



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

FOR THE REGULAR MEETING OF THE PLANNING COMMISSION

October 12, 2015

6:00 p.m.

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

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

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

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

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

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

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

Commissioners Arnold, Johnston, Madrigal, Ybarra, and Zamora.

4. ORAL COMMUNICATIONS

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

5. MINUTES

Approval of the minutes of the August 10, 2015 Regular Planning Commission Meetings.

6. PUBLIC HEARING**Zone Determination No. 2015-01**

A request that the Planning Commission determine that an automotive repair use is a similar and compatible use with other listed uses permitted in the Freeway Overlay Zone. (Pardo Land Use Consultants for Precise Automotive)

7. PUBLIC HEARING**Conditional Use Permit Case No. 767**

A request for approval to allow the establishment, operation, and maintenance of a recycling facility involving electronics (e-waste) within the existing approximately 10,000 sq. ft. industrial building located at 9940 Bell Ranch Road (APN: 8005-023-019), within the M-2, Heavy Manufacturing, Zone and within the Consolidated Redevelopment Project Area. (Tycoon Materials, Inc.)

8. NEW BUSINESS**Modification Permit Case No. 1256**

Request for a Modification of Property Development Standards to not provide seven (7) required parking stalls and to allow six (6) tandem parking stalls at 13225 Telegraph Road (APN's: 8011-006-017 & 8011-006-018), within the C-4, Community Commercial, Zone. (Abbas Kazemi)

9. NEW BUSINESS**Modification Permit Case No. 1257**

Request for a Modification of Property Development Standards to allow the re-construction of a 1-car garage, instead of the standard required two parking spaces in a garage or carport for each dwelling unit, on property located at 10122 Jersey Avenue (APN: 8008-027-050), within the R-1, Single-Family Residential, Zone. (Jorge and Mirta Marti)

10. CONSENT ITEMS

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

A. CONSENT ITEM**Conditional Use Permit Case No. 629-3**

A compliance review of a public training school involving platform diving instructions for U.S. Olympic Athletes at 15064 Shoemaker Avenue (APN: 7005-002-042), in the M-2, Heavy Manufacturing, Zone.
(Amy and Andy Kwan for Pacific Diving Academy)

11. ANNOUNCEMENTS

- ♦ Commissioners
- ♦ Staff

12. 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

October 8, 2015

Date

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
September 14, 2015**

1. CALL TO ORDER

Chairperson Madrigal called the study session to order at 6:01 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Madrigal led the Pledge of Allegiance.

3. ROLL CALL

Present: Chairperson Madrigal
Vice Chairperson Zamora
Commissioner Arnold
Commissioner Johnston

Staff: Wayne M. Morrell, Director of Planning
Steve Skolnik, City Attorney
Cuong Nguyen, Senior Planner
Teresa Cavallo, Planning Secretary
Noe Negrete, Director of Public Works

Absent: Commissioner Ybarra

4. ORAL COMMUNICATIONS

Oral Communications were opened at 6:02 p.m. There being no one wishing to speak, Oral Communications were closed at 6:02 p.m.

5. MINUTES

Approval of the minutes of the August 10, 2015 Regular Planning Commission Meetings.

Commissioner Arnold moved to approve the minutes of the August 10, 2015; Commissioner Johnston seconded the motion. There being no objections the minutes were unanimously approved and filed as submitted.

6. NEW BUSINESS

Appeal of Parkway Tree Removal Decision

Resident request for removal of parkway tree at 11718 Garetal Street.

Chairperson Madrigal called upon Director of Public Works Noe Negrete to present Item No. 6 before the Planning Commission.

Director of Public Works Noe Negrete gave a brief background as to the procedures and policy in place as it pertains to an Appeal of the Director of Public Works' decision not to have a City parkway tree removed. Director of Public Works Noe Negrete presented what steps the Department of Public Works has taken with regard to the City resident's request to have the

City tree removed. Mr. Negrete discussed the checklist that the City's Arborist utilizes to determine if a City tree should be removed. This particular City tree did not meet any of those requirements. Therefore, the Director of Public Works Noe Negrete denied the City resident's request to have the City tree removed.

Commissioner Johnston commented that even if the Planning Commission grants the City resident's request for approval to remove the tree, the resident indicates that she cannot afford to have the tree removed.

Chairperson Madrigal commented that he has sat in on a few of these appeals and that he drove by the residence and noticed that not every home has a tree in the parkway. Director of Public Works Noe Negrete stated that some trees have died or has been removed for different purposes. Mr. Negrete indicated the various types of trees that are planted on that block and stated that the City tree in front of this residence is one of the more mature trees on that block.

Having no further questions or comments, Chairperson Madrigal requested a motion for Item no. 6.

Commissioner Johnston moved to uphold the Director of Public Works decision not to remove the City tree; Vice Chairperson Zamora seconded the motion, which was unanimously approved.

7. CONSENT ITEMS

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

A. CONSENT ITEM

Conditional Use Permit Case No. 754-1

A compliance review of a trade school use on property located at 11843 Smith Avenue (APN: 8005-009-005), within the M-L (Limited Manufacturing Administration and Research) Zone. (David Romero of Southern California Resilient Floor & Decorative Covering Crafts Joint Apprenticeship and Training Committee)

Since staff reports were sufficient, Chairperson Madrigal requested a motion regarding Item No. 7A.

Commissioner Arnold moved to approve Item No. 7A; Commissioner Johnston seconded the motion which was unanimously approved.

8. ANNOUNCEMENTS

♦ Commissioners

Commission Zamora announced that he was running for council and that he enjoys campaigning.

Commissioner Johnston announced that she has started working for Northrop Aerospace Company and introduced her great niece Emerie Olvera.

Commissioner Arnold announced that he had a cataract removed from his right eye and the results have been amazing.

- ♦ Staff
Senior Planner Cuong Nguyen announced that the Planning Department has lost Planning Consultant Kristi Rojas who has decided to move on to raise a family and both Planning Interns. However, the Planning Department has hired a new Planning Intern, Vince Velasco, who began working today.

9. **ADJOURNMENT**

At 6:23 p.m. Chairperson Madrigal adjourned the meeting to Monday, October 12, 2015 at 6:00 p.m.

Chairperson Madrigal

ATTEST:

Teresa Cavallo, Planning Secretary



PUBLIC HEARING

Zone Determination No. 2015-01

A request that the Planning Commission determine that an automotive repair use is a similar and compatible use with other listed uses permitted in the Freeway Overlay Zone. (Pardo Land Use Consultants for Precise Automotive)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Zone Determination No. 2015-01, and thereafter, close the Public Hearing.
2. Find that an automotive repair use is substantially similar to and compatible with other similar permitted uses conducted within the Freeway Overlay Zone and that the use will be harmonious with adjoining properties and surrounding uses in the area and therefore will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the community in general.
3. The proposed Zone Determination is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.
4. Adopt Resolution No. 51-2015, which incorporates the Planning Commission's findings and actions regarding this matter.
5. Approve Zone Determination No. 2015-01, determining that an automotive repair use, provided that all work is conducted indoors, is a similar and compatible use with other principally permitted uses listed in the Freeway Overlay Zone.

BACKGROUND

Pardo Land Use Consultants has submitted a Zone Determination application on behalf of Precise Automotive, located at 13048 Firestone Boulevard and within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay Zone, to allow for automotive repair uses as a principal permitted use within the Freeway Overlay Zone (FOZ).

In accordance with the provisions of the City's Zoning Regulations, specifically Section 155.376, the FOZ shall be in the nature of an overlay zone. Land classified in the FOZ shall also be classified in one or more underlying zones. The regulations set forth in the FOZ shall be in addition to those regulations set forth in the underlying zone district. In the event of a conflict between the provisions of the FOZ and the provisions of the underlying zoning designation, the provisions of the FOZ shall prevail. With that said, Section 155.377 (C)(1) of the City's Zoning Regulations states that any uses that are not identified are prohibited within the FOZ (highlighted for emphasis).

Code Section:	Permitted, Accessory and Conditional Uses
155.377 (C)(1)	<u>Section 155.377</u> (C) Principal Permitted Uses (1) The principal permitted uses, accessory uses and conditional uses permitted in the Freeway Overlay Zone are outlined in the following divisions. Any uses that are not identified in the following divisions are prohibited within the Freeway Overlay Zone.

Automotive repair is not identified as a permitted, accessory, or conditional use within the FOZ; therefore, it is technically prohibited. Section 155.377 (D)(35), however, allows for similar uses which the Planning Commission, after study and deliberation, finds not to be inconsistent with the purpose of the Freeway Overlay Zone, and which would be similar to the uses listed as permitted uses and would be compatible with those uses.

Code Section:	Permitted, Accessory and Conditional Uses
155.377 (D)(35)	<u>Section 155.377</u> (D) Permitted Uses (35) Other similar uses which the Commission, after study and deliberation, finds not to be inconsistent with the purpose of this section, and which would be similar to the uses listed as permitted uses and would be compatible with those uses.

It should be noted that the FOZ was created through Ordinance 932 in February of 2003, which superimposed the Freeway Overlay Zone over certain M-2 (Heavy Manufacturing) properties, specifically those with frontage along Interstate 5. Prior to the creation of the overlay zone, automotive repair was listed as a principal permitted use on property impacted by the overlay zone. The property at 13048

Firestone Boulevard initially operated as a legally established auto repair use in 1994; however, the use became a nonconforming use upon the adoption of the FOZ in 2003, and subsequently (after a five-year period) became an illegally nonconforming use.

As a result of the aforementioned, the applicant has submitted a Zone Determination request to consider automotive repair uses similar to other uses listed as permitted in the FOZ, and therefore, allow for the continuation of the use at 13048 Firestone Boulevard.

ENVIRONMENTAL DOCUMENTS

The proposed Zone Determination is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Consequently, no other environmental documents are required by law.

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 use was posted in the Santa Fe Springs City Hall, the City Library, and Town Center kiosk and published in a newspaper of general circulation (Whittier Daily News) on October 1, 2015, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

COMMISSION'S CONSIDERATIONS

Zone Determination

As mentioned previously, Section 155.377 (D)(35) of the Zoning Regulations, allows for similar uses which the Planning Commission, after study and deliberation, finds not to be inconsistent with the purpose of the code section, and which would be similar to the uses listed as permitted uses and would be compatible with those uses.

Additionally, the Commission should note that in accordance with Section 155.377 (D)(35) of the City's Zoning Regulations, before approving a Zone Determination, the Commission find that all of the following apply:

- 1) That the subject use is definitely similar to one (1) or more uses permitted in the zone within which it is proposed to be located; and
- 2) That the subject use and its operation are compatible with the uses permitted in the zone; and
- 3) That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

Staff believes that the applicant's request meets the criteria required by Section 155.377 (D)(35) of the City's Zoning Regulations for the approval of a Zone Determination.

The required findings are as follows:

- 1. That the subject use is definitely similar to one (1) or more uses permitted in the zone within which it is proposed to be located:**

Automotive repair is definitely similar to the following four (4) permitted uses within the Freeway Overlay Zone:

Code Section:	Permitted Uses
155.377 (D)(1)	Section 155.377 (D) Permitted Uses (1) Manufacture, processing and assembly of aircraft, automotive, boat or recreational vehicle accessories and parts;
155.377 (D)(14)	Section 155.377 (D) Permitted Uses (14) Truck sales, retail leasing, service, or repair (see also Section 155.657) excluding trucking facilities;
155.377 (D)(15)	Section 155.377 (D) Permitted Uses (15) Motorcycle sales, service, and repair;
155.377 (D)(16)	Section 155.377 (D) Permitted Uses (16) Automobile agency, new or used, automobile accessory and parts store, automobile laundry or carwash, brake relining shops, muffler shops, upholstery and top shops (also subject to Section 155.658);

An automotive repair use shares many similar characteristics with the abovementioned uses in that they require engine work, body work, parts assembly/service, painting and general service maintenance. In fact, both truck service and repair and motorcycle service and repair are considered more intensive uses than automotive repair in the underlying, M-2, zone.

2. That the subject use and its operation are compatible with the uses permitted in the zone:

Automobile repair is compatible with uses permitted in the zone as automobile repair is an industrial use that is not any more intense, and is perhaps less intense, than truck and motorcycle repair and service, which are both listed as permitted uses in the Freeway Overlay Zone. The characteristics of the use are identical to the truck and motorcycle repair and service; the sole difference is the type of motor vehicle being repaired.

3. That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

An automotive repair use in the Freeway Overlay Zone offers a convenience to motorists, and the community in general, in need of automotive repair services, similar to the convenience that truck and motorcycle service and repair offer. As previously stated, the use is definitely similarly and compatible with, and not potentially more detrimental or obnoxious than other similar permitted uses in the zone. As such, there are no known reasons to conclude that an automotive repair use will adversely affect persons or property in the zone, or the community in general.

