway Overlay Zone	Industrial	Truck and car rental (Budget Truck and Car Rental) and manufacturer for aerospace industry (Le Fiell Manufacturing)

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 proposed Conditional Use Permit (CUP 751) and Zone Variance (ZV 78) 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 February 6, 2015. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on February 6, 2015, and published in a newspaper of general circulation (Whittier Daily News) February 6, 2015, 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.

ENVIRONMENTAL DOCUMENTS

Upon review of the proposed project, staff determined that additional environmental analysis is required to meet the requirements of the California Environmental Quality Act (CEQA). The applicant has retained Marc Blodgett of Blodgett and Associates to prepare the necessary CEQA documents.

An Initial Study was prepared to determine the project's impact on the environment and necessary supporting environmental document (Environmental Impact Report, Mitigated Negative Declaration or Negative Declaration). Based on the Initial Study, potential impacts were found to be less than significant or having no impact at all; consequently, a Negative Declaration (ND) was prepared. The reasons to support this finding of the ND are contained in the Initial Study which is provided as an attachment to this report.

Additionally, pursuant to Section 15072 of the CEQA Guidelines, a Notice of Intent (NOI) to adopt the draft ND for the proposed project (digital billboards) was posted with the LA County Clerk's office and also at Santa Fe Springs City Hall, the City Library and the City's Town Center on December 23, 2014. The 20-day public comment period for the draft ND began December 23, 2014 and ended January 22, 2015. To date, the City has not received any letters or phone calls relating to the proposed project or draft ND.

AUTHORITY OF PLANNING COMMISSION:**Conditional Use Permit**

The Planning Commission has the authority, subject to the procedures set forth in this subchapter, to grant a conditional use permit whenever it finds that the granting of said permit is consistent with the requirements, intent and purpose of this chapter. The Commission may grant a conditional use permit subject to such conditions as the Commission finds are warranted by the circumstances involved. This may include the dedication and development of streets adjoining the property and other improvements. All such conditions shall be binding upon the applicants, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy; and shall restrict and limit the construction, location, use and maintenance of all land and structures within the development.

Zone Variance

The Planning Commission shall have the authority, subject to the procedures set forth in this chapter, to grant variances from any provision of this chapter relating to the use and development of land when it is found that the strict and literal interpretation of such provisions would cause undue difficulties and unnecessary hardships inconsistent with the intent and general purpose of this chapter.

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: Margarita Munoz 562.868-0511 at x3319)**

2. That the Applicant shall provide an emergency phone number and the name of a contact person to the Department of Police Services. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services 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 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 unauthorized individuals to scale the billboard(s).
5. That should any of the lights, illuminated letters or decorative illuminated elements, cease to function on the signs, the operator shall repair them within 72 hours. Otherwise, the operator shall contact the City to present alternatives in addressing the malfunctions.
6. That the operator shall install a wrought iron fence and gate around the perimeter of the property to keep out unauthorized individuals. The operator shall not place or install any type of barbed-wire, razor wire or similar material anywhere on the fence. The operator is encouraged to implement strategies including bending the top of the wrought iron fence to keep out intruders.

7. That the applicant shall place signs on the property to notify that the property is private and unauthorized individuals found on the property will be charged with trespassing and be subject to arrest. The signs shall be installed in areas highly visible to the public during the day and night.
8. That lighting, if installed for the parcel, shall be installed so that it does not become distracting to the traffic on the street and/or freeway.
9. That personnel during the construction phase, and/or maintaining the sign thereafter, shall park on-site at all times.

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

10. 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.
11. 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)**

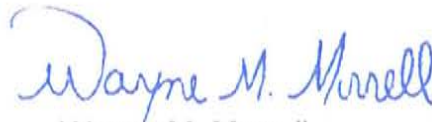
12. That this approval allows the applicant, Newport Diversified Inc., to establish, operate and maintain a new digital billboard on property located at 15718 Marquardt Avenue (*previous* APN: 7003-001-904).
13. That the subject billboard shall be in conformance with Section 155.384 (Billboards) of the City of Santa Fe Springs Zoning Regulations.
14. That the subject billboard 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.
15. That approval of Conditional Use Permits No. 751 shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations.
16. That all required permits regarding Highway Oriented Signs shall be obtained from the California Department of Transportation (Caltrans).

17. That Conditional Use Permit No. 751 (CUP) shall be subject to the execution of a Development Agreement between the City Council and Newport Diversified, Inc. regarding the operation of the subject billboard. The applicant and the City shall commence the preparation of the Development Agreement upon the approval of the CUP and shall complete related negotiations and execute the Agreement within nine (9) months from effective date of approval of the CUP.
18. That approval of the subject Conditional Use Permit (CUP 751) is still contingent upon approval of a Zone Variance (ZV 78) for the reduction to the minimum lot size (5-acres) and the minimum distance between signs (1,000 feet) required for properties to qualify for a billboard.
19. That the proposed digital billboard shall not have any walkways or platforms or any type of appendages or attachments. The only exception shall be for a camera to monitor the face of the billboard.
20. That prior to completion of the billboard installation, the Applicant shall provide the Planning Department with the telephone number of a maintenance service to be available twenty-four (24) hours a day, to be contacted in the event that the billboard becomes dilapidated, damaged and/or malfunctioning.
21. That the message transition for the subject digital billboard shall be instantaneous or 1-2 seconds, if fading.
22. That lighting levels on the subject digital billboard shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America (OAAA).
23. That brightness of the subject digital billboard shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness shall not exceed 7500 nits.
24. 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 Condition 21 above regarding the standard of 0.3 foot candles above ambient light from a distance of 250 feet. 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.
25. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 1054.

26. 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.
27. That the proposed digital billboard shall otherwise be substantially in accordance with the plans submitted by the applicant and on file with the case.
28. That the owner/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 Martinez, Business License Clerk, at (562) 868-0511, extension 7527 for additional information and application or one can be downloaded at www.santafesprings.org.
29. That the project shall comply with 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.
30. That Conditional Use Permit Case No. 751 shall be subject to a compliance review in one (1) year, on or before February 18, 2016 to ensure the subject digital billboard use has been continuously maintained in strict compliance with the conditions of approval as stated within the staff report.
31. That the applicant, Newport Diversified Inc., agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards 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.
32. It is hereby declared to be the intent that if any provision of this Permit is violated, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse. Prior to voiding the permit, the City shall contact Newport Diversified Inc. with certified mail return receipt requested and list the specific facts indicating a violation and its applicable code provisions and allow Newport Diversified Inc. to remedy the violation within

seven (7) working days from receipt of the notice or a reasonable amount of time if a remedy cannot be reasonably done in seven (7) days.

33. If any term or provision of this CUP shall be determined invalid, void, or unenforceable, the remaining conditions shall not be affected and such remaining conditions are not rendered impractical to enforce or to otherwise deprive Newport Diversified Inc. or the city of the benefits of this CUP.



Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. Photos of Existing Sign
4. Elevation for Proposed Sign
5. Photo Simulations of Proposed Sign
6. Conditional Use Permit Application
7. Zone Variance Application
8. Zone Variance Justification Letter

C:\Cuong\Cases\Aug.14-Aug.15\CUP751 & ZV78 - SFS Swap Meet (Sign)\CUP751&ZV78_PCStaffReport.doc

Aerial Photograph



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH – 15718 Marquardt Avenue

CONDITIONAL USE PERMIT No. 751 & ZONE VARIANCE CASE No. 78

APPLICANT: Newport Diversified, Inc.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 E. B. BURNS
 PROJECT NUMBER: 6-1550-223.0930
 DATE: 11/18/82
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 REVISIONS: [Table with 2 columns: NO., DESCRIPTION]
 1. 11/18/82, 11/18/82, 11/18/82
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 105.

