



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

FOR THE REGULAR MEETING OF THE PLANNING COMMISSION

June 8, 2015

6:00 p.m.

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

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

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

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

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

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

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 April 27, 2015 and May 11, 2015 Regular Planning Commission Meetings.

**6. PUBLIC HEARING – Continued from the May 11, 2015 Planning Commission Meeting
Conditional Use Permit Case No. 764**

A request by T-Mobile for ex-post facto approval to add three new additional antennas for a total of nine (9) antennas, three new RRUs (Remote Radio Units), and an upgrade to the DC power for an existing unmanned wireless telecommunication facility located on a ±142'-0" high Southern California Edison transmission tower located at 11213 Telegraph Road Drive (APN: 8006-032-800), (north of Telegraph Road between the San Gabriel River and the Telegraph Road off-ramp from the San Gabriel 605 (South) Freeway), in the A-1, Light Agricultural, Zone. (T-Mobile)

7. PUBLIC HEARING**Conditional Use Permit Case No. 733, Development Plan Approval Case No. 879, Tentative Parcel Map No. 72288, Modification Permit Case No. 1255, and Environmental Document (Mitigated Negative Declaration/Initial Study)**

A request for approval to establish, operate and maintain a Material Recovery Facility (MRF), a Transfer Station (TS), and to construct a 20,000 sq. ft. building associated with the MRF, TS, to subdivide/consolidate the two existing parcels into one parcel, and to not provide all of the required number of parking spaces on the 3.81-acre property at 9010 Norwalk Boulevard (APN: 8168-014-015) and 9016 Norwalk Boulevard (APN 8168-001-014), in the M-2, Heavy Manufacturing Zone. (Roy Furuto for Universal Waste Systems, Inc.)

8. PUBLIC HEARING**Development Plan Approval Case No. 897 & Modification Permit Case No. 1253**

A request for approval to construct a 48' high silo, and related equipment, within an existing truck dock area and a request for a Modification of Property Development Standards to not screen the 48' high silo, and related equipment, at 14820 Mica Street (APN: 8069-014-009), within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone and the M-2, Heavy Manufacturing, Zone. (Golden Springs Development Company)

9. NEW BUSINESS**Modification Permit Case No. 1252**

Request for a Modification of Property Development Standards (MOD) Permit to eliminate 13 required parking stalls located in the rear parking area (along the southeast corner of the lot) and instead temporarily use said area for open storage on property located at 12234 Florence Avenue (APN: 8009-022-064), within the M-2, Heavy Manufacturing, Zone, within the Consolidated Redevelopment Project Area. (Fortune Metal, Inc.)

10. NEW BUSINESS**Modification Permit Case No. 1254**

Request for a Modification of Property Development Standards (MOD) Permit to remove two (2) of thirteen (13) required parking stalls due to the installation of a Americans with Disabilities Act (ADA) compliant handicap stall and related access at 12805 Sunshine Avenue (APN: 8026-020-063), within the M-2, Heavy Manufacturing, Zone. (Robert Honing & Machining Inc.)

11. CONSENT ITEMS

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

A. CONSENT ITEM**Conditional Use Permit Case No. 741-1**

Request for a compliance review of a recycling use involving metals, plastics, and electronics on property located at 12234 Florence Avenue (APN: 8009-022-064), in the M-2, Heavy Manufacturing, Zone, within the Consolidated Redevelopment Project Area. (Fortune Metal, Inc.)

12. ANNOUNCEMENTS

- ◆ Commissioners
- ◆ Staff

13. 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

June 4, 2015

Date

**MINUTES
ADJOURNED MEETING
SANTA FE SPRINGS PLANNING COMMISSION
April 27, 2015**

1. CALL TO ORDER

Vice Chairperson Madrigal called the study session to order at 5:04 p.m.

2. PLEDGE OF ALLEGIANCE

Vice Chairperson Madrigal led the Pledge of Allegiance.

3. ROLL CALL

Present: Vice Chairperson Madrigal
Commissioner Arnold
Commissioner Ybarra
Commissioner Zamora

Staff: Wayne Morrell, Director of Planning
Steve Skolnik, City Attorney
Cuong Nguyen, Senior Planner
Paul Garcia, Planning Consultant
Teresa Cavallo, Planning Secretary
Luis Collazo, Code Enforcement
Gurdeep Kaur, Planning Intern
Elijio Sandoval, Planning Intern
Tom Lopez, Public Works Traffic Consultant

Absent: Chairperson Johnston

Council: Mayor Laurie Rios

4. ORAL COMMUNICATIONS

Oral Communications were opened at 5:05 p.m. There being no one wishing to speak, Oral Communications were closed at 5:05 p.m.

5. MINUTES

Approval of the minutes of the April 13, 2015 Adjourned Regular Planning Commission Meeting.

Commissioner Zamora moved to approve the minutes of the April 13, 2015 Planning Commission meeting; Commissioner Ybarra seconded the motion. There being no objections the minutes were unanimously approved and filed as submitted.

**6. PUBLIC HEARING – Continued from April 13, 2015 Planning Commission Meeting
Development Plan Approval Case Nos. 887 - 889 and Environmental Documents**

A request for approval of Development Plan Approval (DPA). **DPA Case No. 887:** to allow the construction of an approximately 404,000 sq. ft. concrete tilt-up building (Building 1); **DPA Case No. 888:** to allow the construction of an approximately 506,000 sq. ft. concrete tilt-up building (Building 2); and **DPA Case No. 889:** to allow the construction of an approximately 300,000 sq.

ft. concrete tilt-up building (Building 3) on an approximately 54-acre site located at 12345 Lakeland Road (APNs: 8009-022-053, 054, 055, 056, 057, 058; 8009-022-029, 030, 031 & portion of 8009-022-056), within the M-2, Heavy Manufacturing, Zone and also within the Consolidated Redevelopment Project Area. (Goodman Santa Fe Springs SPE LLC)

See Item No. 7 below.