STAFF CONSIDERATIONS:

Automotive repair uses are only suitable in specific locations, and under certain conditions, in order not to have an adverse impact on persons, property, and sensitive land uses. For the reasons stated within the staff report, staff finds the Freeway Overlay Zone to be a suitable location for an automotive repair use, providing all work is conducted indoors, as it will be compatible with the surrounding properties and will not be detrimental or pose a nuisance risk to persons or property in the immediate vicinity.

Staff is therefore recommending approval of Zone Determination No. 2015-01 and adoption of Resolution No. 51-2015, determining that an automotive repair use, provided that all work is conducted indoors, is a similar and compatible use with other listed uses permitted in the Freeway Overlay Zone.

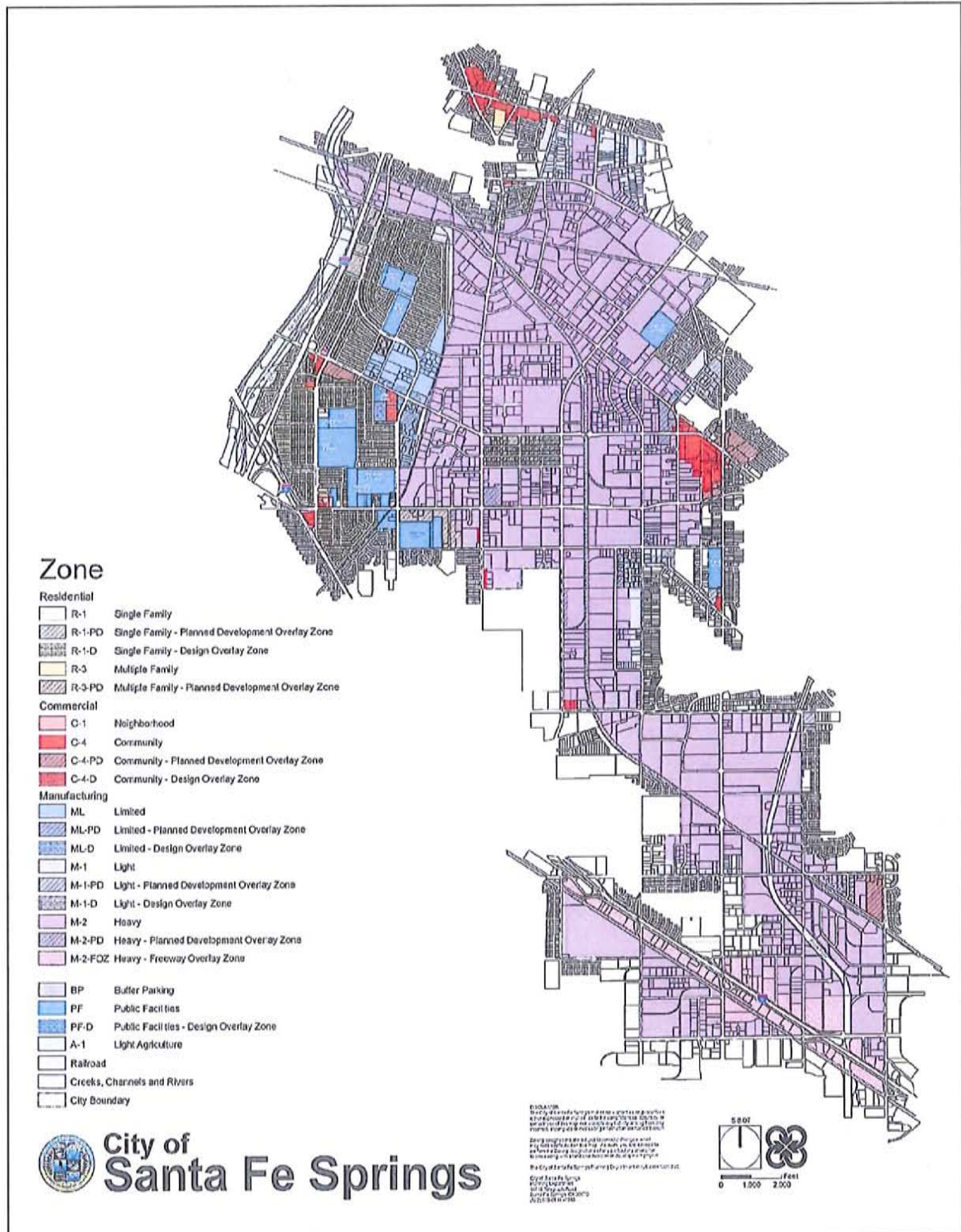


Wayne M. Morrell
Director of Planning

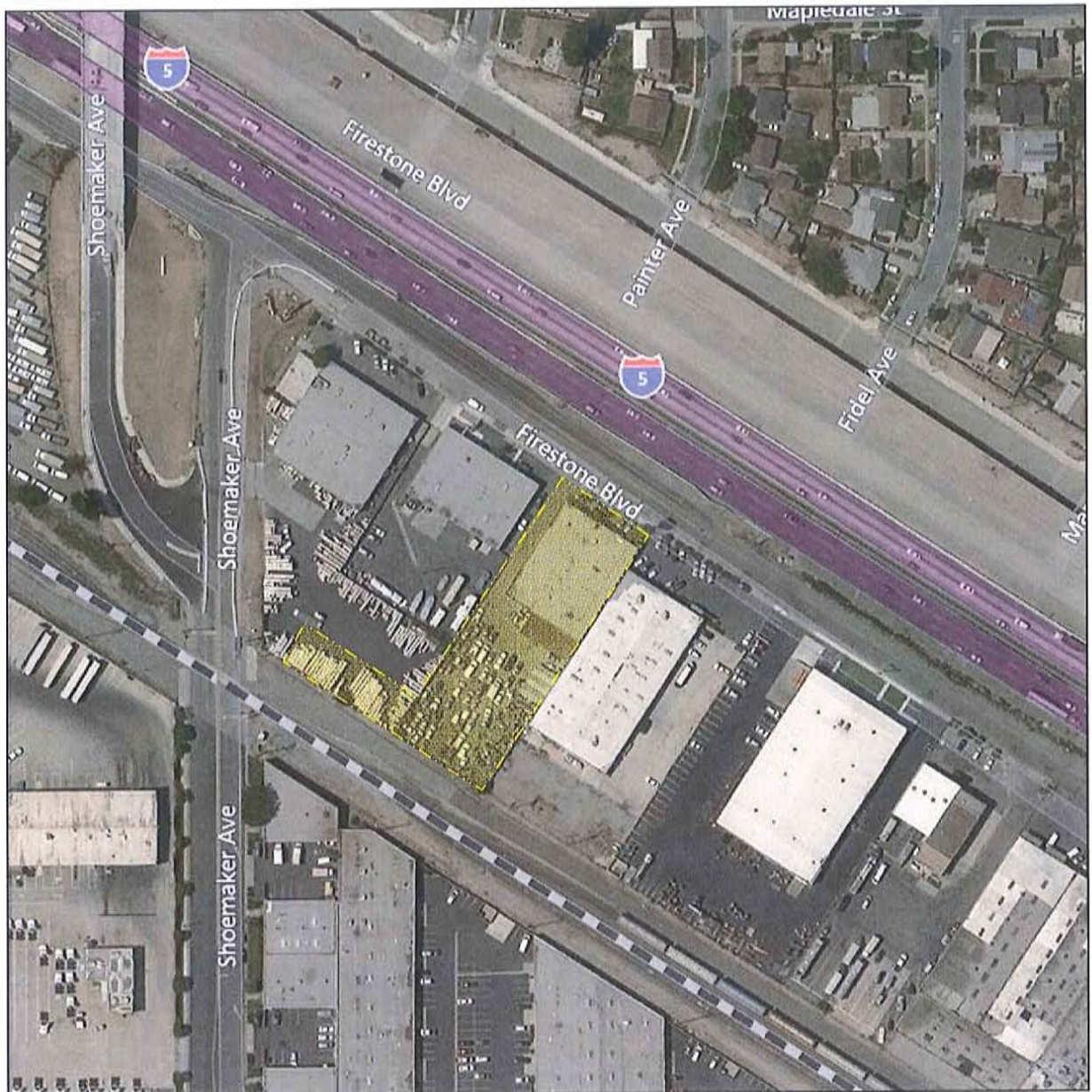
Attachments:

1. Resolution No. 51-2015
2. Zoning Map
3. Aerial of 13048 Firestone Boulevard
4. Application

Zoning Map



Aerial



**Zone Determination No. 2015-01
Pardo Land Use Consultants on behalf of Precise Automotive
13048 Firestone Boulevard**



APPLICATION

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City of Santa Fe Springs

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

PETITION FOR DETERMINATION OF ZONE CLASSIFICATION

The Zoning Ordinance provides that the Planning Commission, after study and deliberation, can determine that certain uses are similar to, and compatible with, uses listed in a particular zone, and, therefore, can be permitted in that zone. However, the Commission must find that all of the following apply:

1. That the subject use is definitely similar to one (1) or more uses permitted in the zone within which it is proposed to be located; and
2. That the subject use and its operation are compatible with the uses permitted in the zone; and
3. That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

The purpose of the following questions is to aid the Commission in the studying of the nature and type of use involved in this request.

1. Use for which Zone Classification is requested: Automotive repair

2. Describe in detail the nature of the use, the materials, equipment and operations involved: See attached

3. Check the primary operation involved:

☐ retail sales	☐ manufacturing
☐ wholesale sales	☐ servicing operation
☐ warehouse	☐ open-air storage
☒ other (specify) <u>Automotive / Body Repair</u>	

APPLICATION

4. Approximate size of building: 11,520 sq. ft.
5. Give approximate percentages of total floor area devoted to the following:
- | | |
|--|---|
| <u> </u> % offices | <u> </u> % assembly or fabrication |
| <u> </u> % sales area | <u> </u> % storage |
| <u> </u> % compounding or production of materials | <u>100</u> % other |
6. Approximate number of employees: 4-10
7. List major items of machinery or equipment along with capacity or rating of each:
See attached
8. Does the use involve: new products X used products
9. Are the products produced from:
- raw materials X previously-prepared products
10. Check the appropriate operations involved:
- | | |
|--|-------------------------|
| <u> </u> compounding | <u> X </u> painting |
| <u> </u> blending | <u> X </u> assembly |
| <u> </u> processing | <u> </u> packaging |
| <u> </u> treating or conditioning | <u> X </u> other |
11. Are operations involved which would produce noise or vibrations that would be apparent on adjoining properties? No
- Describe: See attached
12. Are all operations which produce smoke, fumes or odors in compliance with the latest South Coast Air Quality Management District regulations? Yes
13. Does the use involve storage of explosives or flammable liquids? Yes
- Type: SCAQMD 1151 Compliant low VOC water based paint system
- Quantity: Varies
14. Do any of the processes involve:

APPLICATION

?? steam or gases under pressure
No sandblasting
No radioactive materials

15. What type of industrial wastes or effluent are produced by the operations? _____
See attached _____

Name of person or firm filing this application: HORIZON Development & Entitlement with
Pardo Land Use Consultants for applicant Precise Automotive 13048 Firestone Blvd., Santa Fe Springs, CA 90670
Eric Pardo
Mailing Address: 9720 Wilshire Blvd., 5th Floor, Beverly Hills, CA 90212

Phone: (310) 758-7478

Does your firm have an operation at the present time similar to the one requested? If so, please provide the following information: No.

Name of Company: _____
Address: _____
Name of Person Who Might Be Contacted for Information: _____
Phone: () _____

Is there an operation similar to the one requested in the Los Angeles area? If so, please provide the following information:

Name of Company: Mike Thompson RV Super Stores
Address: 13940 Firerstone Blvd., Santa Fe Springs, CA 90670
Name of Person Who Might Be Contacted for Information: Richard Spencer
Phone: (562) 623-1041

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13048 Firestone Blvd.

Petition for Determination of Zone Classification
13048 Firestone Blvd., Santa Fe Springs, CA 90670

1. That the subject use is definitely similar to one or more uses permitted in the zone within which it is proposed to be located.

A Petition for Determination of Zone Classification is requested for Precise Automotive Inc., an auto repair use located at 13048 Firestone Blvd., Santa Fe Springs, CA 90670. The auto repair use has been at the subject site for approximately nine (9) years and pre-dates the most recent zone change that established the M-2-FOZ Freeway Overlay Zone. The auto repair use is consistent with the uses approved in the zone. As both truck repair and motorcycle repair are allowed, it can be reasonably asserted that general "motor vehicle" repair is consistent with allowed uses. Automobiles, as a type of vehicle, are similar to these other types of vehicles that can be repaired in the zone by right. Further, the site configuration and existing mature landscaping are consistent with the intent of the Freeway Overlay zone to provide an attractive view of Santa Fe Springs from the freeway.