Photos of Existing Sign



FEDERAL
HEATH
SIGN COMPANY
www.fhsign.com
3700 S. Dixie Blvd.
Las Vegas, NV 89118
(702) 731-4444
(800) 773-8178

NORTH AT 500 FT

EXISTING SWAP MEET PYLON AT 500 FT NORTH VIEW



FEDERAL
HEATH
SIGN COMPANY
www.fhsign.com
3700 S. Dixie Blvd.
Las Vegas, NV 89118
(702) 731-4444
(800) 773-8178

SOUTH AT 400 FT

EXISTING SWAP MEET PYLON AT 400 FT SOUTH VIEW

Elevation for Proposed Sign

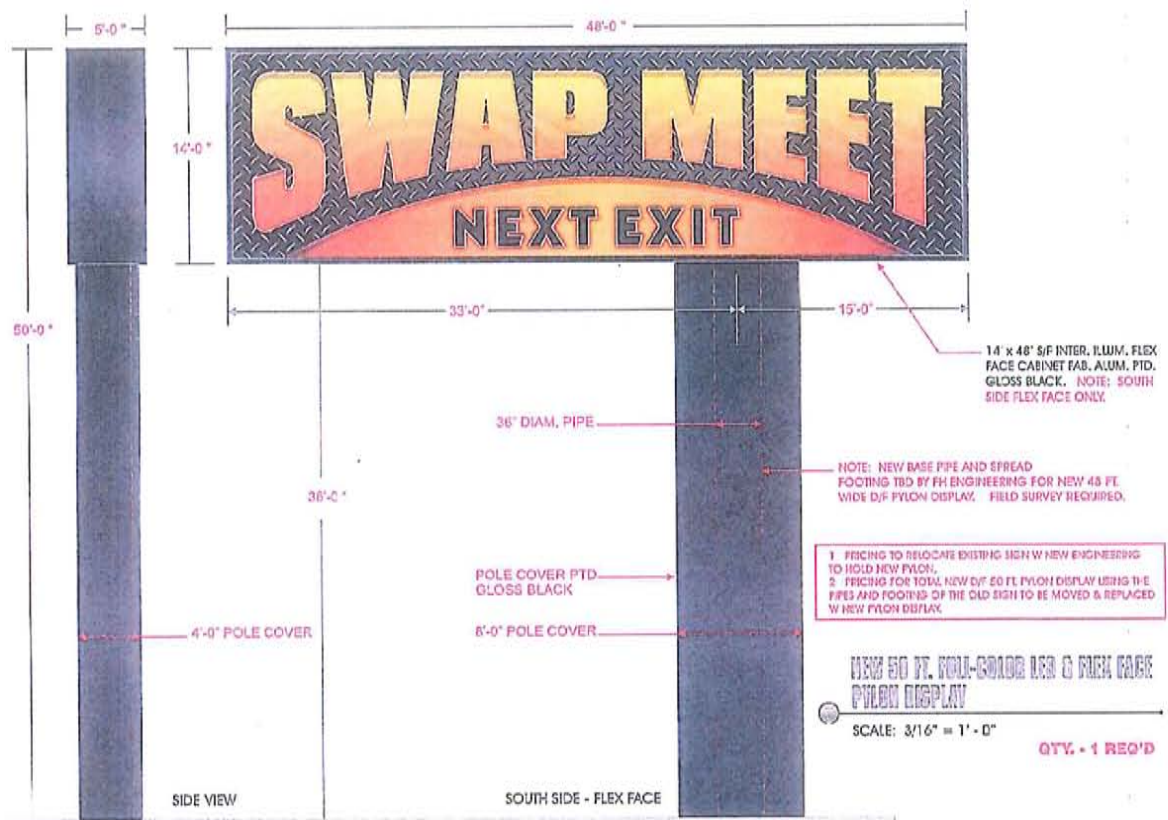


Photo Simulations of Proposed Sign



FEDERAL
HEATH
SIGN COMPANY
2100 W. Beverly Blvd.
Los Angeles, CA 90018
(213) 779-4444
Fax (213) 779-4444

SOUTH AT 400 FT

3 OF 4

NEW 50' SWAP MEET PYLON AT 400 FT SOUTH VIEW



FEDERAL
HEATH
SIGN COMPANY
2100 W. Beverly Blvd.
Los Angeles, CA 90018
(213) 779-4444
Fax (213) 779-4444

NORTH AT 500 FT

4 OF 4

NEW 50' SWAP MEET PYLON AT 500 FT NORTH VIEW

Conditional Use Permit Application



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

Application is hereby made by the undersigned for a Conditional Use Permit on the property located at (Provide street address or, if no address, give distance from nearest cross street): 15718 Mardguardt Ave. Santa Fe Springs

Property Owner - 13963 Alondra Blvd.

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) _____

ATTACHED

Record Owner of the property: Newport Diversified Inc.

Name: Tad Danz Phone No: (949) 851 - 1355

Mailing Address: 301 Dupont Dr. Suite 500 Irvine 92612 Date of Purchase: _____

Fax No: _____ E-mail: tad-d@nd-inc.com

Is this application being filed by the Record Owner? _____

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

Representative authorized by the Record Owner to file this application:

Name: Richard Landis Phone No: (626) 485 - 8865

Mailing Address: 13963 Alondra Blvd. Santa Fe Springs, Ca. 90670

Fax No: (562) 921 - 1706 E-mail: richard-land-inc.com

Describe any easements, covenants or deed restrictions controlling the use of the property: _____

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): _____

We are removing an existing sign requested by Cal Trans and

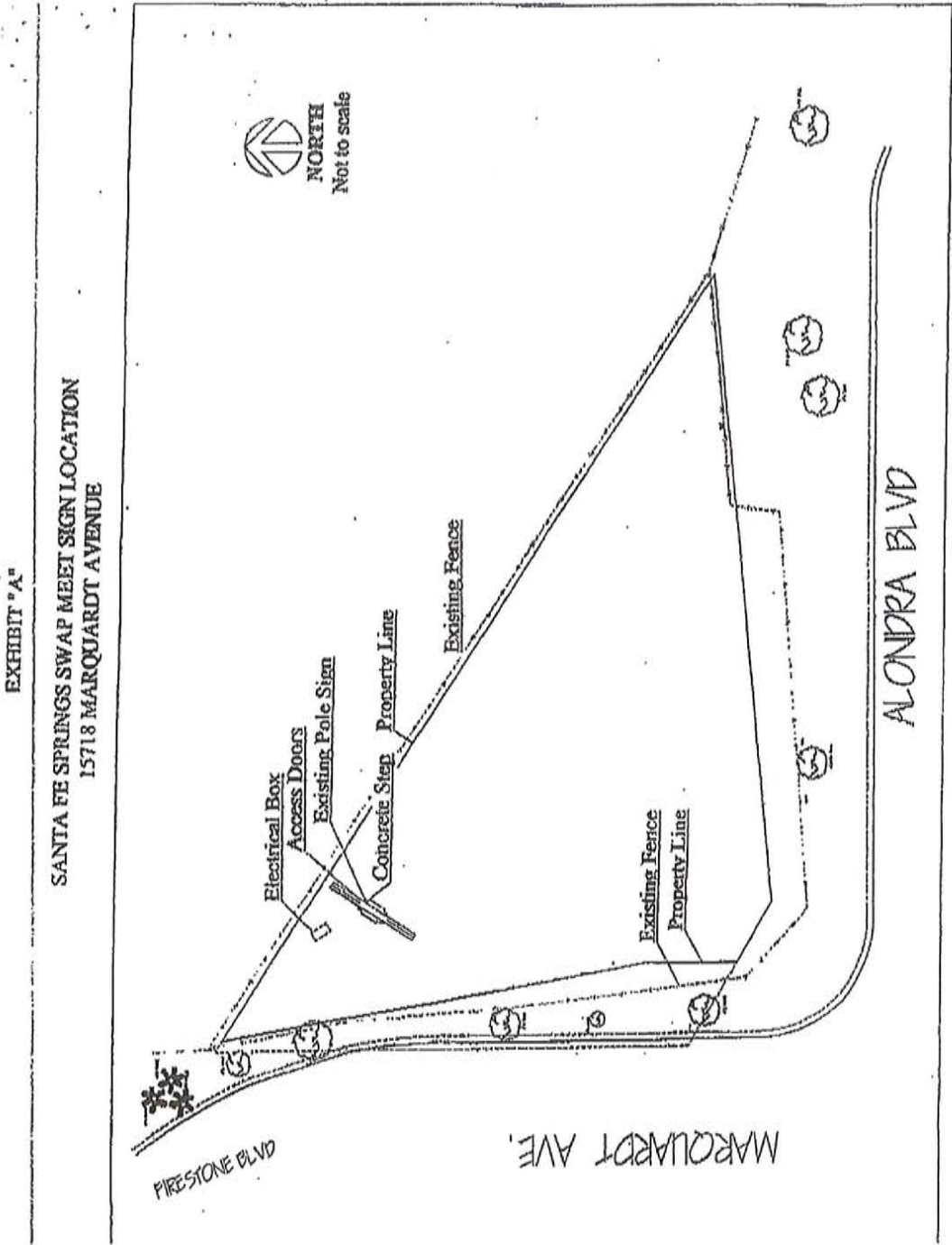
replacing it with a new one with upgraded technology. New sign will be

14' X 48' at same height

NOTE

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

Conditional Use Permit Application (Cont.)



Conditional Use Permit Application (Cont.)