**7. PUBLIC HEARING - Continued from April 13, 2015 Planning Commission Meeting
Tentative Parcel Map No. 73063 and Environmental Documents**

Request for approval to allow the approximately +/-54-acre subject site to be subdivided into four (4) separate parcels: 729,053 sq. ft. (Proposed Parcel 1), 1,007,093 sq. ft. (Proposed Parcel 2), 560,665 sq. ft. (Proposed Parcel 3), and 85,867 (Proposed Parcel 4) for property located at 12345 Lakeland Road (APNs: 8009-022-053, 054, 055, 056, 057, 058; 8009-022-029, 030, 031 & portion of 8009-022-056), within the M-2, Heavy Manufacturing, Zone and also within the Consolidated Redevelopment Project Area. (Goodman Santa Fe Springs SPE LLC)

City Attorney Steve Skolnik notified everyone that both Item Nos. 6 and 7 would be heard jointly.

Vice Chairperson Madrigal opened the Public Hearing at 5:06 p.m. for Item Nos. 6 and 7. Senior Planner Cuong Nguyen presented Item Nos. 6 and 7 before the Planning Commission. Present in the audience: Marc Blodgett, Environmental Consultant for City of Santa Fe Springs, Lang Contrell, Regional Director for Goodman Birtcher, Ryan Jones, Vice President for Goodman Birtcher, Jaime Cruz, Architect HPA for Goodman Birtcher, and Fred Minagar, Traffic Consultant for Goodman Birtcher.

Senior Planner Cuong Nguyen distributed a letter to the Planning Commissioners that Staff received against the development project. City Attorney Steve Skolnik indicated that the letter is a boiler plate and that a response is not warranted since it does not have specific allegations on how it is non-compliant with CEQA, if it did then we would be required to respond and we do not believe that there are any CEQA violations with regard to what we are proposing.

Vice Chairperson Madrigal stated that the letter references that the project does not meet the City's Zoning Code but that it was not specific. Senior Planner Cuong Nguyen stated that the project did not require any modifications or zone variance entitlements and that the project met the City's zoning standards. City Attorney Steve Skolnik commented that the letters was written by someone who did not have knowledge or the specifics of the property.

Commissioner Ybarra wanted to acknowledge the Planning staff for providing such an informative Agenda package and to keep up the good work.

Commissioner Arnold inquired about the traffic impact study referencing data from 2013 and modified by an increase of one percent. Commissioner Arnold further inquired if the study took into consideration the economic upswing. Environmental Consultant Marc Blodgett replied that the 2013 data was the most recent and that a growth factor was taken into consideration as a protocol from various regional agencies that follow Caltrans. Mr. Blodgett also indicated that when this project begun because of the recession in 2008 – 2012, it was found that as much as a 20% decline in traffic was noted within many of the surrounding cities. However, in 2013 the rebound was very robust at that point, and if you look at this part in Santa Fe Springs there has not been much change.

Commissioner Arnold also inquired if the study took into consideration the approval of the large FedEx project and the added traffic that project will add to both Bloomfield and Florence Avenues. Environmental Consultant Marc Blodgett indicated that the cumulative traffic analysis is a two tier study that looked at the regional growth but a list was compiled of related projects that are within the City itself and took into consideration projects that have been approved, under construction or that are being contemplated were all a part of this cumulative analysis including the FedEx project and the Heritage Springs Apartment project.

Commissioner Arnold indicated that the traffic impact report did not really improve the grade of the intersections. Mr. Blodgett replied that they call that grade "a level of service" and one of the things to remember is that this project is very large at 58-acres and that it would be very difficult to do any kind of development in an urbanized setting like Santa Fe Springs that wouldn't create measureable traffic and in many of these redevelopment sites they are able to make an adjustment for the existing or previous use. They did not do that to try to cook the books. When the refinery was operational, the refinery generated a lot of traffic, but they treated the traffic analysis for this land as if it was a barren piece of land. The traffic generation that is shown in the level of service impact did not take into account any of this previous use so that was especially challenging. They did, however, wanted to make sure that this project would not exacerbate an existing condition and make a significant adverse impact as defined by the Los Angeles County Congestion Management Plan, Los Angeles County, or the City, so they were able to do that with the various mitigation measures they have identified. Also, in the alternatives analysis they looked at this project and, it is a 58-acre site being developed with warehousing distribution, but what about other land uses, what if it was residential or office space being developed. Early on in their work they found that as development goes, even though this is a distribution facility, other development scenarios could create much higher levels of traffic. They feel very comfortable that this project through the mitigation will certainly not make the conditions worse.

Commissioner Ybarra commented that the building design looks great and can't wait to get rid of the eye sore currently there.

Having no further questions, Vice Chairperson Madrigal closed the Public Hearing at 5:28 p.m. and requested a motion.

Chairperson Zamora moved to approve all staff recommendations contained in Item Nos. 6 and 7; Commissioner Ybarra seconded the motion which was unanimously approved by the following roll call vote: In Favor – Ybarra, Arnold, Zamora and Madrigal; Opposed – None.

8. 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. 340-7

A compliance review of an auto dismantling facility located on an approximately 2.87- acre site located at 10950 Norwalk Boulevard, (APN: 8009-022-050), in the M-2, Heavy Manufacturing, and BP, Buffer Parking, zones. (Lakenor Auto and Truck Salvage, Inc.)

B. CONSENT ITEM

Conditional Use Permit Case No. 393-2

A compliance review of sandwich shop located at 10016 Pioneer Boulevard, (APN: 8005-010-011), in the M-L, Limited Manufacturing. (Carol's Cafe)

C. CONSENT ITEM

Conditional Use Permit Case No. 729-2

A compliance review of a precious metals foundry facility located at 8444 Secura Way, (APN: 8168-026-004), in the M-1, Light Manufacturing Zone. (Robert Caro Company)

Since staff reports were sufficient, Vice Chairperson Madrigal requested a motion regarding Item Nos. 8A – 8C.