The auto repair use is similar to the following five (5) uses permitted in the M-2-FOZ zone:

- (1) *"Manufacture, processing and assembly of aircraft, automotive, boat or recreational vehicle accessories and parts."* The repair of automobiles is similar to the assembly of automotive uses in that both require mechanics to work on the engine and body of a vehicle.
- (13) *"Parking, storage, rental, leasing, and sale of boats, recreational trailers and vehicles, mobile homes, office trailers, and automobiles (see also § 155.658)."* The repair of automobiles is similar to the parking and storage of vehicles because vehicles that are awaiting service or pick-up can be located on-site. The configuration of the site provides mature landscaping and guest parking in front of the 11,520 sq. ft. building that is visible from the freeway. The main building screens the rear of the site where cars can be stored.
- (14) *"Truck sales, retail leasing, service, or repair (see also § 155.657) excluding trucking facilities."* Truck service and repair is very similar to automobile repair and is a more intensive than auto repair due to the size of the vehicles; the need for larger and taller repair areas due to the height, width, and length of the trucks; need for increased area for the storage of larger parts, and a larger volume of liquids including oil and coolant for trucks. Further the same processes necessary for truck repair are employed for automobile repair, including full body painting.
- (15) *"Motorcycle sales, service, and repair."* For the same reasons that truck repair is similar to automobile repair, motorcycle service and repair is similar to automobile repair, except that motorcycles are generally smaller than automobiles.
- (16) *"Automobile agency, new or used, automobile accessory and parts store, automobile laundry or carwash, brake relining shops, muffler shops, upholstery and top shops (also*

1

APPLICATION

13048 Firestone Blvd.

subject to § 155.658). An automobile agency for used cars that includes a brake relining, muffler shop, and upholstery shop constitutes automobile repair with a limited scope. The use, requirements, and actions involved in brake, muffler, and upholstery repair and definitely similar to general automobile repair.

2. That the subject use and its operation are compatible with the uses permitted in the zone.

Automobile repair is a type of motor vehicle repair and is compatible with truck and motorcycle repair, as they are also types of motor vehicle repair. The use and operation of an automobile repair business is compatible with the uses permitted in the zone as automobile repair is a commercial/industrial use and the allowed uses are also commercial and industrial. The operation of the business is the same as the operations of truck repair and painting allowed in the M-2-FOZ zone.

Specifically, the use is similar to the RV repair business Mike Thompson RV Superstores, located at 13940 Firestone Blvd. The auto repair business is not considered a sensitive use, and is therefore compatible with the other vehicle repair uses allowed in the zone. An automobile repair use adjacent to the freeway is a compatible use because the auto repair business offers general repair and insurance collision estimates, which can serve as a convenience for motorists on the freeway.

The site has visitor parking and landscaping adjacent to the freeway. Vehicle repair and storage takes place at the rear of the building. The building serves as a visual buffer between the landscaped frontage and the vehicle storage area to the rear. Abutting the property to the rear are active freight train railroad tracks. Vehicle storage oriented towards the train tracks is an appropriate arrangement of buildings on site.

3. That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

The use will operate from 7:30 AM to 6:00 PM Monday through Friday and 9:00AM to 1:00 PM on Saturday. The use is closed on Sundays. Car service is provided within the existing 11,520 building with roll down garage doors that remain open during business hours. The site is not located within 1,000 ft. of a residential use on the subject southwest side of the 5 Freeway. The freeway serves as a buffer between the use and residential uses on the northeast side of the 5 freeway.

The site is well maintained and has mature landscaping along the street where it is visible from the freeway. Trash that the wind blows onto the site is removed daily. The site is not frequently vandalized and any graffiti is promptly painted over.

APPLICATION

13048 Firestone Blvd.

Overall, this site has a trusted reputation that has allowed it to prosper for approximately 9 years. The location is convenient for patrons, compatible with nearby uses, and attractive from the freeway.

APPLICATION

13048 Firestone Blvd.

Commission Questions Attachment:**2. Describe in detail the nature of the use, the materials, equipment and operations involved:**

Precise Automotive prepares insurance damage estimates, repairs, and customizes cars. The site is improved with an 11,520 sq. ft. building. Automobile repair use activity occurs within the existing 11,520 sq. ft. building that has roll-up garage doors that are open during business hours. The one-stop shop provides insurance estimates, collision repair, automobile painting, and customization.

7. List major items of machinery or equipment along with capacity or rating of each:

Machinery	Capacity/Rating	Quantity
Car lift		3
Frame Machine		3
Spray Booth		1

11. Are operations involved which would produce noise or vibrations that would be apparent on adjoining properties? No Describe: Power tools are used, however they are conducted within a building and the adjacent businesses are also conducted within buildings. Noise from the subject site is not apparent from within the buildings on adjoining properties.

15. Paint wastes are recycled per SCAQMD 1151 regulations, fully manifested.

APPLICATION

Site photos: Petition for Determination of Zone Classification
13048 Firestone Blvd., Santa Fe Springs, CA 90670

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1. Subject property facing south.



2. Abutting property to west of subject property; facing south

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Site photos: Petition for Determination of Zone Classification
13048 Firestone Blvd., Santa Fe Springs, CA 90670

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3. Abutting property to east of subject property; facing south



4. Across the street from subject property; facing north at Interstate 5 freeway.

APPLICATION

Site photos: Petition for Determination of Zone Classification
13048 Firestone Blvd., Santa Fe Springs, CA 90670

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5. Facing southeast on Firestone Blvd directly in front of subject property.



6. Facing northwest on Firestone Blvd directly in front of subject property.

CITY OF SANTA FE SPRINGS

RESOLUTION NO. 51-2015

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS REGARDING APPROVAL OF ZONE DETERMINATION NO. 2015-01 DETERMINING THAT AUTOMOTIVE REPAIR IS A SIMILAR AND COMPATIBLE USE TO OTHER PERMITTED USES IN THE FREEWAY OVERLAY ZONE ("FOZ").

WHEREAS, the City of Santa Fe Springs has reviewed and considered the proper zone classification for the establishment, operation, and maintenance of an automotive repair use in the Freeway Overlay Zone, and

WHEREAS, after study and deliberation in accordance with Section 155.377 (D)(35), the Planning Commission has determined the proper zone classification for an automotive repair use in the Freeway Overlay Zone; and

WHEREAS, public notice of this meeting was given to all persons or agencies requesting notice, and said notice was also published in the Whittier Daily News on Thursday, October 1, 2015; and

WHEREAS, the Planning Commission held a Public Hearing on this matter on Monday, October 12, 2015 and accepted public comment on Zone Determination No. 2015-01; and

WHEREAS, the Planning Commission has considered the evidence in the administrative record and studied this matter;

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

SECTION I. The Planning Commission finds 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 proper zone classification for the establishment, operation, and maintenance of an automotive repair use in the Freeway Overlay Zone.
2. That after study and deliberation, based upon the information presented, the Planning Commission has determined that an automotive repair use is definitely similar to one (1) or more uses permitted in the Freeway Overlay Zone.

3. That after study and deliberation, based upon the information presented, the Planning Commission has determined that an automotive repair use is compatible with the uses permitted in the Freeway Overlay Zone.
4. That after study and deliberation, based upon the information presented, the Planning Commission has determined that an automotive repair use will not adversely affect persons or property, nor the community in general, in the Freeway Overlay Zone.
5. That the proposed Zone Determination is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

PASSED and ADOPTED this ____ day of _____, 2015.

Michael Madrigal, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary



PUBLIC HEARING

Conditional Use Permit Case No. 767

A request for approval to allow the establishment, operation, and maintenance of a recycling facility involving electronics (e-waste) within the existing approximately 10,000 sq. ft. industrial building located at 9940 Bell Ranch Road (APN: 8005-023-019), within the M-2, Heavy Manufacturing, Zone and within the Consolidated Redevelopment Project Area. (Tycoon Materials, 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 (CUP) Case No. 767, and thereafter, close the Public Hearing.
2. Find that the proposed recycling facility involving electronics (e-waste), if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and, therefore, will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.
3. Find that CUP Case No. 767 meets the criteria for "New Construction or Conversion of Small Structures" pursuant to the California Environmental Quality Act (CEQA); therefore, the proposed project is determined to be a categorically-exempt project, pursuant to Section 15303-Class 3 of CEQA; consequently, no other environmental documents are required by law.
4. Approve CUP Case No. 767, subject to a compliance review in one (1) years, until October 12, 2016, and subject to the conditions of approval as contained within this staff report.

BACKGROUND

The subject property is located at 9940 Bell Ranch Road (APN: 8005-023-019), in the M-2 (Heavy Manufacturing) zoning district within the Consolidated Redevelopment Project Area. The property is part of an approximately 10.92-acre industrial park also known as the Bell Ranch Business Park. There are a total of 11 buildings that make up the business park. The subject building is located along the rear of the business park.

The applicant, Tycoon Materials, Inc., is a state approved participant in electronic waste (e-waste) recycling. Tycoon Materials is a relatively small company with a total of 15 employees. The company incorporated in 2006 and was previously located in the City of Industry. In addition to outgrowing their previous location, Tycoon found the subject building in the City of Santa Fe Springs to be an ideal location since it is geographically centralized between their existing clients.

ZONING CODE REQUIREMENT

Pursuant to the procedures set forth in Section 155.243 (C)(5) of the Zoning Regulations, a Conditional Use Permit (CUP) is required within the M-2 (Heavy Manufacturing) Zone for the establishment of an industrial waste salvage, recycling, storage, and processing use (*see Section Below*).

Section 155.243 (C)(5)

Section 155.243

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

(C) Salvage, reclamation, recycling, wrecking, storage and disposal activities of the following kinds:

(5) Industrial waste material salvage, recycling, storage and processing including metal, rags, clothing, wood, wood residues, sawdust, wood chips, rubber, oil, glass

The applicant is, therefore, seeking approval of the subject CUP, to allow the establishment, operation and maintenance of a recycling facility involving electronics (e-waste) within the existing approximately 10,000 sq. ft. industrial building located at 9940 Bell Ranch Road.

DETAILS OF PROPOSED USE

Tycoon Materials, established in 2006, is a state approved participant in e-waste recycling. Tycoon Metals provides pickup and recycling services for their clientele. Once the electronic goods are picked up, Tycoon Materials disassembles obsolete items and refurbishes reusable ones. The obsolete items are sorted by commodity type (plastic, metal, circuit boards, glass) and then packaged and wrapped to prepare for shipping to various partners in Japan, Mexico, San Diego, Corona, and Northern California. As proposed, no scrap will be bought from the general public, individuals or peddlers. All items will be stored indoors due to possible theft, weather damage, and respect to other neighbors in the business park

Hours of Operation & Employee Count:

As proposed, the business will operate Monday to Friday from 8:00am to 5:00pm. Tycoon Materials is small business consisting of 15 employees.

Trucks and Truck Traffic:

Tycoon Materials owns 3 trucks. The applicant has indicated that they expect 2-3 inbound and 2 outbound truck trips on a weekly basis, Monday through Friday. Tycoon estimates that they will process 1 truckload of CRT's every two weeks and 1 truckload of computers each month. The outbound trips are tied to the shipments of circuit boards (monthly), plastics (every 2 months), and tin (every 2 weeks).

Site Improvements:

The project does not involve any proposed site or exterior improvements. The applicant is planning to lease the property to conduct their recycling activities inside the existing building.

STREETS AND HIGHWAYS

The subject site is located on the east side of Bell Ranch Road, just north of McCann Drive. Within the Circulation Element of the City's General Plan, both Bell Ranch Road and McCann Drive are considered local industrial streets.

ZONING AND LAND USE

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

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

<i>Direction</i>	<i>Zoning District</i>	<i>General Plan</i>	<i>Land Use</i>
North	M-2, Heavy Manufacturing	Industrial	9934 Bell Ranch Rd. – Superior Screen Printing (Printing Company)
South	M-2, Heavy Manufacturing	Industrial	9950 Bell Ranch Rd. – #101: Divine Medical Supplies (Office/Warehouse) #102: Express Die Supply, Inc. (Office/Warehouse) #103: Drew David Auto House (Office) #104: BDP Auto Sales (Office) #105: Drew David Auto House (Office) 9960 Bell Ranch Rd. – #101: Yogreen Corp (Office/Warehouse–yogurt toppings) #102: Express Die Supply, Inc. (Office/Warehouse) #103: Microtek Lab (Warehouse/Distribution - scanners) #104: Microtek Lab (Warehouse/Distribution - scanners) #105: Force Machine (Machine Shop)
East	M-2, Heavy Manufacturing	Industrial	9835 Santa Fe Springs Rd. – Baker Hughes Oilfield Operations (oil field equipment manufacturer and supplier)

			9921 Romandel Av. – Bodycote Lindberg Corporation (Heat Treating)
West	M-2, Heavy Manufacturing	Industrial	9928 Bell Ranch Rd. – Extreme Finishing (Printing/ Die Cutting Shop)

ENVIRONMENTAL DOCUMENTS

Upon review of the proposed project, staff finds the project would qualify for a categorical exemption pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

The proposed industrial use is located on a site that is zoned for heavy industrial uses. Secondly, the proposed e-waste recycling activity will be conducted entirely within the building. Lastly, the project involves only minor interior tenant improvements and there will not be any new activities or improvement to the building's exterior.