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 IN FRACTIONAL SECTION OF 21; TOWNSHIP 3 SOUTH, RANGE 11 WEST, IN RANCHO LOS COYOTES, IN THE CITY OF SANTA FE SPRINGS, AS SHOWN ON MAP RECORDED IN BOOK 1 PAGE 493 ET SEQ. OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN PARCEL 6 OF THE RELINQUISHMENT OF HIGHWAY RIGHT OF WAY (251) RECORDED IN BOOK D2219 PAGE 787 OF OFFICIAL RECORDS, IN SAID OFFICE, SOUTH 60 DEGREES 02' 52" EAST 42.14 FEET; THENCE THEREON SOUTH 60 DEGREES 02' 52" EAST 52.14 FEET TO THE WESTERLY TERMINUS OF THAT COURSE DESCRIBED IN SAID PARCEL 6 AS NORTH 83 DEGREES 47' 14" EAST 221.07 FEET; THENCE ALONG LAST COURSE NORTH 83 DEGREES 47' 14" EAST 197.39 FEET; THENCE NORTH 56 DEGREES 56' 13" WEST 288.56 FEET TO A POINT IN THAT CERTAIN COURSE DESCRIBED IN SAID PARCEL 6 AS SOUTH 0 DEGREE 09' 40" EAST 170.69 FEET, SAID POINT BEING DISTANT ALONG LAST SAID COURSE NORTH 0 DEGREE 09' 40" WEST 152.76 FEET FROM THE SOUTHERLY TERMINUS THEREOF; THENCE SOUTHERLY ALONG LAST SAID COURSE TO THE POINT OF BEGINNING.

Conditional Use Permit 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.
We have owned an existing sign in this location for over 15 years. With the I-5 widening project, Caltrans has forced us to move/relocate our sign and has given us a new location. We would like the ability to erect a more modern, improved sign on the same parcel.
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.
Our existing sign has been in its location for over 15 years. We are not aware that there has ever been a complaint. Therefore, there is no reason to think that a new modern sign would be detrimental to any person or property owner in the vicinity.
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 are extremely confident that our new structure/ billboard will cause no undesirable effects to the adjoining properties. No residential properties are located near or adjacent to the property. Billboards do not emit or create noise, dust or odors.
4. Explain why the proposed use will not in the future become a hindrance to quality development or redevelopment of adjoining properties.
There has been a sign on this small parcel for over 15 years. We believe that this sign will not affect any future development. We have worked closely with CALTRANS to pick the best spot for the new structure.
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.
There will be no traffic issues with the relocation/ building of our new sign. All work will be done on the subject property and will not interfere with local traffic conditions.
6. If the operator of the requested conditional use will be someone other than the property owner, state name and address of the operator.

Newport Diversified Inc. will be the owner of the new billboard.
CALTRANS currently owns the property. Newport Diversified's address is:
Newport Diversified, Inc.
2301 Dupont Drive, Suite 500
Irvine, CA 92612

Conditional Use Permit Application (Cont.)CUP Application
Page 3 of 3

RECEIVED

JAN 13 2014

Planning Dept.

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): Newport Diversified, Inc
 Mailing Address: 2301 Dupont Drive, #500, Irvine, CA 92612
 Phone No: 949-851-1355
 Fax No: 949-851-6304 E-mail: tad-d@nd-inc.com
 Signature: _____

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

CERTIFICATION

STATE OF CALIFORNIA 40)
 COUNTY OF LOS ANGELES) ss.

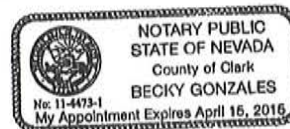
I, Tad Danz President, being duly sworn, depose and say that I am
 the petitioner in this application for a Conditional Use Permit, and I hereby certify under penalty
 of law that the foregoing statements and all statements, maps, plans, drawings and other data
 made a part of this application are in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

Signed: Tad Danz 12/13/13
 (If signed by other than the Record Owner, written
 authorization must be attached to this application)

State of Nevada
County of Clark
 On December 13, 2013 before me, Becky Gonzales
 Personally appeared Tad Danz
 personally known to me (or proved to me on the basis of
 satisfactory evidence) to be the person(s) whose name(s) is/are
 subscribed to the within instrument and acknowledged to me
 that he/she/they executed the same in his/her/their authorized
 capacity(ies), and that by his/her/their signature(s) on the
 instrument, the person(s) or the entity upon behalf of which the
 person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public

**FOR DEPARTMENT USE ONLY**

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

Zone Variance Application



City of Santa Fe Springs

Application for

ZONE VARIANCE

Application is hereby made by the undersigned for a Variance to certain requirements of the Zoning Ordinance as they apply to the property located at (Give street address, or if no address, give distance from nearest cross street): _____
Variance request from Section 155.384 of the Zoning Code for: Subsection (H)(5) Minimum distance from another billboard on the same side of the street; less than 1,000 feet, (H)(6) Minimum setback of billboard column support from any property line; less than 25 feet, (H)(7) Minimum size of property; less than five acres. 15718 Mardquardt Avenue, Santa Fe Springs, California

The correct legal description of the property involved (Include only the portion proposed to be utilized for the Variance. If description is lengthy, attach a supplemental sheet): See attached Exhibit A

Record Owner of the Property:

Name: NEWPORT DIVERSIFIED, INC. Phone: _____

Mailing address: _____

Date of purchase: N/A

Representative authorized by the Record Owner to file this application:

Name: P. P. ZADEN & ASSOC., INC. Phone: 949-851-1367

Mailing address: 30 EXECUTIVE PARK, SUITE 270

Date of purchase: N/A

Describe any easements, covenants or deed restrictions controlling the use of the property: There is an existing easement on the property that allows for the installation and maintenance of a sign as well as access from the adjacent street (Firestone Blvd).

The Variance is requested for the following use (Describe in detail the nature of the proposed use, the building and other improvements proposed.): Removal, relocation and replacement of an existing free-standing sign with an electronic billboard within an existing easement on a parcel owned by Caltrans. As directed and agreed by Caltrans the free-standing sign is being removed/relocated on said parcel to accommodate the widening of the Santa Ana (I-5) Freeway.

NOTE

This application must be accompanied by the filing fee, map and other data specified in the form "Information on Variances"

Zone Variance Application (Cont.)

ZV Application
Page 2 of 3

BEFORE A ZONE VARIANCE CAN BE GRANTED, THE PLANNING COMMISSION MUST BE SATISFIED THAT ALL OF THE FOLLOWING CONDITIONS APPLY. EXPLAIN IN DETAIL HOW YOUR REQUEST CONFORMS TO THE FOLLOWING REQUIREMENTS. THE ANSWERS SHOULD JUSTIFY YOUR REQUEST FOR A VARIANCE (Attach a supplemental sheet if necessary).

1. Explain any special circumstances or conditions which apply to the land or the use involved in this application which DO NOT apply generally to other land or uses in the same vicinity and the same zone.
The free-standing sign was installed within an easement on said property approximately 15 years ago. During that time the property was primarily used for the storage of recreational vehicles. To accommodate the widening of the Santa Ana (I-5) Freeway the State purchased the property that ended the use of the property for storage. The location of the existing sign encroaches into the proposed freeway widening, therefore, Caltrans required that the sign be removed but agreed that the sign could be relocated within Caltrans property. The widening has created a remnant parcel that does not meet City's minimum requirements for a buildable lot but is still suitable for placement of a billboard.
2. Explain why a Variance is necessary to maintain the same substantial property rights possessed by other property owners in the same vicinity and the same zone. (If your property can reasonably be developed and devoted to uses permitted in the existing zone, you are probably not being deprived of a substantial property right.)
The free-standing sign exists and is being removed and relocated at the direction of Caltrans to accommodate the widening of the Santa Ana (I-5) Freeway. The swap meet is not located directly next to the freeway and the sign has provided patrons with way-finding direction and advertisement of swap meet hours and coming attractions. Elimination of the sign would create a hardship for the operator while adversely affecting attracting customers and maintaining economic viability for the day-to-day operation of the swap meet.
3. Demonstrate why the Variance requested will not be detrimental to other persons or properties in the same area, nor adversely affect the public welfare or the community in general.
The sign has been located on this property for over 15 years. Due to the freeway widening the new sign post will be relocated approximately 20-feet to the east and 20-feet south of it's current location within the existing easement. The new sign will be applicable with all State and City requirements and will not be detrimental to the health or welfare of the community.
4. Will the Variance requested adversely affect the General Plan of the City of Santa Fe Springs?
The variance requested will not adversely affect implementation of any aspect of the General Plan.

Zone Variance Application (Cont.)

ZV Application
Page 3 of 3

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): RICHARD LANDIS
 Mailing Address: 13963 ALONDRA BLVD SANTA FE SPRINGS
 Phone No: (626) 485-8865
 Signature: [Signature]

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

CERTIFICATION

I, RICHARD LANDIS, being duly sworn, depose and say that I am the petitioner in this application for a Zone Variance, 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 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)

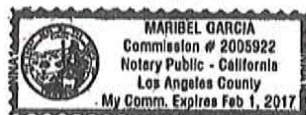
STATE OF CALIFORNIA }

SS

COUNTY OF LOS ANGELES

Subscribed and sworn to (or affirmed) before me this 18th day of September, 2014 by Richard Landis, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]
 Notary Public



FOR DEPARTMENT USE ONLY	
CASE NO:	<u>ZV # 78</u>
DATE FILED:	<u>9/18/14</u>
FILING FEE:	<u>\$ 2,253.00</u>
RECEIPT NO:	_____
APPLICATION COMPLETE?	_____

09-18-14 1CL1481

CHECK 2253.00

Zone Variance Justification Letter



30 Executive Park
Suite 270
Irvine, CA 92614-4726

t: (949) 851-1367
f: (949) 851-5179
www.pirzadeh.com

November 12, 2014

RECEIVED

NOV 14 2014

Planning Dept.