Commissioner Ybarra moved to approve Item Nos. 8A – 8C; Commissioner Zamora seconded the motion which was unanimously approved by the following roll call vote: In Favor – Arnold, Madrigal, Ybarra and Zamora; Opposed – None.

9. ANNOUNCEMENTS

♦ Commissioners

Commissioner Ybarra complemented staff on their work in preparing the Agenda for this meeting. Everything that Commissioner Ybarra looks for was there and labeled.

Commissioner Arnold also complemented staff and knew that it took a lot of time and effort to prepare the Agenda for this meeting and knows that everyone including the architects and owners have done a great job.

Commissioner Zamora echoed the same sentiments about staff's hard work and making it easier for him to review the Agenda and being there to answer his questions.

♦ Staff

Senior Planner Cuong Nguyen announced that Planning Intern Gurdeep Kaur is leaving the City of Santa Fe Springs and joining the City of Bellflower as an Assistant Planner.

Planning Intern Gurdeep Kaur expressed that she wanted to thank the Planning Commission and Planning Staff, they are intelligent and hardworking and truly great mentors.

Everyone wished Gurdeep the best.

Director of Planning Wayne Morrell announced that he will be missing Gurdeep tremendously, and in the future Planning Intern Eli Sandoval will be leaving since he has been accepted to Cornell University for his Master's Degree. As mentioned they are well trained then they move on but Gurdeep was the one that prepared the City's Drought Tolerant Landscape Ordinance and he has a lot of studying to do since she is leaving with a wealth of information. Mr. Morrell is very fortunate to have a great group of staff members also.

10. ADJOURNMENT

At 5:35 p.m. Vice Chairperson Madrigal adjourned the meeting to Monday, May 11, 2015 at 6:00 p.m.

Chairperson Johnston

ATTEST:

Teresa Cavallo, Planning Secretary

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
May 11, 2015**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

Staff: Wayne Morrell, Director of Planning
Steve Skolnik, City Attorney
Cuong Nguyen, Senior Planner
Paul Garcia, Planning Consultant
Teresa Cavallo, Planning Secretary

4. ORAL COMMUNICATIONS

Oral Communications were opened at 6:03 p.m. There being no one wishing to speak, Oral Communications were closed at 6:03 p.m.

5. PUBLIC HEARING

Conditional Use Permit (CUP) Case No. 748-2

A request to amend the existing Conditional Use Permit (CUP 748) to allow applicant the flexibility to individually develop/use the six (6) satellite parking sites, based on growth demand, rather than limit themselves to the four (4) original parking plans previously developed for the six (6) satellite parking sites and also to clarify/modify existing conditions of approval to be more specific to the development/use of each individual satellite parking location for properties located at 11720 Greenstone Ave (APN: 8026-018-015), 12017 Greenstone Ave (APN: 8026-020-080), 11801 – 11829 Shoemaker Ave (APNs: 8026-020-038, 024, 022, 048, and 049), 11735, 11741 & 11813 Shoemaker Ave (APNs: 8026-020-081, 009, and 037), in the M-1 (Heavy Manufacturing) and M-2 (Heavy Manufacturing) Zones. (Pancal 11525 Shoemaker LLC - for FedEx Ground Package System, Inc.)

Chairperson Johnston opened the Public Hearing at 6:03 p.m. for Item No. 5. Senior Planner Cuong Nguyen presented Item No. 5 before the Planning Commission.

Having no questions, Chairperson Johnston closed the Public Hearing at 6:08 p.m. and requested a motion.

Commissioner Zamora moved to approve Item No. 5; Vice Chairperson Madrigal seconded the

motion, which was unanimously approved.

6. PUBLIC HEARING

Conditional Use Permit Case No. 764

A request by T-Mobile for ex-post facto approval to add three new additional antennas for a total of nine (9) antennas, three new RRUs (Remote Radio Units), and an upgrade to the DC power for an existing unmanned wireless telecommunication facility located on a ±142'-0" high Southern California Edison transmission tower located at 11213 Telegraph Road Drive (APN: 8006-032-800), (north of Telegraph Road between the San Gabriel River and the Telegraph Road off-ramp from the San Gabriel 605 (South) Freeway), in the A-1, Light Agricultural, Zone. (T-Mobile)

Chairperson Johnston opened the Public Hearing at 6:09 p.m. for Item No. 6 and requested a motion regarding staff's recommendation to continue Item No. 6 to the next regularly held Planning Commission meeting scheduled for June 8, 2015.

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

7. PUBLIC HEARING

Development Plan Approval Case No. 893

A request for approval to allow the construction of an approximately 185,000 sq. ft. concrete tilt-up building and related improvements, on an approximately 9.68-acre site, located at 13341 Cambridge Street (APN: 8059-001-018), within the M-2, Heavy Manufacturing, Zone. (Cambridge Springs, LLC)

Chairperson Johnston opened the Public Hearing at 6:10 p.m. for Item No. 7. Senior Planner Cuong Nguyen presented the matter before the Planning Commission. Moshe Sassover was present in the audience on behalf of applicant Cambridge Springs, LLC.

Senior Planner Cuong Nguyen provided the Planning Commissioners with a copy of a letter received on Friday, May 8th from the Air Quality Management District (AQMD) in relation to the Notice of Intent filed with the County Clerk. Staff received the letter after the Agenda was prepared so there is no mention of AQMD's comments within the staff report; however, staff would like to note that staff has responded to AQMD's comments earlier in the day.

Vice Chairperson Madrigal inquired about AQMD's worry with the surrounding school. Senior Planner Cuong Nguyen replied that AQMD is concerned about sensitive receptors mainly the high school adjacent to the project.

