

**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

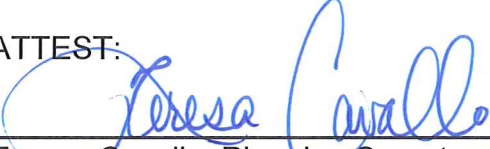
Commissioner Zamora requested if the Planning Commission meeting could be adjourned in honor of Sara Mendez and Jessie Madrid.

♦ 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.

ATTEST:



Teresa Cavallo, Planning Secretary



Chairperson Johnston