Mr. Cuong Nguyen
Associate Planner
City of Santa Fe Springs
11710 E. Telegraph Road
Santa Fe Springs, California 90670-3679

Subject: Zone Variance Request (ZV No. 78)
15718 Mardquardt Avenue – Billboard (Revised)

Dear Cuong:

On behalf of Newport Diversified, we are pleased to submit the Zone Variance request application for the relocation of an existing free-standing sign at 15718 Mardquardt Avenue. A Conditional Use Permit application, Case No. CUP-751 has been filed for the removal and relocation of the existing free-standing sign. As part of the CUP application it is being requested that the existing sign be replaced with a new, updated billboard sign. Due to physical constraints of the property the proposed installation of the billboard does not meet some of the development requirements of Section 155.384 of the Zoning Code. Therefore a Zone Variance request application is being submitted.

The existing sign is located within an easement that is on a remnant parcel of land that is currently owned by the State of California. A remnant parcel is defined as a parcel that is left over as a result of a public improvement project, which is typically not large enough to accommodate development that complies with required development standards such as minimum lot width, depth, or setbacks. The existing sign was installed approximately 20 years ago when the property was under the ownership of Mike Thompson's RV Super Stores when the property was used primarily for recreational vehicle storage. As a result of the Santa Ana (I-5) Freeway widening project that is currently under construction a portion of the property that parallels the freeway is needed for the widening project. As a result of the widening the existing sign will encroach within the freeway limits. Caltrans has directed Newport Diversified that the sign needs to be relocated on the property to avoid conflict with the freeway widening. The proposed sign column will be located approximately 15-feet east and 25-feet south of the existing sign column that will place the sign outside of the freeway limits.

Due to the size and configuration of the remnant parcel the following development requirements contained in Section 155.384 of the Zoning Code cannot be met:

Section 155.384(H)(5): *Minimum distance from another billboard on the same side of the freeway.* The minimum distance from a billboard not on the same property but on the same

Project Management Transportation Planning & Engineering Government Liaison

Zone Variance Justification Letter (Cont.)

Mr. Cuong Nguyen
Page 2
November 12, 2014

side of the freeway shall be 1,000 feet, as measured from the vertical centerline of each billboard.

Justification: The Santa Fe Springs Swap Meet site is located on the north side of the freeway at 13962 Alondra Boulevard and the existing, remote free-standing sign is located on a remnant parcel on the south side of the freeway on property that is owned by Caltrans. The sign was installed approximately 20 years ago to provide way-finding and coming attractions for the venue. The sign is located within an easement granted to the swap meet to construct and maintain the sign. As a result of the freeway widening project the sign will be relocated on the property approximately 15-feet east and 25-feet to the south of the existing location. Recently a Conditional Use Permit, Case No. CUP 744 was approved by the Planning Commission that allows LeFiell Manufacturing Company to construct and maintain a static billboard sign at 13770 Firestone Boulevard. The proposed sign on the LeFiell Manufacturing site will be located approximately 500-feet from the existing free-standing sign and approximately 515-feet from the proposed sign, which is less than the required 1,000 foot separation required in the Zoning Code, see enclosed Exhibit A. The proposed location of the swap meet sign does not significantly change the conditions of the site or the proximity of the future sign on the adjacent site.

Section 155.384(H)(7): *Minimum size of property.* 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.

Justification: The property is a remnant parcel that is less than 1.0 acres in size. The property was originally used as a storage site for recreational vehicles and had an easement for the installation and maintenance of a free-standing sign. When the property was acquired by the State the ability to store recreational vehicles on the site was relinquished but the maintenance of the sign was retained. The Santa Fe Springs Swap Meet site is located on the north side of the freeway at 13962 Alondra Boulevard while the existing, remote free-standing sign is located on said remnant parcel on the south side of the freeway. Due to the size of the property no other structure can be constructed on the site. Continuing use of the property for the billboard sign does not adversely affect the adjacent properties or operation of the adjacent streets and highways and is an economic benefit for the swap meet and the City.

Zone Variance Justification Letter (Cont.)

Mr. Cuong Nguyen
Page 3
November 12, 2014

Cuong, we look forward to working with staff with processing this Zone Variance application. Please call me if you have any questions regarding this project, or if you need any additional information.

Sincerely,



Peter K. Pirzadeh, P.E.
Principal
On Behalf of Newport Diversified, Inc.

Enclosures

c: Rick Landis, Newport Diversified, Inc.

PAI 14201(5)-SwapMeetI-5Widening-11122014-CNguyen-3rdSubmittal-ltr.psk



PUBLIC HEARING

ZONING TEXT AMENDMENT – Parking for Industrial Zoned Properties

Ordinance No. 1063, an ordinance of the City Council of the City of Santa Fe Springs, amending Sections 155.480 (restrict tandem parking), 155.481 (revise parking ratio), 155.487 (require truck parking), 155.491 (establish maneuvering space) and 155.497 (establish truck door dimension) of Title 15, Chapter 155 of the City Code regarding parking within industrial zoned properties.

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Zoning Text Amendment – Parking for Industrial Zoned Properties (Ordinance No. 1063), and thereafter close the Public Hearing.
2. Find that the proposed amendments to the text of the City's Zoning Regulations are consistent with the City's General Plan.
3. Find that pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA), this project is exempt as a ministerial project.
4. Adopt Resolution No. 49-2015, which incorporates the Commission's findings and actions regarding this matter.
5. Recommend that the City Council approve and adopt Ordinance No. 1063, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

BACKGROUND/DESCRIPTION OF PROPOSAL

The City of Santa Fe Springs was incorporated on May 15, 1957. Four years later on September 14, 1961, Ordinance No. 172, the City's first Zoning Ordinance was adopted. Ordinance No. 172 regulated and restricted the use of land and the locations of buildings and structures, restricted the height and bulk of buildings and structures and determined the area of yards, courts and other places surrounded them, regulated and restricted the density of population, divided the City into districts, and adopted a map of the City showing the boundaries and classification of such districts. Within said ordinance was regulations establishing parking standards for industrial uses.

Since 1961, there have been four (3) amendments to the parking standards for industrial uses: Ordinance No. 358 in 1969, Ordinance No. 501 in 1976, Ordinance 700

in 1986 and Ordinance No. 884 in 1998. Though several amendments of the parking standards for industrial uses have occurred since 1960, throughout the years Staff has been periodically reminded, by architects and developers, that the parking standards for industrial uses are excessive and somewhat antiquated. This is especially true in comparison to other cities and especially for large buildings exceeding 100,000 square feet. This is exemplified when comparing the parking needs for larger buildings that are utilized for warehouse distribution as opposed to being used for manufacturing.

Not wishing to potentially stymie future development projects because of parking standards that maybe excessive and/or antiquated, Staff is proposing a revision to the parking standards for industrial uses, primarily industrial/warehouse type uses, which is a large majority of the City's new development projects Staff regularly reviews. A revision of the parking standards would be consistent with development standards in surrounding cities, which is supported by the City Survey (Attachment 1). The survey prepared included nearby cities with higher concentration of industrial uses. The proposed amendments would effectively reduce the amount of parking spaces required for industrial projects exceeding 100,000 square feet. This would allow for better development and less unoccupied square footage of open parking lots, which have a tendency to turn into unpermitted outdoor storage and/or trailer parking within areas designed for regular parking.

This Zoning Text Amendment will facilitate better industrial development and is not in conflict with other purposes, goals or policies found in the City's Zoning Regulations. Finally, this proposed amendment is a forward-thinking step in economic development to responsibly attract new development. Staff worked diligently to ensure and lessen potential impacts on existing buildings. Based on Section 155.478, which addresses non-conforming parking facilities, once the intensity of a use is increased to more than 60%, the site is required to increase parking and loading to meet current code. Otherwise, a site made non-conforming by this Code Amendment may continue as-is.

PROPOSED ZONING TEXT AMENDMENT

Parking Ratio

Industrial uses do not require as much parking when in comparison with a commercial use; however, Staff has found that our current parking requirements still require a high number of parking spaces, which has resulted in an increase in requests for Modification Permits (to allow a reduction in number). Another impact is a proposal not being constructed or additional floor area not being added on the basis that the developer could not meet the parking requirement.