City Attorney Steven Skolnik explained that receptors refers to the students at the school, the people who would potentially be impacted by this based on their proximity to the project. AQMD raised a very general concern about how close the school is to the project. AQMD's concern is not terribly specific but just about how close the school is to this project and just a concern on the impacts on students that close has not be adequately analyzed and the response that City Staff provided to AQMD indicates the manner in which those potential impacts were evaluated and they were evaluated with a recognized methodology using tables that are utilized in this type of analysis and this conclusion is that the impacts will not exceed local significant thresholds and, therefore, there is nothing to be concerned about with regard to this particular issue.

Environmental Consultant Marc Blodgett indicated that the only comment from AQMD revolved

around the sensitive receptor John Glenn High School. In fact, John Glenn High School was the sensitive receptor identified in the CEQA documents prepared by Environmental Consultant Marc Blodgett and for that reason he went through a detailed analysis that demonstrated both the long term and short term (construction machines) that would not impact the school. The applicant will be well below the thresholds and the trucks leaving and going to the site will be going away from the school.

Commissioner Arnold inquired about the measures being used to mitigate asbestos removal during demolition. Environmental Consultant Marc Blodgett referred to the CEQA documents provided to the Commissioners and indicated that asbestos and lead containing paints are a concern because of the age of the building but that the contractors on site doing that removal are well versed in the requirements they must adhere to in both the removal, handling, on site retention and ultimately the disposal of these materials.

Having no further questions, Chairperson Johnston closed the Public Hearing at 6:25 p.m. and requested a motion.

Commissioner Arnold moved to approve staff's recommendation for Item No. 7; Commissioner Ybarra seconded the motion, which was unanimously approved.

8. NEW BUSINESS

Modification Permit Case No. 1251

Request for a Modification of Property Development Standards to not provide required parking stalls related to a proposed 5,800 sq. ft. office mezzanine at 14820 Mica Street (APN: 8069-014-009), within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone and the M-2, Heavy Manufacturing, Zone. (Golden Springs Development Company)

Chairperson Johnston called upon Planning Consultant Paul Garcia to present Item No. 8 before the Planning Commission. Present in the audience was Moshe Sassover on behalf of the applicant Golden Springs Development Company and representatives for the future occupant US Corrugated.

City Attorney Steve Skolnik explained the requirements for the number of parking spaces for a project like this is a mathematical function based on the size of the building and is fundamentally nonspecific as to the type of business located within the property. It could be that specific business needs might be drastically below what is required by the code and in this circumstance the mezzanine being added on, for office purposes, adds to the square footage calculations yielding a higher parking requirement.

Commissioner Arnold inquired how the applicant was being affected by the new parking ordinance approved by the City Council. Planning Consultant Paul Garcia replied that if this matter was filed subsequently to the adoption of the new parking ordinance there would be approximately 261 parking spaces less than would've been required.

Having no further questions, Chairperson Johnston requested a motion for Item No. 8.

Commissioner Zamora moved to approve Item No. 8; Vice Chairperson Madrigal seconded the motion, which was unanimously.

9. 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. 594-9

A compliance review of a cement batch facility located at 13651 Rosecrans Avenue (APN: 8059-029-010), in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project Area. (Bender Ready Mix)

Since staff reports were sufficient, Chairperson Johnston requested a motion regarding Item Nos. 9A.

Commissioner Ybarra moved to approve Item No. 9A; Commissioner Arnold seconded the motion which was unanimously approved by the following roll call vote: In Favor – Arnold, Johnston, Madrigal, Ybarra and Zamora; Opposed – None.

10. ANNOUNCEMENTS

- ♦ Commissioners
Commissioner Zamora wished all the mothers, sisters, aunts and grandmothers who are mothers to children a Happy Mother's Day and hopefully they had blessed day and every day we should be thankful to them.
- ♦ Staff
Senior Planner Cuong Nguyen announced that Starbucks in the Santa Fe Springs Promenade is open.

11. ADJOURNMENT

At 6:38 p.m. Chairperson Johnston adjourned the meeting to Monday, June 8, 2015 at 6:00 p.m.

ATTEST:

Chairperson Johnston

Teresa Cavallo, Planning Secretary



PUBLIC HEARING (Continued from Planning Commission Meeting of May 11, 2015)

Conditional Use Permit Case No. 764 and environmental document

A request by T-Mobile for ex-post facto approval to add three new additional antennas for a total of nine (9) antennas, three new RRUs (Remote Radio Units), and an upgrade to the DC power for an existing unmanned wireless telecommunication facility located on a $\pm 142'-0"$ high Southern California Edison transmission tower located at 11213 Telegraph Road Drive (APN: 8006-032-800), (north of Telegraph Road between the San Gabriel River and the Telegraph Road off-ramp from the San Gabriel 605 (South) Freeway), in the A-1, Light Agricultural, Zone. (T-Mobile)

RECOMMENDATION

Staff is recommending a continuance of Conditional Use Permit Case No. 764 to the next regularly held Planning Commission meeting on July 13, 2015.

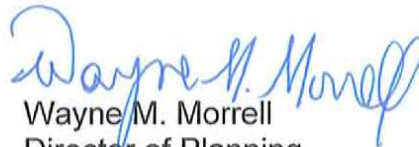
BACKGROUND/DESCRIPTION OF PROPOSAL

T-Mobile is requesting ex-post facto approval to add three new additional antennas for a total of nine (9) antennas, three new RRUs (Remote Radio Units), and an upgrade to the DC power for an existing unmanned wireless telecommunication facility located on a $\pm 142'-0"$ high Southern California Edison transmission tower located at 11213 Telegraph Road Drive (APN: 8006-032-800).