For the reasons mentioned, staff believes the proposed recycling operations would be inconspicuous to nearby properties and its occupants and thus would not be detrimental to persons or property in the immediate vicinity. Consequently, additional environmental analysis is therefore not necessary to meet the requirements of the CEQA. If the Commission agrees, staff will be filing a Notice of Exemption (NOE) within 5 days following actions 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.

Legal notice of the Public Hearing for the CUP was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on October 1, 2015. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on October 1, 2015, and published in a newspaper of general circulation (Whittier Daily News) October 1, 2015, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

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

COMMISSION'S CONSIDERATIONS**Conditional Use Permit**

As mentioned previously, Section 155.243 (C)(5) of the Zoning Regulations, a Conditional Use Permit (CUP) is required within the M-2 (Heavy Manufacturing) Zone for the establishment of any industrial waste salvage, recycling, storage, and processing use.

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

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

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

The reasons for the findings are as follows:

1. **That the proposed e-waste recycling use will not be detrimental to persons or property in the immediate vicinity, nor the welfare of the community for the following reasons:**

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

- The subject site is located in the M-2 (Heavy Manufacturing) Zone and also has a General Plan land use designation of Industrial. An e-waste recycling use would be consistent with the current zoning and land use designation;
- All recycling activities, except for the transferring of recycled materials into the building will occur inside the building;
- No material sorted, baled, or otherwise processed, will be stored outside the building;
- All trash bins will be stored inside their designated enclosure with the door to the enclosure closed and locked at all times;
- No hazardous waste will be accepted at the facility;
- No chemicals are used in any processing activities; and
- No materials will be accepted from the general public, individuals or peddlers.

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

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

- The subject building and site is existing. The applicant intends to make a few minor interior tenant improvements. No modifications are proposed within or outside the existing building;
- All recycling activities, except for the transferring of recycled materials into the building will occur inside the building;
- No material sorted, baled, or otherwise processed, will be stored outside the building; and
- All trash bins will be stored inside their designated enclosure with the door to the enclosure closed and locked at all times;

STAFF CONSIDERATIONS:

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

CONDITIONS OF APPROVAL

POLICE SERVICES DEPARTMENT:

(Contact: Margarita Munoz 562.868-0511 x3319)

1. That the applicant shall obtain a Recyclable Materials Dealer Permit through the Police Services Center within thirty days from the City Council approval. The Applicant shall submit an application to the Department of Police Services for a Recyclable Materials Dealers Permit. Applicant shall renew said permit on an annual basis through the Police Services Center. Please contact Margarita Munoz, Management Assistant, at (562) 409-1850 for said application.

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION)
(Contact: Brian Reparuk 562.868-0511 x3701)

2. Maximum storage height for plastic material shall be limited to 5 feet.

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

3. That the applicant shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations.
4. That the applicant shall maintain a valid certification as an electronic waste recycler with the California Department of Toxic Substances Control.
5. That the applicant shall manage all hazardous wastes removed from discarded appliances in accordance with California Health & Safety Code, Division 20, Chapter 6.5, Article 10.1.

WASTE MANAGEMENT:
(Contact: Teresa Cavallo 562.868.0511 x7309)

6. That the applicant shall, upon approval of the Santa Fe Springs City Council, obtain a Recyclable Materials Dealer Permit through the Police Services Center. Permit shall be valid for a period of one year. Applicant shall renew said permit on an annual basis through the Police Services Center. Please contact Margarita Munoz, Management Assistant, at (562) 409-1850 for said application.
7. That the applicant shall not knowingly transport loads containing more than 10% residue.
8. That the applicant shall maintain a log of origin of all materials collected by content and by weight from within the City of Santa Fe Springs and track their point of destination. Logs shall indicate any fees for collection and/or processing of materials. Logs shall be submitted to the Waste Management Division on a monthly basis using forms provided by the Environmental Program Coordinator. Any fee charged under this section shall be subject to the fees specified under § 50.22. In addition, any recyclable materials dealer engaging in fee-for-service hauling shall also be subject to the reports, remittances, books and records, audits, and penalties specified under § 50.24. (Ord. 892, passed 4-22-99) Penalty, see § 10.97.

9. That the applicant shall maintain a log of all materials that have a point of origin in Santa Fe Springs that are subsequently disposed at a landfill. Logs shall be submitted to the Waste Management Division on a monthly basis using forms referenced in condition #8.

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

10. That this approval shall allow the applicant, Tycoon Materials, Inc., to establish, operate, and maintain a recycling facility involving electronics (e-waste) within an existing approximately 10,000 sq. ft. industrial building located at 9940 Bell Ranch Road.
11. That subject recycling facility operations shall be limited to the following hours of operation: Monday through Friday from 7:00am and 6:00pm. Saturday and Sunday – Closed.
12. That all recycling activities, except the transferring of materials into the building, shall occur inside the building. No materials, scrap, or pallets shall be located or otherwise stored outside the building.
13. That the applicant shall ensure the trash bins and cardboard enclosure are stored inside their designated enclosure and that the door to the enclosure remains closed and locked at all times.
14. That the subject property and areas immediately adjacent to the property be permanently maintained free of trash, junk, debris, etc. and in an otherwise neat and attractive manner.
15. That the facility shall be maintained so as to prevent or control on-site populations of vectors using techniques appropriate for protection or human health and the environment and prevent the facility from being a vector breeding area.
16. That the subject recycling operations shall operate within the noise limitations established within Section 155.424 of the City's Zoning Regulations.
17. That the subject recycling operations shall comply with Section 155.420 of the City's Zoning Regulations regarding the generation objectionable odors. If there is a violation of this aforementioned Section, the applicant shall immediately take any necessary measures to ensure the objectionable odors are eliminated in a timely manner.

18. No portion of the required off-street parking and driveway areas shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning, Director of Police Services, and Fire Marshall.
19. That all vehicles associated with the business shall be parked on the subject site at all times. Off-site parking is not permitted and would result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic.
20. That the applicant shall not allow commercial vehicles, trucks, and/or truck tractors to queue on Bell Ranch Rd, use said streets as staging, or to back up onto the street from the subject property.
21. That the site shall otherwise be substantially in accordance with the site plan and floor plan submitted by the applicant and on file with the case.
22. That the Department of Planning and Development shall first review and approve all sign proposals for the development. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size, style and color of the proposed sign. All drawings shall be properly dimensioned and drawn to scale on 24" x 36" maximum-size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and the Sign Guidelines of the City
23. That the applicant shall not accept materials from the general public, individuals or peddlers.
24. That prior to occupancy of the building, the applicant shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Martinez at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).
25. That the applicant shall understand, and accept, that this Permit is solely for a land use entitlement to operate and maintain a recycling facility. The granting of this Permit does not circumvent any Federal, State or regulatory local laws as they apply to the recycling activities.

26. That all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
27. That Conditional Use Permit Case No. 767 shall be subject to a compliance review in one (1) year, no later than October 12, 2016, to ensure the subject recycling use is still operating in strict compliance with the conditions of approval as stated in the staff report.
28. That the applicant, Tycoon Materials, 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 Conditional Use Permit (CUP Case No. 767), 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 applicant of such claim, action or proceeding, and shall cooperate fully in the defense thereof.
29. 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 conditional use permit to the Planning Commission for review. If upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the subject conditional use permit.
30. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.



Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. Floor Plan
4. Proposed Business Plan
5. CUP Application

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS

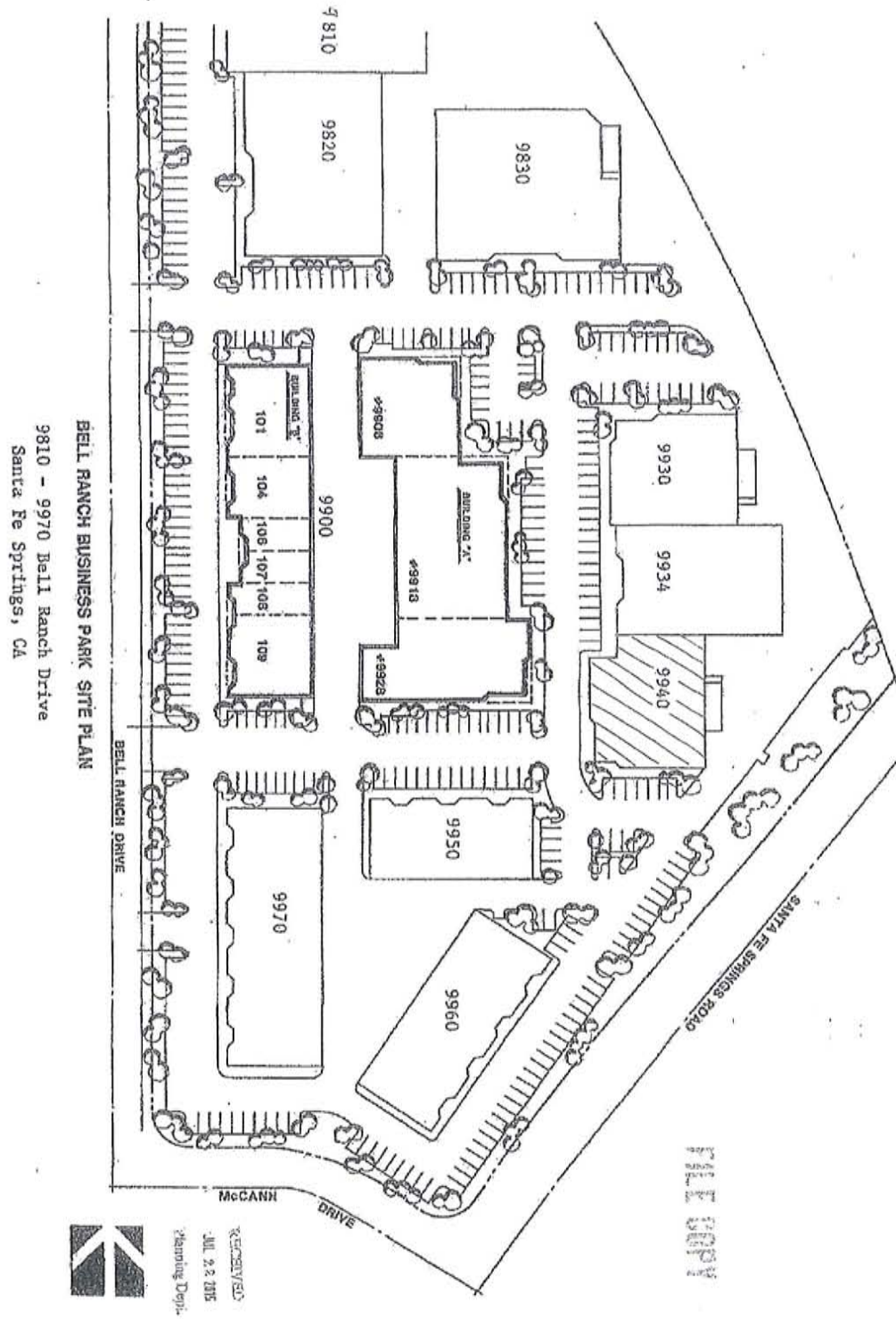


AERIAL PHOTOGRAPH – 9940 Bell Ranch Road



PROJECT: Conditional Use Permit (CUP) Case No. 767
REQUEST: E-Waste Recycling
APPLICANT: Tycoon Metals, Inc.

SITE PLAN



BELL RANCH BUSINESS PARK SITE PLAN
 9810 - 9970 Bell Ranch Drive
 Santa Fe Springs, CA



RECEIVED
 JUL 22 2015
 Planning Dept.

[illegible]

PROPOSED BUSINESS PLAN

RECEIVED
AUG 27 2015
Planning Dept.

Tycoon Materials Inc.

Business Plan
Submitted To: City of Santa Fe Springs

James Ignacio
9940 Bell Ranch Dr.
Santa Fe Springs, CA 90670
(888) 330 8088
www.happyrecyclers.com

PROPOSED BUSINESS PLAN (Cont.)

Executive Summary-

Tycoon Materials is a state approved participant in electronic waste recycling. The company was incorporated in 2006. The company operated in City of Industry prior to moving. Aside from being one of the most business friendly cities in LA County, we believe we share the same values with Santa Fe Springs as far as sustainability. Santa Fe Springs is also centralized geographically which serves our clientele from all the neighboring counties.

Objectives-

Our goal is to provide an outlet for the community to recycle electronics and divert from landfills. Our standing objectives are to have a Zero Landfill operations, Zero on the job accidents, reduction in resource use, and stay in compliance with all legal requirements.

Our daily tasks include Pickups from the community where we go on site and safely transport e-waste from their facility to ours. Next is properly receiving that material ensuring correct tracking as far as units and weight. Then we sort the e-waste accordingly. Once sorted then we process items like monitors and computers for disassembly (creating output). We then label the output with pertinent information according to state requirements. Lastly we prepare the items for shipment by properly packing it safely and securely.