In 1997, the Planning Commission approved a 265-acre commercial and industrial development (Golden Springs Development) with an associated development agreement that included specific uses permitted and also site development standards. The parking requirements varied from the City Zoning Regulations and allowed for a

less restrictive parking standards, which in turn allowed for better site design and more attractive industrial/warehouse uses. Staff is therefore proposing to amend the current parking ratio to be more similar to the Golden Springs Development. With the new ratios, Staff's intent is to ensure that the proposed Code amendments would not make existing developments non-conforming. As a result, the proposed amendments keep the ratios to mirror the first 100,000 sq. ft. with the existing parking ratios. The proposed ratio are as follows:

- 0-20,000: 1 space per 500 sf
- 20,001-100,000: 1 space per 750 sf
- 100,001-200,000: 1 space per 1,000 sf
- 200,001 and above: 1 space per 2,000 sf

While doing the research, Staff analyzed the parking for a hypothetical project that consisted of an industrial building that was 250,000 sq. ft. Based on the existing parking ratio, the hypothetical building would require 347 parking spaces versus only 272 parking spaces with the proposed ratios. This change of 75 parking spaces could sometimes be the difference of whether or not a project gets built.

Truck Regulations

The City's Zoning Regulations lacks development standards to address truck parking, maneuvering and dock doors. Therefore, Staff currently does not have much leverage to require specific standards when the Code is silent and potential issues arise. Potential issues consist of truck parking on public streets, inadequate parking for employees and patrons, on-site and inadequate truck maneuvering space. Staff is addressing these potential issues by applying set truck parking quantity and dimensions, parking stall requirements based on the square footage of the buildings, dock door dimensions and maneuvering requirements.

Staff is also proposing to clearly state that tandem parking will no longer be allowed, except as allowed per Section 155.644. In addition, to creating a more practical site plan, this will allow for better circulation on proposed projects.

Research

In preparation for this proposed Zoning Text Amendment, Staff researched 14 cities within the Los Angeles region for industrial parking ratios, truck parking dimensions, loading space requirements, loading area dimensions and maneuvering areas (Attachment 1). Those cities were: Vernon, Industry, Corona, Commerce, Eastvale, Bellflower, Rancho Cucamonga, Pico Rivera, Norwalk, Chino, Moreno Valley, Redlands, Ontario and Pomona. These cities were selected for research because they were similar to the City of Santa Fe Springs in terms of the types of uses and developments and are recognized for industrial nodes and distribution centers.

From this City Survey, Staff concluded that most cities have a varied way to calculate parking spaces for industrial type uses. It appeared that cities with older Zoning Regulations, such as Redlands, Industry, and Pomona, will place a set parking ratio for 500 or 1,000 square feet and apply that to the entire building. While cities with newer/updated Zoning Regulations, such as Ontario and Eastvale, provided a parking ratio that allowed lower parking demands when the buildings were larger.

About half of the cities provided minimum truck parking dimensions. All cities that were surveyed provided a loading area requirement; although not all provided minimum dimensions. Lastly, only five cities (Industry, Rancho Cucamonga, Chino, Moreno Valley, and Ontario) provided maneuvering space for truck circulation. This survey helped Staff to gage what standards other agencies were applying to industrial projects. From these results, Staff was able to understand the feasibility of the proposed amendments and receive input from potential developers, other planners and architects.

Amended Sections

Sections 155.480, 155.481, 155.487, 155.491 and 155.497 shown on the next page would be the amended sections. The proposed change is shown as **bold** and *italicized*, while any proposed removal of the Code will be shown as a ~~strikethrough~~.

SANTA FE SPRINGS MUNICIPAL CODE
Chapter 155 - Zoning**§ 155.480 PARKING SPACES REQUIRED.**

The number of off-street parking spaces required for each use shall be no less than the number set forth in this subchapter. Where so specified, the required space shall be in a garage or carport. ***No tandem parking shall be provided, except as allowed per Section 155.644.***

§ 155.481(D)(1) CIRCULATION WITHIN A PARKING AREA.

(D) Industrial uses.

(1) Industrial uses, including incidental office uses.—~~One parking space for each two employees in the maximum working shift or one space for each 500 square feet of gross floor area up to 20,000 square feet; thereafter, one space for each 750 square feet of gross floor area over 20,000 square feet, plus one parking space for each vehicle used in connection with the use. Notwithstanding the above, multi-tenant industrial unit or buildings shall provide one space for each 500 square feet of gross floor area for the first 40,000 square feet of gross building area. Incidental office area exceeding 15% of the gross building area shall require one parking space for each 300 square feet of floor area.~~

- ***0-20,000: 1 space per 500 sf***
- ***20,001-100,000: 1 space per 750 sf***
- ***100,001-200,000: 1 space per 1,000 sf***
- ***200,001 and above: 1 space per 2,000 sf***

Notwithstanding the above, multi-tenant industrial units or buildings shall provide one space for each 500 square feet of gross floor area for the first 40,000 square feet of gross floor area. Additionally, incidental office area exceeding 15% of the gross floor area shall require one parking space for each 300 square feet of floor area and one parking space shall be provided for each vehicle used in connection with the use.

§ 155.487 SIZE OF PARKING SPACES.

The size of off-street parking spaces shall be in accordance with the following:

- (A) Each off-street parking space for other than industrial uses shall have dimensions not less than nine feet in width and 20 feet in length.
- (B) Each off-street parking space for industrial uses shall have dimensions not less than eight and one-half feet in width and 19 feet in length.
- (C) Each parallel off-street parking space shall have dimensions of not less than 10 feet in width and 22 feet in length, regardless of the use.
- (D) Parking spaces adjacent to a wall shall have a minimum width of 12 feet for standard stalls and 10 feet for compact car stalls.
- (E) Notwithstanding the above provisions, and except for single-family dwelling units, a maximum of 25% of the total number of required off-street parking spaces may be in compact spaces with dimensions not less than seven and one-half feet in width and 15 feet in length.

- (F) ***Each off street parking spaces for truck parking shall have dimensions not less than 12 feet in width and 53 feet in length. Truck parking shall be required for industrial/warehouse buildings that are 100,000 sq. ft. or more and there shall be one truck parking for every four truck docks.***

§ 155.491 CIRCULATION WITHIN A PARKING AREA.

The circulation within a parking area shall comply with the following requirements:

- (A) Minimum aisle widths shall be provided in accordance with the angle of the parking spaces they serve:

30° parking	12 feet
45° parking	12 feet
60° parking	18 feet
90° parking	24 feet
90° parking for commercial, financial, professional offices uses and mixed-use industrial/office/commercial uses	26 feet

(2) Other aisle widths shall be determined by interpolation from the above minimum requirements.

- (B) Circulation within a parking area with more than one aisle must be such that a car need not enter the street to reach another aisle within the same parking area.
- (C) Directional signs shall be required to differentiate between entrance and exit access points to the street.
- (D) **All off-street truck loading area, zone, ramp, door, well or dock shall be designed to provide and maintain a minimum unobstructed area of 120 feet to allow for proper truck maneuvering on-site.**

§ 155.497 OTHER REQUIRED IMPROVEMENTS.

All required parking areas shall have the following improvements:

- (A) Parking areas shall be legibly marked off on the pavement, showing the required parking spaces. All parking spaces which are provided as compact spaces shall be further identified by having the words "compact," or comparable wording legibly written on the pavement, wheel stop or on a clearly visible sign.
- (B) Bumper guards or wheel stops shall be provided, where appropriate to insure that no portion of the vehicles parked on the premises shall extend over the property line or planned street width line along the perimeter of the parking area; however, fences or walls may be substituted for said bumper guards or wheel stops provided they are located in such a manner as to accomplish the intent and purpose of this section.
- (C) ***Truck loading doors shall have dimensions not less than 12 feet in width and 14 feet in depth.***

ENVIRONMENTAL DOCUMENTS

The proposed Zoning Text Amendment is exempt as a ministerial project pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA). This exemption applies to discretionary projects proposed by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division. Staff will file a Notice of Exemption with the Los Angeles County Clerk's office. The Notice will be filed within five days of approval by the Planning Commission.

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.

The legal notice was posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on February 27, 2015, and published in a newspaper of general circulation (Whittier Daily News) February 27, 2015, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.