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, this matter was set for Public Hearing. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on May 1, 2015, and published in a newspaper of general circulation (Whittier Daily News) May 1, 2015, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

Staff is recommending a continuance of Conditional Use Permit Case No. 750 and to the next regularly held Planning Commission meeting on July 13, 2015 to allow staff additional time to confirm the conditions of approval and, thereafter, complete the staff report.

Since this case was set for public hearing, it is recommended that if any members of the public attend the meeting and wish to comment, the Planning Commission should open the public hearing and receive public comments and then take action to continue the project to the next meeting date.



Wayne M. Morrell
Director of Planning



PUBLIC HEARING

Conditional Use Permit Case No. 733, Development Plan Approval Case No. 879, Tentative Parcel Map No. 72288, Modification Permit Case No. 1255, and Environmental Document (Mitigated Negative Declaration/Initial Study)

A request for approval to establish, operate and maintain a Material Recovery Facility (MRF), a Transfer Station (TS), and to construct a 20,000 sq. ft. building associated with the MRF, TS, to subdivide/consolidate the two existing parcels into one parcel, and to not provide all of the required number of parking spaces on the 3.81-acre property at 9010 Norwalk Boulevard (APN: 8168-014-015) and 9016 Norwalk Boulevard (APN: 8168-001-014), in the M-2, Heavy Manufacturing Zone. (Roy Furuto for Universal Waste Systems, Inc.)

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

Open the Public Hearing, receive and file Staff's presentation, and any comments from the public regarding CUP 733, DPA 879, TPM 72288 and MOD 1255 and, thereafter, continue the Public Hearing to the Planning Commission Meeting of a future date.

BACKGROUND/DESCRIPTION OF REQUEST

The subject properties are located at 9010 and 9016 Norwalk Boulevard, in the M-2, Heavy Manufacturing, Zone. According to the Los Angeles County Assessor, the property at 9010 Norwalk Boulevard (APN: 8168-001-015) consists of $\pm$ 2.05 acres, (includes a 30-foot wide private street) and is developed with two buildings, one of 28,000 sq ft and the other of 10,755 sq ft. The larger building was constructed in 1963 and the smaller building, in 1963. The property at 9016 Norwalk Boulevard (APN: 8168-001-014), and located at the rear, consists of $\pm$ 1.76 acres and is also developed with two buildings, one of 4,500 sq ft and the other of 3,658 sq ft. The 4,500 sq ft building was constructed in 1966 and the 3,656 sq ft building in 1987. The 9016 address does not have street frontage. A private street easement over the property at 9010 Norwalk Boulevard provides access to the rear parcel at 9016 Norwalk Boulevard.

The owner of both properties, Universal Waste Systems (UWS) Inc., is currently using the properties for an outdoor storage use involving empty trucks and containers associated with a rubbish hauling use. Universal Waste Systems (UWS) Inc. has been providing solid waste collection, transfer and recycling services to cities and unincorporated areas in Los Angeles County since 1986. It is one of the largest local family owned and operated companies in Los Angeles County. UWS has operating facilities in Pomona, Santa Fe Springs, and the City of Los Angeles. UWS is

contracted to provide solid waste, recycling, and green waste service to over 15,000 single-family homes and provides multifamily recycling to over 60,000 units per week.

UWS is proposing to relocate its existing collection truck storage and repair facility on the subject properties to another property outside the City of Santa Fe Springs and establish a MRF and TS on the subject properties. To house the TS, a 20,100 sq. ft. concrete tilt-up building is proposed.

Definition:

Material Recovery Facility (MRF): A material recovery facility or MRF (pronounced "Murf") is a processing facility designed to remove recyclables and other valuable materials, usually by hand or by use of machinery, from the waste stream.

Transfer Facility (TF): A transfer station is a facility which receives, handles, separates, converts, or otherwise processes solid waste. Such facilities typically transfer solid waste directly from one container to another or from one vehicle to another for transport, or temporarily store solid waste prior to final disposal at a permitted landfill.

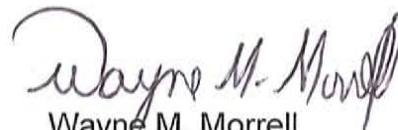
UWS, therefore applied for a Conditional Use Permit (CUP 733) to establish, operate and maintain a MRF and TS. UWS also applied for development Plan Approval (DPA 879), to construct the 20,000 sq. ft. concrete tilt-up building to house the TS. Additionally, UWS submitted an application for a tentative parcel map (TPM 72288) to consolidate the two lots of 3.81 acre into one parcel of 3.81 acre, and a Modification Permit (MOD 1255) to not provide all of the required number of parking spaces.

Because of the potential adverse effect of the proposed Project's on the environment, an Initial Study/Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines. Public involvement is an essential feature of CEQA and the review process established by CEQA provides ample opportunity for the public to participate through scoping meetings, public notice and public review of CEQA documents.

At the Planning Commission meeting of July 8, 2013, the items were continued to the Planning Commission meeting of August 12, 2013 because the State Clearinghouse had not received the Initial Study/Mitigated Negative Declaration. Notwithstanding, several citizens spoke about their concerns: potential noise, odor control, pest control, future violations, property values, overall capacity, traffic impacts, and spot zoning.

At the Planning Commission meeting of August 12, 2013, Staff gave a presentation and addressed the citizen's concerns that were voiced at the July 8, 2013 meeting. Again, several citizens voiced their concerns with the project. The Planning Commission continued the item to the next Planning Commission meeting of September 9, 2013. On August 26, 2013, Staff received a letter from the applicant. Said letter indicated that they "have decided to reevaluate aspects of the subject applications, including the food waste processing issue and therefore would like to postpone the Planning Commission's consideration of those items for an indefinite period of time." At the Planning Commission meeting of September 9, 2013, during the Comment period, it was announced that the applicant had withdrawn their applications.