Anticipated growth is modest at this time since revenue is directly tied to the commodity market as well as the uncertainty of future regulations set forth by the state. Since our inception, we have continued to grow every year. This is measured by the amount of e-waste we have been able to recycle annually, which is tracked and reported to the state. With that said, we estimate to grow organically at a steady pace in the next five years in employees and equipment.

Mission Statement-

Our mission is to provide our customers with the best services in terms asset disposition, recovery, and recycling while ensuring the minimum impact on the environment. We believe in establishing values and commitment that build long-term partner relationships.

Saving the environment and protecting our partners are a business priority. Tycoon Materials also takes 100% responsibility for its customer's legal exposure to the disposition of their electronic waste as well as the proper handling of sensitive data.

We recycle all of our supply use such as boxes, plastic wrap, and pallets. Only regular solid waste is disposed of in the trash bins and picked up by Republic Waste Management.

PROPOSED BUSINESS PLAN (Cont.)

We are currently adhering to R2/ ISO 14001 environmental standards that help mitigate a business' carbon footprint through following its regulations. All operations are performed indoors and away from neighboring walls

Company Information-

We are a small minority owned business, consisting of 15 employees (6 office, 8 warehouse, 1 executive) and 3 trucks. Our hours of operation are Mon-Fri, 8-5pm. We estimate that a total of 12 vehicles come through the proposed location at different times. We currently do not advertise as "open to the public", however we do not turn away walk ins who come to drop off for fear of illegal disposal.

Product Cycle-

We provide pickup and recycling services for our clientele. Once picked up, we disassemble obsolete items and refurbish reusable ones. We follow the hierarchy of recycling by using the 3 Rs method. Items are sorted by commodity type (plastic, metal, boards, glass). Once items are packaged and wrapped, it is shipped out in boxes and pallets to our partner downstream by our own trucks. Some of our partners are in Japan, Mexico, San Diego, Corona, Northern California, and locally as well. We use propane to run forklifts. We do not use any other flammable or hazardous material

TVs, Monitors, CPUs, Printers, Computer Peripherals such as mice/keyboard are all received at the site. However, we do not accept any bulbs, batteries, or ballast. We also do not accept any used oil, tires or paint.

Licenses-

Licenses needed to operate are as follows:

Cal Recycle ID approved to participate

Cal EPA ID

DTSC approved and inspected annually

Weighmaster approved by the Department of Agriculture Weights and Measures for accurate reporting of weights.

We currently conform to R2/ ISO 14001 however pending licensing since approval is site specific. We were certified in our previous location.

PROPOSED BUSINESS PLAN (Cont.)

Estimates-

We process 1 truckload of CRTs every two weeks. An Estimated 1 truckload of computers monthly are disassembled. We typically ship circuit boards monthly, plastics every 2 months, and tin every two weeks. Sales have been about \$40,000/ month from state payment, \$20,000 from sales of circuit boards, \$10,000 from reusable goods. We anticipate about 2-3 pickups per week and 2 deliveries per week. We do not store anything outdoors overnight due to possible non-environmental friendly situations, theft, and respect to our neighbors and the overall affect of the business park. Our estimated collection is about 45 metric tons per month, 540 metric tons annual. At this time there will be no improvements made to the location.

Floor Plan-

The additional office area was pre-built prior to move in. We have been working with the Landlord in getting remedial permitting for compliance. There has been communication with your department about getting this done in conjunction with the CUP.

****Please refer to attached Company Manual for additional information****

CUP APPLICATION



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

APPROVED
JUL 22 2015
Planning Dept.

FILE COPY

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

9940 Bell Ranch Dr., Santa Fe Springs, CA 90670

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)

Large Multi-Tenant Property. Leased warehouse with office space totaling approximately 10,000 square feet. See attached Deed.

Record Owner of the property: Bell Ranch Business Park

Name: Don Pearlman Phone No: (949) 798-8100

Mailing Address: 4633 Old Ironsides Rd. Ste 100, Santa Clara, CA 95050 Date of Purchase:

Fax No: E-mail:

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: James Ignacio Phone No: (562) 944-0598

Mailing Address: 9940 Bell Ranch Dr., Santa Fe Springs, CA 90650

Fax No: E-mail: james@tycoonmaterialsinc.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):

Storage facility of second hand electronics and general office use. 10% warehouse will be used for disassembly of electronics

NOTE

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

CUP APPLICATION (Cont.)

CUP Application
Page 2 of 3

JUSTIFICATION STATEMENT

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

1. Explain why the proposed use is essential or desirable in the location requested.
It is located away a full mile away from the nearest school and residential area and is deep within several business parks. We are also surrounded by other heavy industrial use properties such as steel piping and tanker storages that are bound by train tracks.
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 operations are within the confines of the warehouse. There are no activities outside except for receiving material. Disassembly is executed inside the property. There are no plans of extending or building more to the property.
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?
Our process consist of only hand tools and manual separation of items. We have one baler that is located indoors placed away from adjoining walls. Everything is done indoors. We do not use any chemicals during operations. Vibration, noise, dust are all at a minimal level and within our walls. The train that passes by every 20 minutes or so would have the loudest noise or vibration.
4. Explain why the proposed use will not in the future become a hindrance to quality development or redevelopment of adjoining properties.
We are located in a fully developed business park in the southeastern most part. Only the train tracks are within our adjoining area. Our neighbor that we share a wall will not be affected due to our set up. We use that part of the warehouse for storage only.
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.
The property is located above the main street (Telegraph) where train tracks go over a bridge. The entrance and exit to the property are in the business park away from the main crossstreets.
6. If the operator of the requested conditional use will be someone other than the property owner, state name and address of the operator.
Hugh Wan. 4965 Firenze Drive. Cypress CA, 90630

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

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

Name (please print): DPJV, LLC and PJV, LLC, dba: Bell Ranch Business Park
 Mailing Address: 4633 Old Ironsides Drive, Suite 100, Santa Clara, CA 95054
 Phone No: 408-727-0588
 Fax No: 408-727-0904 E-mail: zack.pearlman@pearlmanprop.com
 Signature: _____

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES) ss.

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

On 10/29/2015 before me, Mary Alexander Sansano, a Notary Public,
 Personally appeared Zack Pearlman,
 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

Mary Alexander Sansano
 Notary Public

**FOR DEPARTMENT USE ONLY**

CASE NO: CUP 767
 DATE FILED: 7/29/15
 FILING FEE: \$4,046
 RECEIPT NO: 1619073
 APPLICATION COMPLETE? _____

ACKNOWLEDGMENT

Signature _____ (Seal)

07-29-15 1019073 CHECK 4046.00



NEW BUSINESS

Modification Permit Case No. 1256

Request for a Modification of Property Development Standards to not provide seven (7) required parking stalls and to allow six (6) tandem parking stalls at 13225 Telegraph Road (APN's: 8011-006-017 & 8011-006-018), within the C-4, Community Commercial, Zone. (Abbas Kazemi)

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 request meets the criteria set forth in §155.695 of the City's Zoning Regulation for the granting of a Modification Permit.
3. Find and determine that the applicant's request meets the criteria for "Existing Facilities", pursuant to Section 15301-Class 1 of the California Environmental Quality Act (CEQA); therefore, the proposed project is determined to be a categorically-exempt project, and no additional environmental analysis is necessary to meet the requirements of the CEQA.
4. Approve Modification Permit Case No. 1256, subject to the conditions of approval as contained within this staff report.

BACKGROUND

The subject site is located on the north side of Telegraph Road, east of Painter Avenue and within the C-4 (Community Commercial) Zone, the Consolidated Redevelopment Project Area, and the Telegraph Road Corridor. The site, comprised of two parcels (APN's 8011-006-017 and 8011-006-018) totaling approximately 1.25-acres, is developed with a single building of 7,710 sq. ft. The subject site is addressed as 13225 Telegraph Road and was formerly occupied by Sizzler Restaurant. Commercial land uses generally surround the site: 7-Eleven is located to the west; The Gateway Plaza to the south; Good Year Tire to the east; and Richard L. Graves Middle School (South Whittier School District) to the north.

The property was initially developed with a 1,090 sq. ft. drive-thru restaurant that was constructed in 1956. Since that time, the site has undergone numerous improvements related to various restaurant uses, resulting in the current 7,710 sq. ft. building.

After being vacant and underutilized for a number of years, the subject property was recently sold and is proposed to be occupied by Salt & Pepper Restaurant, a restaurant with a sports bar theme featuring traditional dining. The current size of the building, however, does not support their proposed operations; as such, the applicant is proposing to expand the existing building by 3,200 sq. ft., resulting in a total of 10,910 sq. ft.

It should be noted that the applicant is proposing to significantly upgrade the façade of the existing building as part of their overall plan to improve the site. The proposed exterior improvements will greatly enhance the site and will result in an attractive building that is consistent with the Telegraph Road Design Guidelines. Please see the attached elevations for further detail.

As aforementioned, the applicant is proposing a 3,200 sq. ft. addition to the west side of the existing 7,710 sq. ft. building. Including the new area, the restaurant will have approximately 3,760 sq. ft. of floor area designated as the public portion of the building, which dictates the parking requirement for eating establishments, which is one (1) parking space for each 35 square feet of floor area in the public portion of the building. Additionally, a restaurant use must provide one parking space for each two employees on the largest shift. Based on the square footage of the public portion of the building, and a maximum of ten (10) employees on the largest shift, the parking requirement is 113 stalls, of which the applicant is proposing to provide 106, a deficit of seven (7). Additionally, the applicant is proposing to designate six (6) tandem-parking stalls as valet parking; however, tandem parking is not permitted unless a Modification Permit has been approved. As a result, the applicant is requesting approval for a Modification of Property Development Standards approval to not provide seven (7) required parking stalls related to the additional square footage and to allow for six (6) tandem stalls utilized for valet parking.

STREETS AND HIGHWAYS

The subject site is located on the north side of Telegraph Road, east of Painter Avenue, with additional frontage on Los Nietos Road. Telegraph Road is classified as a Major Highway with Painter Avenue and Los Nietos Road classified as a Secondary Highway's within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject property, as well as the surrounding properties to the South, East and West are zoned C-4, Community Commercial and developed with various commercial-type uses, with property to the north located within the Los Angeles County Area known as South Whittier and is occupied by Richard L. Graves Middle School.

ENVIRONMENTAL DOCUMENTS

If the Planning Commission agrees, Staff intends to file a Notice of Exemption, specifically Class 1, Section 15301 – (Existing Facilities) of the California Environmental Quality Act (CEQA). Specifically, Section 15301 (e) exempts *"additions that will not result in an increase of more than 10,000 sq. ft. if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive."* Staff finds that the project meets the criteria above. Consequently, no other environmental documents are required by law. If the Commission agrees, staff will be filing a Notice of Exemption (NOE) within 5 days following actions by the Planning Commission.

NOTICE TO ADJACENT PROPERTY OWNERS

As with similar requests, staff mailed a notice on October 1, 2015, 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 BY APPLICANT

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 a similar request has been granted in the past. The chart provided below identifies a similar parking Modification approved to allow a reduction in required parking related to a restaurant use.

Case No.	Site Address	Request	Date Approved
MOD 493	9931 Orr and Day Road (Currently occupied by Veracruz Mexican Restaurant)	To not provide 23 required parking spaces	July 1975

Additionally, as part of their overall site improvements, the applicant will be providing ADA compliant handicap stalls and related access not currently provided on-site. ADA compliant handicap stalls and related access occupy more area than a standard parking stall, thus the applicant's ability to provide additional parking, beyond the proposed 106 parking spaces, is limited.

It should also be noted that although there will be a deficit of seven (7) parking stalls related to the proposed restaurant use, the applicant will be providing 94% (106 of 113) of required parking stalls, a substantial majority of the overall requirement.

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

The subject site has been utilized by numerous eating establishments for nearly 60 years; as such, the site is well suited and located for the applicant's restaurant, Salt & Pepper Restaurant. However, the size of the existing building cannot meet the needs of an upscale sports bar-themed restaurant with traditional dining. The proposed 3,200 sq. ft. addition will allow for the applicant to meet the needs of local clientele, while also improving an underutilized property.

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

The irregular shape of the subject site impacts the ability to configure the parking layout in a traditional manner and presents a significant challenge in meeting the minimum parking and related access requirements.

(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. In fact, the proposed improvements related to the subject modification will greatly enhance the site and will result in an attractive building that will benefit persons and properties in the area.

Lastly, as with similar requests, staff has mailed a letter to the property owners immediately adjacent to the subject property to advise them of the Modification Permit request. The letter also informed those owners of the date and time when

this matter would be considered by the Planning Commission. To date, Staff has not received any replies; and more importantly, objections to the proposed modification.