Wayne M. Morrell
Director of Planning

Attachments:

1. City Survey
2. Resolution No. 49-2015
3. Proposed Ordinance No. 1063

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CITY SURVEY

City	General Parking Requirements	Truck Parking Dimensions	Loading Requirements	Loading Dimensions	Maneuvering
Vernon	<u>Industrial</u> : 1 space per 25,000 sq.ft. up to 100,000 sq. ft.; 1 space per 100,000 sq.ft. thereafter	Truck Parking Stall: 10ft. W x75 ft. L with a 15 minimum vertical clearance	Industrial: 1 space per 10,000 sq.ft. Cold Storage: 1 space per 7,500 sq.ft. Data Centers: 1 space per 50,000 sq.ft.	Truck Parking Stall: 10ft. W x75 ft. L x 15 Minimum Vertical Clearance If Only 1 loading space required: 15ft. W	50 ft.
Industry	One standard parking space for each two thousand square feet of gross floor area.	N/A	Industrial: at least 1 one dock high loading door or one truck well with loading door. For multi-tenant industrial buildings, each separate tenant shall be provided such loading space with loading door.	N/A	100 ft. 110 ft. clearance
Corona	<u>Warehouse</u> : 1 space/1,000 sq. ft. of storage area <u>Manufacturing</u> : 1 space/500 sq. ft. of building area	N/A	2,500 sf: 1 1/15,000 sf. Thereafter	12ft. W x 25 ft. L with a minimum vertical clearance of 14ft.	All maneuvering onsite
Commerce	Warehouse 1 space per 2,000 sf + 1 space per loading bay. Interpreted as 1 space per loading bay	Truck Parking Stall: 12ft. W x50 ft. L with a 15 minimum vertical clearance	<8,000 sq. ft.: 1 8,001-25,000 sq. ft.: 2 25,001-50,000 sq. ft.: 3 50,001-100,000 sq. ft.: 4 100,001-200,000 sq. ft.: 5 1/100,000 sq. ft. thereafter	12 ft. W x 45 ft. L with a minimum vertical clearance of 15 ft.	All maneuvering on-site

Eastvale	1 space/250 sq. ft. of office area, PLUS 1 space/500 sq. ft. of fabrication area, PLUS 1 space/1,000 sq. ft. of storage area, AND 1 space/500 sq. ft. of floor plan which is uncommitted to any type of use	N/A	Gross Floor Area: <7,499: 0 7,500-14,999: 1N 15,000-24,999: 2 25,000-39,999: 3 40,000-59,999: 4 60,000-79,999: 5 80,000-100,000: 6 For each additional 100,000: 6 + 1	10 ft. W x 35 ft. L with a minimum vertical clearance of 14 ft.	N/A
Bellflower	1 1/2 off-street parking spaces for each two (2) permanent employees, or one (1) parking space for each five hundred (500) square feet of floor space or fraction thereof, whichever is greater. 1 off-street parking space for each one-thousand (1,000) square feet of floor space or fraction thereof for warehouse uses.	N/A	Industrial:33,500— 40,000 sq.ft.: 140,100— 80,000 sq.ft.: 2Over 80,000 sq.ft.: 3	10 ft. W x 20 ft. in L with a minimum vertical clearance of 14 ft. and should not exceed more than 50 feet	N/A
Rancho Cucamonga	1 per 1,000 sf for first 20,000 sf; 1 per 2,000 sf for the next 20,000 sf; and 1 per 4,000 sf for the remaining sf	N/A	1 space per loading dock; used to be 2 per dock until 2012- 1 went unused, used for outdoor storage; want	12 ft. W x 30 ft. L x 15 ft. H	120 sq. ft. (53 + length of cab) unobstructed maneuverability (*policy) 17.64.90 C-4 trailer parking

			landscaping instead, less paving		50ft. W x 14 ft. L x 14 H
Pico Rivera	1 open parking space for each 1,000 square feet of net building area	N/A	Industrial Building 3,500-20,000: 1 20,001-50,000: 2 50,001-80,000: 3 80,001-110,000: 4 110,001+: 5	N/A	N/A
Norwalk	1 space for each 1,000 sq.ft. for the first 20,000 sq.ft.; plus 1 space for each 2,000 sq.ft. for the 20,000 sq.ft.; plus 1 space for each 4,000 sq.ft. in excess of 40,000 sq.ft.; plus 1 space for each vehicle operated from the property	10ft.W x 20ft. L x 14ft. H	1 per 5,000 sq.ft. No more than 2 spaces unless main building is greater than 40,000 sq.ft. Then: 1 space for each additional 20,000 sq.ft.	10 ft. W x 20 ft. L x 14 ft. H	26 ft. back-up (No maneuvering space listed for trucks, 26 ft. standard is from the back-up maneuvering space applied for regular-sized vehicles)

Chino	<u>Manufacturing:</u> 1 space for each 600 sq. ft. of floor area <u>Storage:</u> 1 space for each 1,000 sq. ft. of floor area for the first 20,000 sq. ft., 1 space for each 2,000 sq. ft. of floor area for the second 20,000 sq. ft., and 1 space for each 4,000 sq. ft. of floor area in excess of the initial 40,000 sq. ft. <u>Office:</u> 1 space for each 250 sq. ft. of floor area.	12ft W x 45ft L	For every loading dock, 1 additional waiting area required (can be elsewhere). Queue-across from stalls, elsewhere in the lot, etc.	12ft. W x 45ft. L x 14ft. H	Loading docks set back at least 75 ft. from a public street property line. Where loading docks and doors front a public street, setback minimum 150 ft. from the public street property line; truck turning template required to show all maneuvering onsite
Moreno Valley	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft. <u>Trailer parking:</u> parking stalls for trailers shall be provided at a ratio of 1 stall per truck	14ft. W x 50ft. L	0-29,999 requires 1 loading space; 30,000-69,999 requires 2 loading spaces; 70,000-120,000 requires 3 loading spaces; and each additional 50,000 sq.ft. over 120,000 sq.ft. requires an additional loading space.	N/A	70ft. Minimum from public right of way, 50ft. Minimum between loading docks (aisle widths); 50 ft. minimum between parking and docks

	loading dock door. This is in addition to the loading parking stall already provided at the dock door.				
Redlands	1 space/1,000 square feet of gross floor area or 1 space/each employee on the largest shift, whichever is greater	N/A	Industrial Building 3,500-40,000: 1 40,001-80,000: 2 80,001-120,000: 3 120,001-160,000: 4 160,001+: 5	20ft. W x 20ft. L x 14ft. H Aisle width to loading docks: 50ft. Width minimum exclusive to truck parking area	All maneuvering on-site

Ontario	<u>Manufacturing:</u> 1 space per 500 sq. ft. of gross floor area; plus 1 tractor trailer space per 4 dock high doors <u>Speculative:</u> 1 space per 250 sq. ft. of gross floor area; assumed as follows: Buildings 15,000 sq. ft. or less - 15% of gross floor area; Buildings 15,001 to 50,000 sq. ft. - 10% of gross floor area; Buildings 50,001 to 100,000 sq. ft. - 5% of gross floor area; Buildings 100,001 sq. ft. or more - 3% of gross floor area; maufacturing - 1 space per 500 sq. ft.; warehouse - 1 space per 1,000 sq. ft.;	12 ft. W x 45 ft. L	Warehouse/distribution facility - 1 loading space required	N/A	One hundred twenty feet (120') in front of loading docks should be paved and kept free of obstacles.
Pomona	One space for each five hundred square feet of gross floor area	N/A	Industrial Building 3,500-40,000: 1 40,001-80,000: 2 80,001-120,000: 3 120,001-160,000: 4 160,001+: 5	10ft. W x 20ft. L x 14ft. H	N/A

CITY OF SANTA FE SPRINGS

RESOLUTION NO. 49-2015

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS REGARDING ADOPTION OF AMENDMENT TO THE SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTIONS 155.480 (RESTRICT TANDEM PARKING), 155.481 (REVISE PARKING RATIO), 155.487 (REQUIRE TRUCK PARKING), 155.491 (ESTABLISH MANUEVERING SPACE) AND 155.497 (ESTABLISH TRUCK DOOR DIMENSION) OF THE CITY ZONING REGULATIONS REGARDING PARKING WITHIN INDUSTRIAL ZONED PROPERTIES.

WHEREAS, the City of Santa Fe Springs has reviewed and considered the proposed amendments to the text of the City's Zoning Regulations with the intention of amending Sections 155.480 (restrict tandem parking), 155.481 (revise parking ratio), 155.487 (require truck parking), 155.491 (establish maneuvering space), and 155.497 (establish truck door dimension) of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code regarding parking within industrial zoned properties, and

WHEREAS, after study and deliberations by the Department of Planning and Development, the City has prepared for adoption of these amendments to the text of the City's Zoning Regulations, and

WHEREAS, notice of the Public Hearing was given as required by law, and

WHEREAS, the Planning Commission held a Public Hearing on March 9, 2015 in regards to the proposed amendments to the text of the City's Zoning Regulations, and

NOW, THEREFORE, IT BE RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The Planning Commission find that the facts in this matter are as follows:

1. That the facts in this matter are as stated in the staff report regarding the proposed amendments to the text of the City's Zoning Regulations.
2. That the Planning Commission finds that pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA), the proposed amendments to the text of the City's Zoning Regulations are exempt as a ministerial project.