The applicant recently resubmitted a revised proposal. This proposal did not include the original request for a Food Waste Processing Facility (FWPF). Legal Notice for the proposed project, excluding the FWPF was sent to a newspaper of general circulation (Whittier Daily News) for publication on May 28, 2015. The Notice of Intent (NOI) to adopt a Mitigated Declaration with the Mitigated Negative Declaration/Initial Study were mailed to responsible and trustee agencies and agencies with jurisdiction by law. Unfortunately, the NOI contained an incorrect date by which comments were due and also the date and time of the Planning Commission meeting. Although, a corrected NOI was subsequently mailed with the correct review period and deadline for public and agency comments, Staff decided to proceed with the public hearing, but request that the Planning Commission, at said hearing, not act on the items, but instead continue the public hearing to a future date. Meanwhile, staff received comments for the County of Los Angeles Department of Public Works (See attached).



Wayne M. Morrell
Director of Planning

Attachments:

1. Location Aerial
2. Response to MND by Los Angeles County Department of Public Works

Development Plan Approval Case No. 879 &
Conditional Use Permit Case No. 733
9010 and 9016 Norwalk Boulevard-Universal Waste Systems Inc.



June 3, 2015

Mr. Wayne M. Morrell
Director of Planning
Planning and Development Department
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

Dear Mr. Morrell:

**REVISED INITIAL STUDY – MITIGATED NEGATIVE DECLARATION (IS-MND)
UNIVERSAL WASTE SYSTEM,
MATERIAL RECOVERY FACILITY (MRF) AND TRANSFER STATION (TS)
9010 AND 9016 NORWALK BOULEVARD
CITY OF SANTA FE SPRINGS**

Thank you for the opportunity to review the revised IS-MND for the Universal Waste System, Materials Recovery Facility and Transfer Stations, located at 9010 and 9016 Norwalk Boulevard in the City of Santa Fe Springs. The project is for the operation of a MRF and TS for solid waste processing and recycling activities. The applicant is requesting a conditional use permit to allow the MRF and TS to 750 tons per day (TPD) processing capacity at the initial phase of operation and 1,500 TPD for a maximum permitted capacity. The proposed MRF and TS is located within the City of Santa Fe Springs, and near the vicinity of the unincorporated community of South Whittier.

The following are the Los Angeles County, Department of Public Works comments and are for your consideration and relate to the environmental document only:

Initial Study Checklist:

1. Table 1-1, Summary (Initial Study Checklist), Section 3.17, Utilities Impacts, item f, page 19; Section 3.16 Transportation & Circulation Impacts, Subsection 3.16.2 Analysis of Environmental Impacts, 2nd bullet; page 125; and Section 3.17, Utilities Impacts, Subsection 3.17.2 Analysis of Environmental Impacts, Item F, page 146; Public Works cannot substantiate the determination of "No Impact" for the capacity of the landfill on Table 1-1, Section 3.17, item F, "Be served by a

Mr. Wayne M. Morrell
June 3, 2015
Page 2

landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs" until the document specifies the landfill that will be used to dispose the solid waste and determines if the landfill has capacity to handle the project waste disposal. Revise accordingly.

Air Quality Impacts:

1. Section 3.3, Subsection 3.3.2 Analysis of Environmental Impacts, Operation of the Truck Scale, page 40; the project shall comply with State law, Assembly Bill 1826 (2014), requires certain businesses to set up recycling services for organic waste. These laws require the County to implement a commercial solid waste recycling program and an organic waste recycling program that is designed specifically to divert commercial solid waste and organic waste generated by businesses. The revised document excludes the process food waste operation, and does not state the process regarding the organic waste such as food waste that would arrive at the MRF.

If you have any questions regarding the initial study checklist and the air quality impacts comments, please contact Dave Nguyen of Environmental Programs Division at (626) 458-5189 or dnguyen1@dpw.lacounty.gov.

Transportation & Circulation Impacts

1. Section 3.16.2 Analysis of Environmental Impacts, Exhibit 3-18 Self Haul and Employee Trip Distribution, page 126, Exhibit 3-19 Collection Trucks Trip Distribution, page 127 and Exhibit 3-20 Transfer Trucks Trip Distribution, page 128; the document should discuss and analyze the proposed truck traffic routes for pavement integrity to Los Angeles County roadways. The impacts to the existing pavements will need to be evaluated and determined of any deficiencies prior to the issuance of any permit from the City of Santa Fe Springs.

If you have any questions regarding the transportation & circulation impacts comment, please contact Ruben Cruz of Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz of Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:

P:\dpub\SUBPCHECK\Plan Checking Files\Single Lots\9010 AND 9016 NORWALK BOULEVARD\IS-MND\2015-05-26 IS-MND SUBMITTAL\9010 & 9016 Norwalk Boulevard - City of Santa Fe Springs.docx



PUBLIC HEARING

Development Plan Approval Case No. 897 and Modification Permit Case No. 1253

A request for approval to construct a 48' high silo, and related equipment, within an existing truck dock area and a request for a Modification of Property Development Standards to not screen the 48' high silo, and related equipment, at 14820 Mica Street (APN: 8069-014-009), within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone and the M-2, Heavy Manufacturing, Zone. (Golden Springs Development Company)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Development Plan Approval Case No. 897, and thereafter close the Public Hearing; and
2. Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
3. Find that the applicant's request meets the criteria set forth in §155.739 of the Zoning Regulations, for the granting of Development Plan Approval; and
4. 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.
5. Find that the current proposal will remain within the scope of the previously prepared Initial Study/Mitigated Negative Declaration for Development Plan Approval Case No. 878 and Tentative Parcel Map No. 71982, and since there is no substantial evidence that the proposed project will have a significant adverse effect on the environment, no new environmental documents are therefore required; and
6. Approve Development Plan Approval Case No. 897 and Modification Permit Case No. 1253, subject to the conditions of approval as contained with the Staff Report.