COMMISSION CONSIDERATIONS

In addition to the required showing by the applicant, and in accordance with Section 155.696 of the City's Zoning Regulations, the Planning Commission shall take into consideration the following factors in making its determination as to whether or not there are practical difficulties or hardships involved:

- (A) *That there are particular physical circumstances due to the shape or condition of the property which result in a hardship under the existing regulations, as distinguished from a mere inconvenience.*

As aforementioned, the subject site is irregularly shaped, which impacts the ability to configure the parking layout in a traditional manner and presents a significant challenge in meeting the minimum parking and related access requirements.

- (B) *That the purpose of the modification is not based exclusively on the financial advantage to the owner.*

The modification is required due to several reasons, i.e. the inability to provide a traditional parking layout due to the irregularly shaped property and ADA compliant parking and access limiting the availability of area to provide additional stalls.

Although, it is the intent of the applicant for the proposed restaurant to be successful and achieve financial gain, the applicant is putting up a significant amount of capital to improve the site and building, with no guarantee of a return.

- (C) *That the alleged difficulties were not created by any person presently having an interest in the property.*

The alleged difficulty with the subject site, its irregular shape, was created when the subject site was subdivided in 1970, and not by any person presently having interest in the property.

- (D) *That the conditions involved are not generally applicable to most of the surrounding properties.*

The condition involved is not generally applicable to surrounding properties as none share the irregular shape of the subject site.

- (E) *That the requested modification would not diminish property values in the neighborhood.*

The requested modification will not diminish property values in the neighborhood; in fact, the proposed improvements related to the subject modification will greatly enhance the site and will result in an attractive building that will benefit persons and properties in the area.

- (F) *That the proposed modification will not increase congestion or endanger the public safety.*

The proposed modification will not increase congestion or endanger the public safety, as 94% of required parking stalls will be provided. Additionally, the existing driveway along Telegraph Road will be widened to allow for easier access to the subject site. Lastly, ADA compliant parking stalls and related access will be provided, thus improving the overall safety.

STAFF CONSIDERATIONS

For the reasons stated in this report, Staff finds that the subject request meets the required showing and considerations necessary for approval of a Modification Permit. Therefore, staff is recommending that the Planning Commission approve Modification Permit Case No. 1256, subject to the conditions of approval contained in this report.

CONDITIONS OF APPROVAL

ENGINEERING / PUBLIC WORKS DEPARTMENT

(Contact: Robert Garcia ext. 7545)

1. The applicant shall pay for the removal of westerly most driveway approach on Telegraph Road and replace with full width sidewalk, curb, and gutter per City Standards R-2.2 and R-7.
2. The applicant shall pay for the removal of easterly most driveway approach on Telegraph Road and the rear access driveway approach on Los Nietos Road, and replace per City Standard R-6.4C

3. The applicant shall pay for the removal and replacement of the sidewalk panels adjacent to driveway approaches on Telegraph Road in front of property, per City Standard R-2.2.
4. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site on Los Nietos Road, shall be upgraded as required by the City Engineer. The applicant shall pay to the City the entire cost of design, engineering, installation and inspection of Fire hydrant.
5. That a grading plan shall be submitted for drainage approval to the City Engineer. The applicant shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading plan.
6. That the applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with current MS4 Permit.

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

7. Permits and approvals. That the applicant shall, at its own expense, secure or cause to be secured any and all permits or other approvals which may be required by the City and any other governmental agency prior to conducting environmental assessment or remediation on the property. Permits shall be secured prior to beginning work related to the permitted activity.
8. That all abandoned pipelines, tanks and related facilities shall be removed unless approved by the City Engineer and Fire Chief. Appropriate permits for such work shall be secured before abandonment work begins.
9. That the applicant shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations.
10. That the applicant shall apply for and obtain a City Industrial Waste Disposal Permit from the Environmental Protection Division (EPD) of the Department of Fire-Rescue.

POLICE SERVICES DEPARTMENT**(Contact: Luis Collazo 562.409-1850 x3320)**

11. That the applicant shall submit and obtain approval of a proposed lighting (photometric) and security plan for the property from the City's Department of Police Services. The photometric plan shall be designed to provide adequate lighting (minimum of 1 foot candle power) throughout the subject property. Further, all exterior lighting shall be designed/installed in such a manner that light and glare are not transmitted onto adjoining properties in such concentration/quantity as to create a hardship to adjoining property owners or a public nuisance. The photometric and security plans shall be submitted to the Director of Police Services no later than sixty (60) day from the date of approval by the Planning Commission.
12. That the applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.
13. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of unauthorized vehicles and indicate that unauthorized vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The applicant shall contact the Police Services Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued.
14. That the proposed buildings, including any lighting, fences, walls, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering

graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces.

15. That the approval of MOD 1256 is only for the request to reduce the required on-site parking spaces and does not authorize the applicant from storing, selling or serving alcoholic beverages. A separate permit to store, sell or serve alcoholic beverages shall be submitted accordingly.
16. That the applicant install a fence between the 7-Eleven store and the subject building.

WASTE MANAGEMENT

(Contact: Teresa Cavallo 562.868.0511 x7309)

17. 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.
18. 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.

PLANNING AND DEVELOPMENT DEPARTMENT

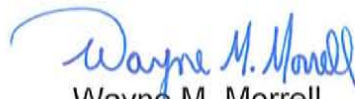
(Contact: Paul Garcia 562.868-0511 x7354)

19. That the applicant understands and agrees that the subject site must have a written and executed parking agreement between the two parcels, or otherwise consolidate the two parcels into one, thereby removing the potential for one of the parcels to be individually sold or leased.
20. That the applicant understands and agrees that 106 off-street parking spaces, as shown on the site plan submitted and on file with this case, shall be made continuously available on the subject site at all times.
21. That there shall be a maximum capacity of ten (10) employees total at peak shift for the applicant or any future tenant. An employee roster shall be provided by all future tenants to confirm the employee count before Planning Department approval of any future business license applications relating to the subject property.

22. That the applicant understands and agrees that any future changes to the floor plan whereby the square footage of dining/public area is increased, the subject Modification Permit would need to be approved and otherwise amended by the Planning Commission.
23. That the designated remaining parking and access areas shall not be further reduced or encroached upon for any type of outdoor storage or similar uses at any time.
24. That the applicant understands and agrees that all vehicles associated with the proposed restaurant business shall be parked on the subject site at all times. In addition, all vehicles associated with the property shall not obstruct or impede any traffic along Telegraph Road and Los Nietos Road. If parking or traffic issues arise, the applicant shall immediately work with staff to ensure such issue is expeditiously resolved.
25. 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.
26. That the applicant understands and agrees that all fences, walls, gates and similar improvements on the subject site shall be subject to the prior approval by the Fire Department and Planning and Development Department.
27. That the applicant understands and agrees that prior to occupancy of the property/building, the applicant, and/or his tenant(s), shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Martinez at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).
28. That the applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, tenants, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings for the proposed development (*Construction drawings shall not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings*).

29. That the applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia 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.
30. That the applicant, Abbas Kazemi, 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 applicant of such claim, action or proceeding, and shall cooperate fully in the defense thereof.
31. 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.
32. 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.
33. That the subject property shall otherwise be substantially in accordance with the plot plan submitted by the owner and on file with the case.

34. That the applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire Department for the proposed improvements.
35. 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. Complete Set of Plans (Site Plan, Floor Plan, Elevations)
3. Modification Permit Application

AERIAL PHOTOGRAPH



**Modification Permit Case No. 1256 – 13225 Telegraph Road
Abbas Kazemi on behalf of Salt & Pepper Restaurant**

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

Date of Report: October 7, 2015

MODIFICATION PERMIT APPLICATION



City of Santa Fe Springs

Application for

MODIFICATION PERMIT (MOD)

RECEIVED

JUL 22 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):

13225 Telegraph RD Santa Fe Springs CA 90670

Legal description of property: Same

PARCEL NO 8011-006-017

Record Owner of Property:

Name: ABGAS KAZEMI Phone No: 949 322 5957

Mailing Address: 1 ARBELLA NEWPORT BEACH CA 92657

Fax No: 714 871 8650 E-mail: AbeKazemi@cox.net

The application is being filed by:

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

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

Describe the modification requested:

Modification for the number of parkings.
To allow for touch parking

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"

MODIFICATION PERMIT APPLICATION (cont.)

MOD Application
Page 2 of 3

JUSTIFICATION STATEMENT

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

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

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

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

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

↓ *Please See attached.*

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

MODIFICATION PERMIT APPLICATION (cont.)**JUSTIFICATION STATEMENT ANSWERS 3 - 6****Number 3**

The subject property is well located for a restaurant use. However, the size of the building as it currently exists cannot reasonably meet the needs of local clientele, as it is too small to accommodate incorporating an upscale sports bar theme with traditional dining in a social setting. Thus, the financial viability of a restaurant at this location requires expanding the building footprint in order to meet the needs of local clientele. Additionally, the geometry of the subject property is highly irregular and not conducive to more efficient parking schemes such as would be with a more rectangular configuration. The expansion of the building footprint and the irregular shape of the parking lot affects the parking on-site, and results in a shortage of 9 parking stalls.

Number 4

Without this modification, the restaurant cannot be expanded, which would render a restaurant use on the subject property not viable. This modification is necessary to accommodate re-use and expansion of the existing restaurant on the property.

Number 5

Approval of the requested modification does not grant special privileges not enjoyed by other property owners in the area primarily because it is not granting any special or unusual use not allowed under the City's current Zoning Code. Rather, approval of this modification would enhance the environment of the neighboring properties by allowing the property owner to eliminate a blight in the neighborhood.

Number 6

The requested modification will not be detrimental to other persons or properties in the area because it is providing new development of an existing blighted property on Telegraph Road. This will directly benefit the persons and properties in the area, and improve the public welfare in general.

MODIFICATION PERMIT 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): ABBAS KAZEMI
 Mailing Address: 1 ARBELLA NEWPORT COAST CA 92657
 Phone No: 949 322 5957
 Fax No: 714 871 8650 E-mail: AbeKazemi@cox.net
 Signature: [Signature]

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

CERTIFICATION

STATE OF CALIFORNIA
 COUNTY OF LOS ANGELES ORANGE

A public notary 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.

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

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

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 No. 1256
 DATE FILED: 7/22/15
 FILING FEE: \$ 1,140
 RECEIPT NO: 1CL8761
 APPLICATION COMPLETE? _____

MODIFICATION PERMIT 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 ORANGE)On July 22 2015 before me, J.B. Swan III, Notary Public,

Date

Here Insert Name and Title of the Officer

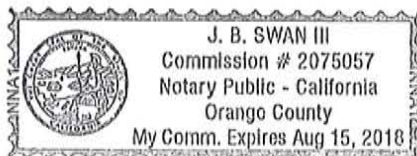
personally appeared ABBAS KAZEMI

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

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 DocumentTitle or Type of Document: PROPERTY OWNERS STATEMENT Document Date: July 22, 2015Number of Pages: 1 Signer(s) Other Than Named Above: _____**Capacity(ies) Claimed by Signer(s)**Signer's Name: ABBAS KAZEMI☐ 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: _____



NEW BUSINESS

Modification Permit Case No. 1257

Request for a Modification of Property Development Standards to allow the re-construction of a 1-car garage, instead of the standard required two parking spaces in a garage or carport for each dwelling unit, on property located at 10122 Jersey Avenue (APN: 8008-027-050), within the R-1, Single-Family Residential, Zone. (Jorge and Mirta Marti)

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 request meets the criteria set forth in Section 155.694 (B) of the City's Zoning Regulation for the granting of a Modification Permit.
3. Find that the project meets the criteria for "Replacement or reconstruction of existing structure," pursuant to the California Environmental Quality Act (CEQA); specifically, the proposed project is categorically-exempt project, pursuant to 15302-Class 2 of CEQA; consequently, no other environmental documents are required by law.
4. Approve Modification Permit Case No. 1257, subject to the conditions of approval as contained within this staff report.

BACKGROUND

The subject property is located on the east side of Jersey Avenue between Elkhurst Street and Davenrich Street. The subject property measures 5,050 sq. ft. and is currently developed with a single-family home that was built in 1951. The current home measures 1,216 sq. ft. and has a total of three bedrooms and two bathrooms.

The owners, Jorge and Mirta Marti, are proposing to re-construct a 1-car carport along the front of the existing home. However, in an attempt to stay within the required setback areas, they can only construct an attached carport with the maximum dimensions of 20'-5" x 19'-2". Visually, the carport will look like it is a 2-car carport. However, because it does not meet the minimum 20' x 20' dimensions

and approximately 9 sq. ft. short of 400 sq. ft., it cannot be classified as a 2-car carport. As a result, approval of the subject Modification Permit (MOD 1257) is required to allow the construction of a 1-car carport, instead of the standard 2-car garage or carport that is required by the City's Zoning Regulations (see Section below).

CITY OF SANTA FE SPRINGS – ZONING REGULATIONS**Section 155.481(B)(1) – REQUIRED PARKING****Section 155.481 - Required Parking****(B) Residential Uses.**

(1) Dwelling, single-family. Two parking spaces in a garage or carport for each dwelling unit.