3. That the Planning Commission finds that the proposed amendments to the text of the City's Zoning Regulations are consistent with the City's General Plan.
4. That the Planning Commission recommends that the City Council approve and adopt Ordinance No. 1063, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

PASSED and ADOPTED this 9th day of March, 2015.

Susie Johnston, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

CITY OF SANTA FE SPRINGS

ORDINANCE NO. 1063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA, AMENDING THE SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTIONS 155.480 (RESTRICT TANDEM PARKING), 155.481 (REVISE PARKING RATIO), 155.487 (REQUIRE TRUCK PARKING), 155.491 (ESTABLISH MANUEVERING SPACE) AND 155.497 (ESTABLISH TRUCK DOOR DIMENSION) OF THE CITY ZONING REGULATIONS REGARDING PARKING WITHIN INDUSTRIAL ZONED PROPERTIES.

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 155.480 of Chapter 155 of the City Code is hereby amended to read as follows:

§ 155.480 PARKING SPACES REQUIRED.

The number of off-street parking spaces required for each use shall be no less than the number set forth in this subchapter. Where so specified, the required space shall be in a garage or carport. No tandem parking shall be provided, except as allowed per Section 155.644.

Section 2. Subsection (D) of section 155.481 of Chapter 155 of the City Code is hereby amended to read as follows:

§ 155.481 CIRCULATION WITHIN A PARKING AREA.

(D) Industrial uses.

(1) Industrial uses, including incidental office uses.

- 0-20,000: 1 parking space per 500 square feet
- 20,001-100,000: 1 parking space per 750 square feet
- 100,001-200,000: 1 parking space per 1,000 square feet
- 200,001 and above: 1 parking space per 2,000 square feet

Notwithstanding the above, multi-tenant industrial units or buildings shall provide one space for each 500 square feet of gross floor area for the first 40,000 square feet of gross floor area. Additionally, incidental office area exceeding 15% of the gross floor area shall require one parking space for each 300 square feet of floor area and one parking space shall be provided for each vehicle used in connection with the use.

space shall be provided for each vehicle used in connection with the use.

Section 3. Section 155.487 of Chapter 155 of the City Code is hereby amended to add thereto new subsection (F), so that subsection (F) read as follows:

§ 155.487 SIZE OF PARKING SPACES.

The size of off-street parking spaces shall be in accordance with the following:

- (F) Each off-street parking space for truck parking shall have dimensions not less than 12 feet in width and 53 feet in length. Truck parking shall be required for industrial/warehouse buildings that are 100,000 sq. ft. or more and there shall be one truck parking for every four truck docks.

Section 4. Section 155.491 of Chapter 155 of the City Code is hereby amended to add thereto new subsection (D), so that subsection (D) read as follows:

§ 155.491 CIRCULATION WITHIN A PARKING AREA.

The circulation within a parking area shall comply with the following requirements:

- (D) All off-street truck loading areas, zones, ramps, doors, wells or docks shall be designed to provide and maintain a minimum unobstructed area of 120 feet to allow for proper truck maneuvering on-site.

Section 5. Section 155.497 of Chapter 155 of the City Code is hereby amended to add thereto new subsection (C), so that subsection (C) read as follows:

§ 155.497 OTHER REQUIRED IMPROVEMENTS.

All required parking areas shall have the following improvements:

- (C) All truck loading doors shall have dimensions not less than 12 feet in width and 14 feet in height.

Section 6. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or of Chapter 155, or any part thereof. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 7. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than fifteen (15) days after passage thereof.

Except as amended above, all other provisions of the Zoning Regulations in the City Code shall remain in full force and effect.

PASSED and ADOPTED this ____ day of _____, 2015,
by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Mayor

ATTEST:

City Clerk



NEW BUSINESS

Modification Permit Case No. 1249

Request for a Modification of Property Development Standards to not provide required parking stalls related to a proposed 15,000 sq. ft. office mezzanine at 13833 Freeway Drive (APN: 8069-014-009), within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (Golden Springs Development Company)

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. Find that the current proposal will remain within the scope of the previously prepared Initial Study/Mitigated Negative Declaration for Development Plan Approval No. 878 and Tentative Parcel Map No. 71982, and since there is no substantial evidence that the proposed modification of property development standards will have a significant adverse effect on the environment, no new environmental documents are therefore required.
4. Approve Modification Permit Case No. 1249, subject to the conditions of approval as stated in this staff report.

LOCATION / BACKGROUND

The subject site is located at the northeast corner of Marquardt Avenue and Freeway Drive and is dual zoned; the majority of the property (southern portion that fronts onto Freeway Drive) is within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone, with the northern portion (approximately 525 linear feet) within the M-2, Heavy Manufacturing, Zone. The site, comprised of a single parcel (APN 8069-014-009) of approximately 18.7-acres, has an address of 13833 Freeway Drive. Industrial land uses are located to the north, west, and south (across Interstate 5); the Santa Fe Springs Swap Meet is the adjacent easterly property.

For the construction of the new industrial building, the applicant recently received two entitlements, on October 22, 2012, from the Planning Commission: Development Plan Approval Case (DPA) No. 878 and Tentative Parcel Map (TPM) No. 71982. DPA No. 878 allowed for the development of a 448,060 sq. ft. concrete tilt-up building, designed to accommodate two occupants. TPM No. 71982 allowed for the consolidation of two contiguous parcels into one; the Final Map was recorded with the Los Angeles County Public Works Department on July 23, 2013.

PROJECT DESCRIPTION

As previously stated, the 448,060 sq. ft. building was designed to accommodate two occupants; the subject application pertains to the southern half of the building, which will be occupied by Gelson's Market for their corporate office and distribution center. Gelson's Market was founded in 1951 and is recognized as one of the nation's premier supermarket chains. As part of their planned tenant improvement, the applicant is proposing to construct a 15,000 sq. ft. mezzanine, designated as office area, within the existing shell of the building. The proposed 15,000 sq. ft. mezzanine requires an additional twenty (20) parking spaces beyond what was previously required. The existing 448,060 sq. ft. building requires 611 parking spaces, which is currently provided on-site; however, the site cannot accommodate additional parking spaces. As such, a modification of property development standards to not provide the additional required parking spaces must be obtained prior to the approval of additional square footage.

STREETS AND HIGHWAYS

The subject site has frontage on Freeway Drive to the south, Marquardt Avenue to the west, and Mica Street to the north. Marquardt Avenue is designated as a "Secondary Highway" within the Circulation Element of the City's General Plan; Freeway Drive and Mica Street are local streets.

ZONING AND LAND USE

Industrially zoned areas generally surround the subject site. Properties to the east, west, and south are zoned M-2-FOZ, Heavy Manufacturing – Freeway Overlay, and are currently occupied with industrial manufacturing, production, warehouse/distribution facilities, and the Santa Fe Springs Swap Meet (to the east). Properties to the north are zoned M-2, Heavy Manufacturing, and are generally occupied by light industrial uses.

ENVIRONMENTAL DOCUMENTS

A Mitigated Negative Declaration (MND) was previously prepared and subsequently approved by the Planning Commission on October 22, 2012, in conjunction with DPA 878 and TPM No. 71982. The current proposal is not considered a significant change from what was already reviewed and approved under DPA 878. A 15,000 sq. ft., or

3.3%, mezzanine addition to an existing 448,060 sq. ft. building would not create any substantial impacts beyond what has already been reviewed and identified in the original MND.

NOTICE TO ADJACENT PROPERTY OWNERS

As with similar requests, staff mailed a letter, on February 26th, 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. 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 below 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 1247	15600 – 15601 Resin Place	Parking Reduction	Nov 2014
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

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

The site is already fully developed; as such, there is no available space on the subject property to provide the additional twenty (20) parking spaces as required by the square footage of the proposed 15,000 office mezzanine. The additional office area is a critical component that is necessary to support the operations of the future tenant, Gelson's Market.

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

The unique circumstance in this case is the fact that Gelson's Market employee count is significantly less than the amount of parking spaces provided for the site in which they are to occupy. Specifically, the total number of employees totals 144, with a maximum of 111 employees at peak level. The subject sites parking layout is designed to provide for 611 parking spaces; at the peak level of 111 employees working within the south portion of the building (assuming all employees drive alone), a total of 500 parking spaces will remain for visitors and the future co-occupant of the north portion of the building.

(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 Gelson's existing employee count, the Modification Permit is not expected to result in an overflow parking onto the adjacent streets and businesses. Based on their current operational needs, Gelson's expects to initially have a total of 144 employees. Gelson's anticipates that their total employee count will increase by approximately 20 employees in the next five to ten years. As previously stated, the site has been designed to provide 611 parking spaces, which is sufficient to handle the anticipated parking demands related to their business, and any future growth, and the future co-occupant of the site.

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 Gelson's Market and is not transferable unless prior written approval is granted by the Director of Planning. Furthermore, should Gelson's Market vacate the premises, they are required to fully remove the subject mezzanine with an approved Demolition Permit (see condition #1).