LOCATION / BACKGROUND

The subject site is located at the northeast corner of Marquardt Avenue and Freeway Drive and is dual zoned; the majority of the property (southern portion that fronts onto Freeway Drive) is within the M-2-FOZ, Heavy Manufacturing – Freeway Overlay, Zone, with the northern portion (approximately 525 linear feet) within the M-2, Heavy Manufacturing, Zone. The site, comprised of a single parcel (APN: 8069-014-009) of approximately 18.7-acres, has a single building, with a footprint of 448,060 sq. ft., designed to accommodate two occupants. The southern portion of the building has an address of 13833 Freeway Drive; the northern portion of the building, the subject of this application, has an address of 14820 Mica Street. Industrial land uses are located to the north, west, and south (across Interstate 5); the Santa Fe Springs Swap Meet is the adjacent easterly property.

The site received two approvals, on October 22, 2012, from the Planning Commission authorizing for the development and consolidation of the subject site: Development Plan Approval Case (DPA) No. 878 and Tentative Parcel Map (TPM) No. 71982. More recently, the site received Planning Commission approval of Modification Permit (MOD) No. 1249 (March 2015 – “Gelson’s Market”) and MOD No. 1251 (May 2015 – “US Corrugated”); both MOD’s were to not provide required parking stalls related to installation of office mezzanines for each occupant of the building.

As previously stated, the building is designed to accommodate two occupants; the subject application pertains to the northern half of the building, which will be utilized by US Corrugated for corrugated packaging production and distribution, with an incidental office area. As part of their tenant improvement plans, the applicant is proposing to construct a 48’ high silo, and related equipment, within an existing truck dock area. Additionally, the proposal calls for the installation of electrical transformers (outside of the scope of the subject DPA), to be screened with landscaping, within seven (7) parking stalls. It should be noted that although the proposal is reducing existing parking, a MOD is not required due to the recent adoption of Ordinance No. 1063, which amended Section 155.480 of Chapter 155 of the City Code. The amendment, among other things, reduced the number of required parking stalls for large-scale buildings such as this.

DEVELOPMENT PROPOSAL

Site Plan

The site plan indicates that the proposed 48’ high steel silo will be strategically placed in the northwest corner of the truck dock area to limit visibility from the adjacent streets. The silo will be setback approximately 250’ from the northerly property line along Mica Street and approximately 165’ from the easterly property

line, which abuts an industrial property consisting of an approximately 22,000 sq. ft. concrete tilt-up building. Lastly, the site plan details the placement of three (3) electrical transformers within seven (7) required parking spaces, located along the northeast portion of the building. The transformers will be screened from view with new landscaping.

Elevations/Perspective Views

The elevations indicate that the proposed 48' high silo will exceed the height of the 45' high building by 3'. The silo, however, is strategically placed within the northwest corner of the truck dock area to minimize its visibility from the adjacent streets, as detailed within the provided prospective views. Additionally, the proposed silo will be painted to match the existing building and help ensure that it blends in with the building.

DEVELOPMENT PLAN APPROVAL - COMMISSION'S CONSIDERATION.

Pursuant to Section § 155.739 of the Zoning Regulations, in studying any application for development plan approval, the Commission shall give consideration to the following:

- (A) That the proposed development is in conformance with the overall objectives of this chapter.

Findings:

The proposed project is located within the M-2, Heavy Manufacturing, Zone. Pursuant to Section § 155.240 of the Zoning Regulations "The purpose of the M-2 Zone is to preserve the lands of the city appropriate for heavy industrial uses, to protect these lands from intrusion by dwellings and inharmonious commercial uses, to promote uniform and orderly industrial development, to create and protect property values, to foster an efficient, wholesome and aesthetically pleasant industrial district, to attract and encourage the location of desirable industrial plants, to provide an industrial environment which will be conducive to good employee relations and pride on the part of all citizens of the community and to provide proper safeguards and appropriate transition for surrounding land uses."

The proposed development is consistent with the purpose of the M-2 Zone in the following manner:

1. The land is appropriate for industrial uses based on its zoning, M-2, Heavy Manufacturing and its General Plan Land Use designation of Industrial.
2. Since the proposed project is industrial, rather than residential or commercial in nature, the land is therefore being maintained for industrial uses.
3. The proposed project will allow a new and successful business to locate into

the City and thus will provide a boost to the local job market as the development should bring in job opportunities for nearby residents.

- (B) That the architectural design of the proposed structures is such that it will enhance the general appearance of the area and be in harmony with the intent of this chapter.

Findings:

The strategic placement of the silo will minimize its visibility from the adjacent streets. Moreover, as previously stated, the silo will be painted to match the existing building to help ensure that it blends in with the building. As a result, the silo will not have an adverse visual impact on the building or to the general appearance of the area.

- (C) That the proposed structures be considered on the basis of their suitability for their intended purpose and on the appropriate use of materials and on the principles of proportion and harmony of the various elements of the buildings or structures.

Findings:

The proposed steel silo, to contain pearl corn starch, is necessary for the production of corrugated sheets. Without the silos, the business could not function. Steel is an appropriate material for silos. Composition wise, steel is not consistent with a concrete tilt-up building, however, when considering the location of the silo and that it will be painted to match the color of the building, the silo will not adversely impact the proportion and harmony of the various elements of the existing building.

- (D) That consideration be given to landscaping, fencing and other elements of the proposed development to ensure that the entire development is in harmony with the objectives of this chapter.

Findings:

Landscaping or fencing is not required as screening for the silo. However, the proposed generators, located within the exterior parking lot area, will be provided with new landscaping to screen them from the adjacent street and properties.

- (E) That it is not the intent of this subchapter to require any particular style or type of architecture other than that necessary to harmonize with the general area.

Findings:

As stated previously, the proposed silo is strategically placed to minimize its visibility from the adjacent streets and will also be painted to match the existing building. As a result, the proposed silo will blend in with the existing building and the general area.