It should be noted that a 1-car carport was originally approved in 2002 in conjunction with the conversion of the previous one-car garage. However, because the previous owner had not obtained final approval, the building permit effectively expired. The new owners are requesting to re-build the carport to ensure it meets current building codes, help improve vehicle access into the carport by relocating the posts, and most importantly, obtain final approval and have the carport and garage conversion legalized.

STREETS AND HIGHWAYS

The subject property is a residential lot located on east side of Jersey Avenue. Jersey Avenue is classified as local residential street within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject property, as well as the surrounding properties to the North, South, East and West are zoned R-1, Single-Family Residential, and developed with single-family residential uses.

ENVIRONMENTAL DOCUMENTS

Staff finds the proposed project is categorically-exempt pursuant to Section 15302 – Class 2 (Replacement or reconstruction of existing structure) of the California Environmental Quality Act (CEQA). The subject request is simply a request to reconstruct a 1-car attached carport similar to the existing carport that had previously been approved and constructed. Consequently, no other environmental documents are required by law. If the Commission agrees, staff will be filing a Notice of Exemption (NOE) within 5 days following actions by the Planning Commission.

NOTICE TO ADJACENT PROPERTY OWNERS

As with similar requests, staff mailed a notice on October 1, 2015, 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 BY APPLICANT

In accordance with Section 155.694 (B) of the City's Zoning Ordinance, a residential Modification may be granted if the applicant shows the following:

1. *That the Modification is needed to allow the property to be used in a more beneficial manner.*

The existing single-family residence was constructed as a three bedroom, two bathroom, detached home, constructed in 1951. The home was originally constructed with a one-car garage that has since been converted into living area.

It should be noted that a 1-car carport was originally approved in 2002, in conjunction with the conversion of the previous one-car garage. However, because the previous owner had not obtained final approval, the building permit effectively expired.

Approval of the subject Modification Permit will allow the new owners to re-construct the carport so that it meets current building codes, improve vehicle access into the carport by relocating the existing posts, and most importantly, obtain final approval and have the carport and garage conversion legalized.

2. *That the Modification, if granted, would not be detrimental to the public welfare or to the property of others in the area.*

As previously stated, a 1-car carport was originally approved back in 2002, in conjunction with the conversion of the previous one-car garage. In fact, the carport was constructed but unfortunately was never finalized and so the original permit effectively expired. The Modification Permit, if granted, will simply allow the current owners to re-construct the 1-car carport to meet current building codes so that they may finalize the permit and legalize the carport.

With the exception to a slight change in the dimensions and re-location of the post, the new carport will be similar to the previously approved carport. The subtle changes should be hardly noticeable to passersby.

Lastly, as with similar requests, staff mailed a letter to the property owners immediately adjacent to the subject property to advise them of the Modification Permit request. The letter also informed those owners of the date and time when this matter would be considered by the Planning Commission. To date, Staff has not received any replies; and more importantly, objections to the proposed modification.

COMMISSION CONSIDERATIONS

In addition to the required showing by the applicant, the Commission shall take into consideration the following factors in making its determination as to whether or not there are practical difficulties or hardships involved:

- (A) *That there are particular physical circumstances due to the shape or condition of the property which result in a hardship under the existing regulations, as distinguished from a mere inconvenience.*

The existing residence is a typical home, constructed in the early 1950s, with a one-car garage attached to the front of the home. Because of the original layout, one cannot construct a 2-car garage/carport without a significant impact to the original shell or without encroaching into the required setback areas.

- (B) *That the purpose of the modification is not based exclusively on the financial advantage to the owner.*

As mentioned previously, the property had already been granted approval to construct a 1-car carport in 2002. In fact, the carport is constructed but unfortunately was never finalized and so the original permit effectively expired. To receive their building final, the current owners understand and is willing to invest a substantial amount of money to re-construct the existing garage to meet current building codes. Although, the property value would indirectly benefit from a legally recognized carport, it is not without capital spent by the applicant.

- (C) *That the alleged difficulties were not created by any person presently having an interest in the property.*

The challenge to construct a 2-car garage/carport is due to the layout of the original home. Unfortunately, the original architect did not anticipate that a 2-car garage would become the standard for single-family residences. For that reason, one cannot construct a standard 2-car garage/carport without a significant impact to the residence or otherwise encroaching into the required setback areas. The difficulty was therefore created when the original home was constructed back in

1951 and not by any person presently having interest in the property.

- (D) *That the conditions involved are not generally applicable to most of the surrounding properties.*

The request is unique because the subject property had already been granted approval to construct a 1-car carport in 2002. In fact, the carport was constructed but unfortunately was never Finaled and so the original permit effectively expired. Had the previous owners obtained a Final, the carport would be considered legal and the subject Modification Permit would not have been necessary.

- (E) *That the requested modification would not diminish property values in the neighborhood.*

Although, a 2-car garage is the new standard for single-family residences, there are many homes in the City of Santa Fe Springs that still have a one car garage or carport. In fact, along Jersey Avenue (between Elkhurst Street and Davenrich Street), there are a total of four residences with a one-car garage/carport. The subject carport would, therefore, be consistent with other homes in the area and thus should not diminish neighboring property values.

- (F) *That the proposed modification will not increase congestion or endanger the public safety.*

The subject carport would actually help minimize any potential for congestion. Providing vehicle parking on-site typically reduces the need for street parking and thus, should help traffic flow on adjacent streets. Additionally, by re-locating the existing carport posts, on-site vehicle access will be improved.

STAFF CONSIDERATIONS

For the reasons stated in this report, Staff finds that the subject request meets the required showing and considerations necessary for approval of a Modification Permit. Staff is, therefore, recommending that the Planning Commission approve Modification Permit Case No. 1257, subject to the conditions of approval contained in this report.

CONDITIONS OF APPROVAL**WASTE MANAGEMENT:****(Contact: Teresa Cavallo 562.868.0511 x7309)**

1. 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)**

2. That the applicant shall obtain all necessary Building Permits and approvals from the Building Division and Planning Department for the re-construction of the proposed carport and garage conversion.
3. That the subject improvements (carport and garage conversion) shall be designed and constructed with colors and materials to match the existing home.
4. That the applicant agrees and understands that the converted garage shall be considered part of the main dwelling and shall not be separately utilized or otherwise rented out.
5. That the applicant shall obtain all necessary Building Permits and approvals from the Building Division and Planning Department for the existing unpermitted 203 sq. ft. storage shed. Alternative, the applicant may either demolish/remove said shed or reduce the square footage to a maximum of 120 sq. ft.
6. That the subject residence shall be located substantially in accordance with the plot plan submitted by the applicant an on file with this case.
7. That all other applicable requirements of the City's Zoning Ordinance, Property Maintenance Ordinance, Los Angeles County Building Code, Fire Code and all other applicable regulations shall be complied with.
8. That it is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, this Permit shall be void and the privileges granted herein shall lapse.


Wayne M. Morrell
Director of Planning

Attachments:

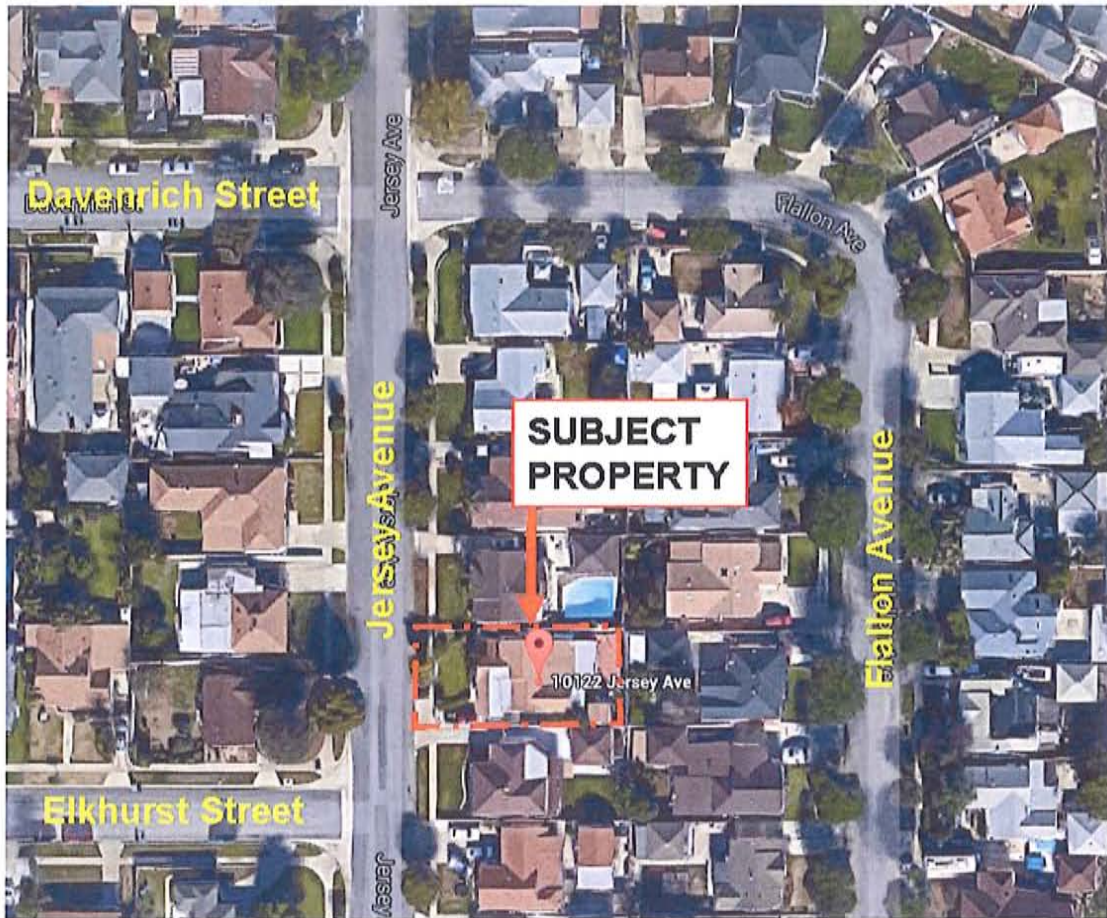
1. Aerial Photograph
2. Site Plan
3. Carport Plan View
4. West and South Elevations
3. Modification Permit Application