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that approval of Modification Permit Case No. 1249 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:

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Paul Garcia 562.868-0511 x7354)

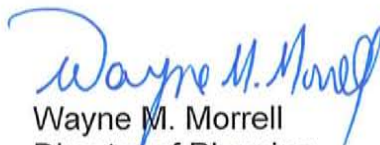
1. That the applicant acknowledges that the privileges granted under Modification Permit (MOD) Case No. 1249 Permit for the sole use and benefit of Gelson's Market. Should Gelson's Market move, vacate, or otherwise abandon the

premises, the 15,000 square foot mezzanine related to the subject MOD shall be removed within 30-days (with an approved Demolition Permit); alternatively, the applicant understands that any new tenant/owner that occupies the subject tenant space (south half of the building) must provide the Director of Planning with written proof that the employee to parking ratio will be substantially similar to the ratios provided by Gelson's Market and on file with the subject MOD.

2. That prior to vacating the premises, Gelson's Market shall provide a 60-day advance notice to the Director of Planning of its intent to vacate the property.
3. That 611 off-street parking spaces shall be made continuously available on the subject site at all times, per DPA No. 878, and as shown on the site plan submitted by the applicant and on file with this case.
4. That the applicant understands that any future expansion to the building and/or mezzanine area shall require prior approval by the Planning Commission for an amendment to this Modification Permit.
5. That there shall be a maximum capacity of 144 employees total at peak shift within the portion of the building occupied by Gelson's Market.
6. 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.
7. That the development shall otherwise be substantially in accordance with the plot plan submitted by the owner and on file with the case.
8. That the applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire Department for the proposed improvements.
9. 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.
10. 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 Martinez, Business License Clerk, at (562) 868-

0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.

11. That the applicant, Golden Springs Development 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 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.
12. That all other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
13. 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. Applicant shall be notified prior to any such action by the Director of Planning and/or Planning Commission.
14. 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, the Director of Planning may refer the subject 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 subject Modification Permit as needed.


Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. MOD 1249 – Application

Report Submitted By: Paul M. Garcia
Planning and Development Dept.

Date of Report: March 6, 2015

Aerial Photograph

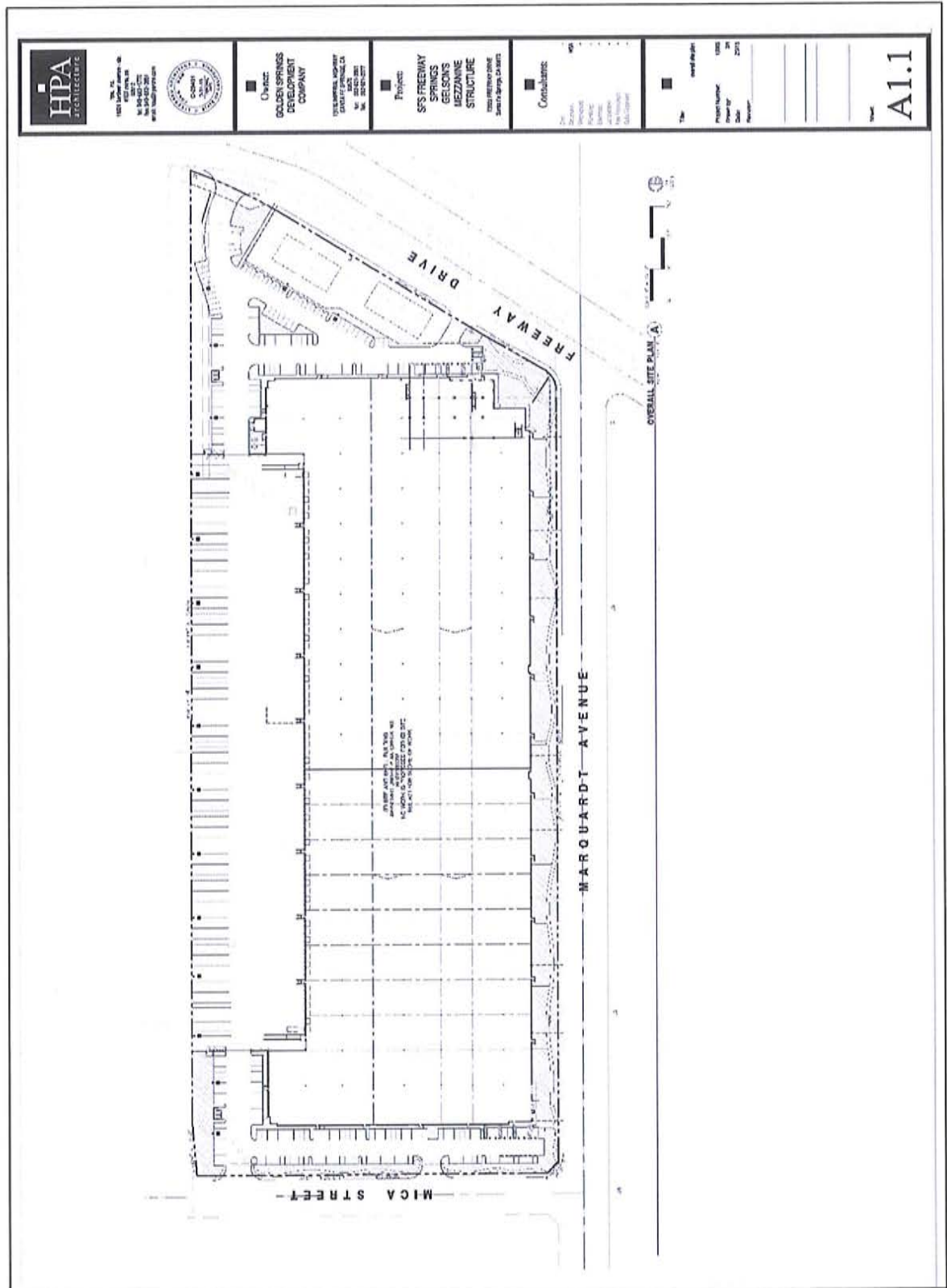


Modification Permit Case No. 1249

13833 Freeway Drive

Golden Springs Development Company

Site Plan



MOD 1249 Application

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

RECEIVED

FEB 11 2015

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): _____

13833 Freeway Drive,
Santa Fe Springs CA 90670

Legal description of property: _____

That portion of the southwest quarter of the south east quarter of section 21, township 3 south range, 11 west, in the Racho Los Cayotes, in the city of Santa Fe Springs, County of Los Angeles, States of California, as per map recorded in book 41819 pages 141 ET SEQ., official records in the office of the County of Said County.

Record Owner of Property:

Name: Golden Springs Development Company Phone No: 562-921-3581

Mailing Address: 13116 Imperial Highway, Santa Fe Springs CA 90670

Fax No: _____ E-mail: sassover@thriftyoil.com

The application is being filed by:

Record Owner of the Property

X _____
Authorized Agent of the Owner

(Written authorization must be attached to application)

Status of Authorized Agent (engineer, attorney, purchaser, lessee, etc.): _____

Architect

Describe the modification requested: _____

Requesting review and approval to build a 15,000 SF mezzanine to an existing facility
without the need to increase auto parking spaces.

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 1249 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.

NA

2. Explain how the modification request, if granted, will not be detrimental to the property of others in the area.

NA

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

3. Explain why the subject property cannot be used in a reasonable manner under the existing regulations.

The tenant requires a 15,000 SF of mezzanine to build out their office, without the mezzanine structure, they can not carry out all their warehouse and office functions.

4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required.

The parking spaces provided on-site meets the minimum requirement for parking. The site cannot provide more parking spaces, therefore per the city's zoning ordinance, a mezzanine cannot be built.

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.

There are far more parking spaces than the number of employees. There will be no special privileges, the project is simply utilizing less parking spaces than what is being provided.

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.

This would actually be beneficial to the project because there will be fewer parking than allocated thereby reducing the anticipated traffic, carbon foot print etc...

MOD 1249 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): Freeway Springs LLC
 Mailing Address: 811 N. Imperial Highway, Santa Fe Springs, CA 90670
 Phone No: (562) 921-3581 x392
 Fax No: (562) 921-2077 E-mail: jarrover@theflyoil.com
 Signature: [Signature]

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)ss.

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

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

(seal)

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

WITNESS my hand and official seal

Notary Public

FOR DEPARTMENT USE ONLY
 CASE NO: MOD #1249
 DATE FILED: 2/11/15
 FILING FEE: \$1,140
 RECEIPT NO: ICL9206
 APPLICATION COMPLETE? Yes

California All Purpose Acknowledgment Attached

MOD 1249 Application (cont.)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Los Angeles)On February 9, 2015 before me, Maryanne D. Fitzpatrick, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Moshe Sassover

Name(s) of Signer(s)

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Md Fitzpatrick
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

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