C:\Cuong\Cases\Aug.15-Aug.16\MOD 1257 - 10122 Jersey Av\MOD1257_PCRPT.doc

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS



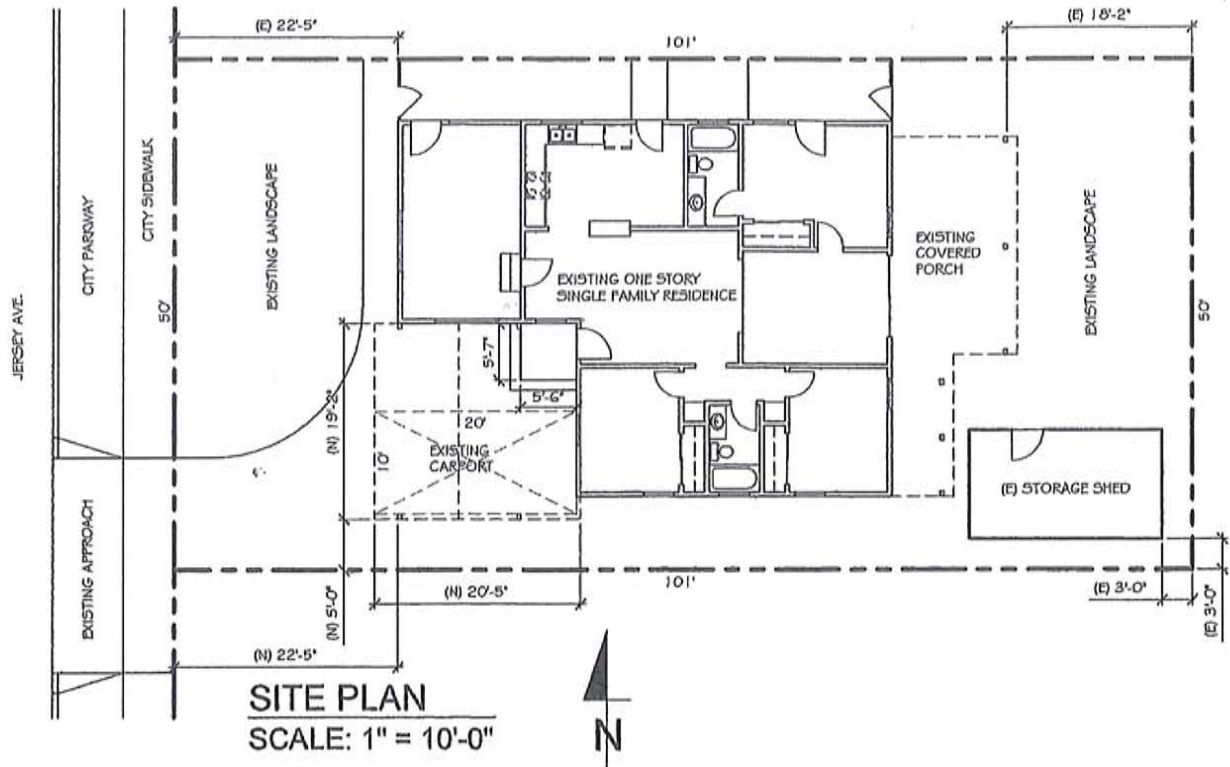
AERIAL PHOTOGRAPH

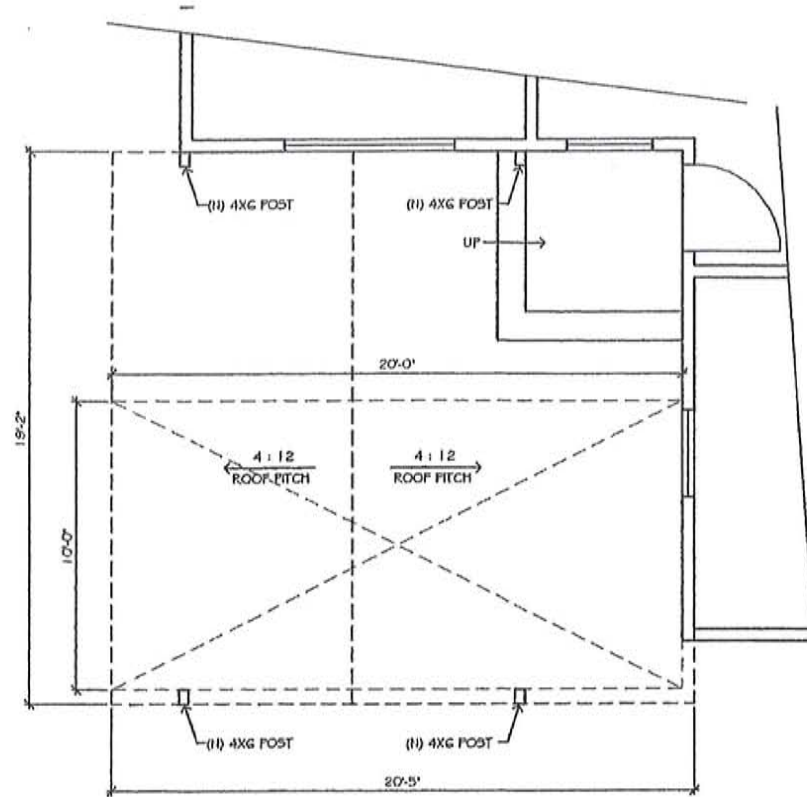


MODIFICATION PERMIT CASE NO. 1257

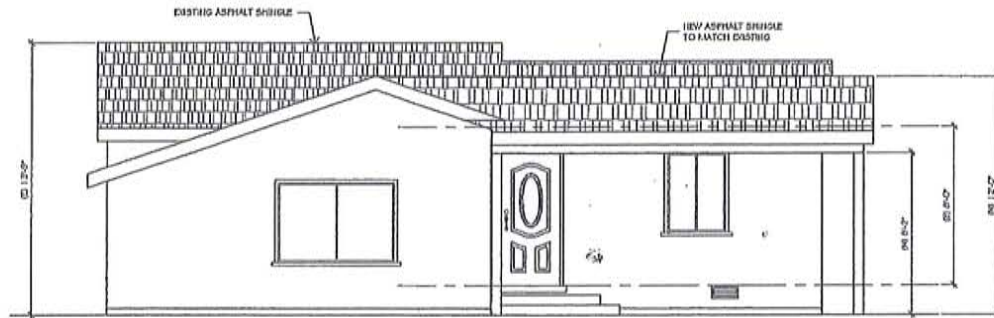
10122 Jersey Avenue

SITE PLAN



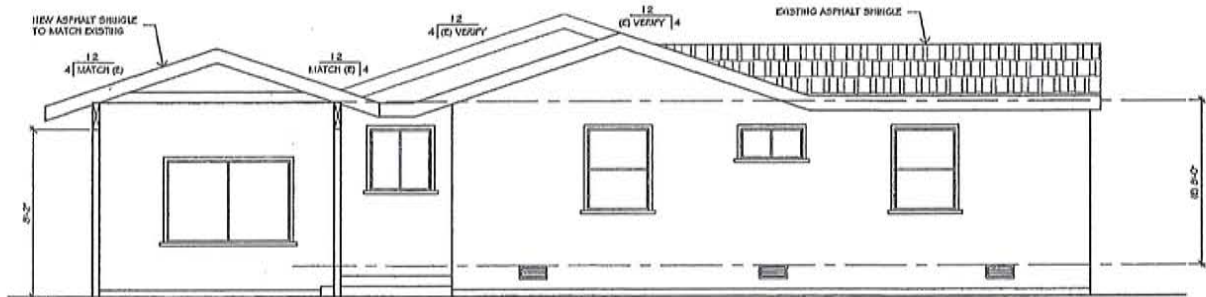
CARPORT PLAN VIEW**NEW CARPORT PLAN VIEW**
SCALE: 1/4" = 1'-0"

WEST ELEVATIONS



WEST ELEVATION
SCALE: 1/4" = 1'-0"

SOUTH ELEVATIONS



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
AUG 25 2015

MODIFICATION PERMIT APPLICATION



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

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

Location of property (ies) involved (Provide street address or if no address, give distance from nearest street intersection):

10122 Jersey Ave. Santa Fe Springs, Ca. 90670

Legal description of property: Lot 52 of Tract 16928

Record Owner of Property:

Name: Jorge & Mirta Marti Phone No: (562) 761-6144

Mailing Address: 10122 Jersey Ave. Santa Fe Springs, Ca. 90670

Fax No: _____ E-mail: _____

The application is being filed by:

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

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

Fernando Miagang Cell: (562) 479-1896 9815 Carmenita Rd. Clusd
Whittier, Ca. 90605

Describe the modification requested: Modification for 1 Car Cooper.

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"

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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.

MODIFICATION PERMIT 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): JORGE A. MARTI
 Mailing Address: 10122 JERSEY AVE. SANTA FE SPRINGS, CA 90670
 Phone No: (562) 761-6144
 Fax No: _____ E-mail: _____
 Signature: [Signature]

Name (please print): MARTA J. MARTI
 Mailing Address: 10122 JERSEY AVE. SANTA FE SPRINGS, CA 90670
 Phone No: (562) 761-6142
 Fax No: _____ E-mail: _____
 Signature: [Signature]

CERTIFICATION

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

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

STATE OF CALIFORNIA }
 COUNTY OF LOS ANGELES } SS

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20____
 by _____, proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

 Notary Public

FOR DEPARTMENT USE ONLY
 CASE NO: MOD No. 1257
 DATE FILED: 8/29/15
 FILING FEE: \$ 46
 RECEIPT NO: ICL0642
 APPLICATION COMPLETE? _____



City of Santa Fe Springs

Planning Commission Meeting

October 12, 2015

CONSENT ITEM

Conditional Use Permit Case No. 629-3

A compliance review of a public training school involving platform diving instructions for U.S. Olympic Athletes at 15064 Shoemaker Avenue (APN: 7005-002-042), in the M-2, Heavy Manufacturing, Zone. (Amy and Andy Kwan for Pacific Diving Academy)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a public training school, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
2. Require that Conditional Use Permit Case No. 629-3, be subject to a compliance review on or before, August 12, 2017, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

Pacific Diving Academy (PDA), a non-profit school, is certified by the United States Diving Corporation, which is recognized by the U.S. Olympics Committee as the sport's nations governing body. PDA trains U.S. Olympic Team Athletes for national and world competition in platform diving. Part of the platform diving regime involves acrobatic exercise performed on dry land; consequently the proposed use involves training in a gymnastic-type facility.

In accordance with Section 155.243(L) of the City's Zoning Regulations, public, private and quasi-public uses of an educational or recreational nature are required to obtain a Conditional Use Permit prior to commencement of such activities when said use is located in the M-2, Heavy Manufacturing, Zone.

City of Santa Fe Springs – Zoning Regulations **Section 155.243 - CONDITIONAL USES (L)**

The following uses shall be permitted in the M-2 Zone only after a valid conditional use permit has first been issued:

- (L) Public, private or quasi-public uses of an educational or recreational nature.

On July 12, 2004, PDA was initially granted Planning Commission approval to establish, operate, and maintain a public training school on the subject property. Two (2) subsequent compliance reviews have been conducted since the original CUP approval.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property was performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. Following the recent inspection, the applicant was directed to comply with the following:

- Properly secure all ceiling foils to the ceiling.
- Provide clearly marked and properly illuminated paths to all exits.
- Remove all extension cords and thereafter make necessary electrical upgrades to accommodate items that are currently being served by the extension cord.
- Obtain permits or otherwise demolish existing unpermitted dance room located at the rear of the building.

Staff recently verified that the applicant has completed the above-referenced items; consequently, the applicant is now in full compliance with the existing conditions of approval. Staff finds that if the public training school continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending that CUP 629-3 be subject to a compliance review in five (5) years from the date the last compliance review was required, August 13, 2012, to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL:

(Contact: Cuong Nguyen 562.868-0511 x7359)

1. That a minimum of 30 parking spaces shall be continually made available at all times for the training academy. **(condition is ongoing)**
2. That the applicant shall be responsible for maintaining control of litter on the subject property and the adjacent properties as a result of the business. **(condition is ongoing)**
3. That students, instructors, visitors or other persons associated with the training academy shall park in the designated parking spaces and shall not park their vehicles on any other neighboring properties not approved by the Director of

Planning. (condition is ongoing)

4. That any lighting, fences, walls, and poles shall be maintained by the applicant in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 24 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the adjacent surfaces. **(condition is ongoing)**
5. That all instruction, training and practices shall be conducted completely indoors at all times. **(condition is ongoing)**
6. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors where visible from the street or adjacent properties. **(condition is ongoing)**
7. That streamers, banners, pennants, whirling devices or similar objects that wave, float, fly, rotate or move in the breeze shall be prohibited unless approved by the Director of Planning. **(condition is ongoing)**
8. That the hours of operation shall be between 3:00 p.m. and 10:00 p.m. during the work week, and 8:00 a.m. to 6:00 p.m. unless otherwise approved by the Director of Planning. **(condition is ongoing)**
9. That the subject property shall not be subleased, sold or otherwise assigned for use by any other entity other than the applicant on file without prior written approval by the Director of Planning. **(condition is ongoing)**
10. That the applicant shall comply with all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Codes and all other applicable regulations. **(condition is ongoing)**
11. That ~~Reconsideration of Conditional Use Permit Case No. 629 shall be~~ **subject to a compliance review in** ~~valid for a period of five (5) years, until on or before August 13, 2012,~~ **August 13, 2017.** Approximately three (3) months before ~~August 13, 2012,~~ **August 13, 2017,** the applicant/owner shall request, in writing, an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval. **(revised - condition is ongoing)**
12. **That the applicant, Pacific Diving Academy, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Conditional Use Permit Case No. 629, when action is brought**

within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. (new condition)

13. That if there is evidence that these 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 Conditional Use Permit (CUP) back 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 CUP. (new condition)

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, this Approval shall be void and the privileges granted hereunder shall lapse. (new condition)

Wayne M. Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. CUP Extension Request Letter

Aerial Photograph



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH

CONDITIONAL USE PERMIT CASE NO. 629-3



15064 Shoemaker Avenue
(Applicant: Pacific Diving Academy)

CUP Extension Request Letter



August 24, 2012

Department of Planning and Development

11710 Telegraph Road

Santa Fe Springs, CA 90670-3679

To Whom It May Concern,

Pacific Diving Academy would like to request an extension of our (CUP) permit.

There has been no particular changes or alteration seen our last permit. PDA is still a nonprofit organization; we are still a training center with 9 training stations. Our operation hours are Monday through Friday 3:00 to 10:00 and Saturday 8:00am to 6:00pm. The majority of the students range in age from 4-18 years that are dropped-off and pick-up by car. We have nine coaches at our facility.

Enclosed is a check for \$563.00 for our Permit Extension Fee made payable to City of Santa Fe Springs.

Thank you,

Amy Kwan

A handwritten signature in black ink, appearing to read "Amy Kwan", written over a horizontal line.

RECEIVED

AUG 28 2012

Planning Dept

Sports Training Center 15064 Shoemaker Ave., Santa Fe Springs, CA 90670 562-229-1927 www.pdausa.net amykwan@pdausa.net

2222 kwan @ 201.com

CUP Extension Request Letter (Cont.)

				DISTRIBUTION	
FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	517	410	12540		563.00
			12540		

City of Santa Fe Springs

Pacific Diving Academy
(NAME)

(ADDRESS)

(CITY AND STATE)

CUP Extension Request Letter
(DESCRIPTION)

09-07-12 1019766 CHECK 563.00

RECEIPT