- (F) That it is not the intent of this subchapter to interfere with architectural design except to the extent necessary to achieve the overall objectives of this chapter.

Findings:

Pursuant to § 155.736 of the Zoning Regulations, "The purpose of the development plan approval is to assure compliance with the provisions of this chapter and to give proper attention to the siting of new structures or additions or alterations to existing structures, particularly in regard to unsightly and undesirable appearance, which would have an adverse effect on surrounding properties and the community in general."

Staff had considerable discussions with the applicant regarding the siting of the proposed silo and the need to integrate it with the existing building so as to not have an adverse effect on surrounding properties and the community in general. Staff believes that proper attention has been given to the location, size, and design of the proposed silo.

MODIFICATION PERMIT CASE NO. 1253

The applicant is requesting a modification of property development standards to not screen the 48' high steel silo from view from adjacent properties and public streets. As aforementioned, part of the proposal (outside the scope of the subject DPA) calls for the installation of electrical transformers, to be screened with landscaping, within seven (7) parking stalls. Although the proposal is reducing existing parking, a MOD is not required due to the recent adoption of Ordinance No. 1063, which amended Section 155.480 of Chapter 155 of the City Code. The amendment, among other things, reduced the number of required parking stalls for large-scale buildings such as this.

REQUIRED SHOWING

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

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

Staff has worked closely with the applicant regarding the location of the proposed silo to ensure it will have minimal visual impact on surrounding properties. The strategic placement of the proposed silo will greatly reduce its visibility from adjacent streets and properties. Furthermore, the proposed silo is required to be painted to match the existing building. Lastly, if a similar request arose, staff would consider the circumstance of the case and, if the facts presented are similar, staff would also recommend approval for a Modification.

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

The proposed silo is a critical component necessary to support the operations of the future tenant, US Corrugated. Without the silo, the business simply could not operate despite the fact that the City's Zoning Regulations expressly permit the use. The proposed location is ideal in that the silo will only be visible from Freeway Drive, approximately 1500 feet to the south, and the adjacent easterly properties, consisting of a 22,000 sq. ft. industrial building and the Santa Fe Springs Swap Meet. All alternative locations within the parking lot area will result in the elimination of parking spaces, but most importantly, will also result in the silo being readily visible.

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

The unique circumstance is the size of the parcel (18.7-acres) and the building (448,060 sq. ft. footprint) allows for the proposed silo to be located in a manner that will greatly reduce its visual impact. The silo will be setback approximately 250' from the northerly property line along Mica Street and approximately 165' from the easterly property line, within the northwest corner of the truck dock area. As a result, the proposed silo will be visible only from the easterly properties and Freeway Drive. In order to minimize the silos visual impact, staff has conditioned that the silo be painted to match the existing building.

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

Granting the Modification Permit request would not be detrimental to other persons, properties in the area, or the community in general. The silo will have limited visibility from adjacent streets and properties and will be painted to match the color of the existing building. Based on these factors, staff believes 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.

STAFF REMARKS

Based on the findings set forth in the staff report, Staff find that the applicant's request meets the criteria set forth in §155.739 and §155.695 of the City's Zoning Regulations for the granting of Development Plan Approval and the granting of a Modification Permit, respectively.

STREETS AND HIGHWAYS

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

ZONING AND LAND USE

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

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Section 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 project 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 May 26, 2015. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on May 28, 2015, and published in a newspaper of general circulation (Whittier Daily News) May 28, 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 proposed project.

ENVIRONMENTAL DOCUMENTS

A Mitigated Negative Declaration (MND) was previously prepared, and subsequently approved, by the Planning Commission on October 22, 2012, in conjunction with Development Plan Approval (DPA) No. 878 and Tentative Parcel Map (TPM) No. 71982. The current proposal is not considered a significant change from what was already reviewed and approved under DPA 878. The proposed silo will not create any substantial impacts beyond what has already been reviewed and identified in the original MND.

AUTHORITY OF PLANNING COMMISSION:

The Planning Commission may grant, conditionally grant or deny approval of a proposed development plan and/or modification request based on the evidence submitted and upon its own study and knowledge of the circumstances involved and subject to such conditions as the Commission deems are warranted by the circumstances involved. These conditions may include the dedication and development of streets adjoining the property and other improvements. All conditions of Development Plan Approval shall be: binding upon the applicants, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy; and shall restrict and limit the construction, location, use and maintenance of all land and structures within the development.

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

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

PLANNING AND DEVELOPMENT DEPARTMENT:
(Contact: Paul Garcia 562.868-0511 x7354)

2. That the proposed 48' high silo shall be constructed of quality material and any material shall be replaced when and if the material becomes deteriorated, warped, discolored or rusted.

3. That the proposed 48' high silo shall be painted to match the color of the existing building.
4. That the proposed 48' high silo and related equipment shall otherwise be substantially in accordance with the plot plan and elevations submitted by the owner and on file with the case.
5. That the final plot plan, elevations for the proposed 48' silo and all other appurtenant improvements, textures and color schemes shall be subject to the final approval of the Director of Planning and Development.
6. That in the event the noise level associated with the silo exceeds levels permitted by the City's Zoning Regulations, the applicant shall work with planning staff to come up with a solution to immediately mitigate the noise issues.
7. That the applicant shall provide shrubs, provided with a landscape irrigation system, to completely screen the new electrical transformers from public view. The final elevations for said screen and all other appurtenant improvements and materials shall be subject to the final approval of the Director of Planning or authorized designee.
8. That upon completion of the new landscaping, the required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, and replacement of plants when necessary and the regular watering of all plantings.
9. That the applicant understands and agrees that any future expansions or deviations shall require prior approval for an Amendment to the subject Development Plan Approval by the City's Planning Commission.
10. That the applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire Department for all improvements related to the subject request.
11. 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.*

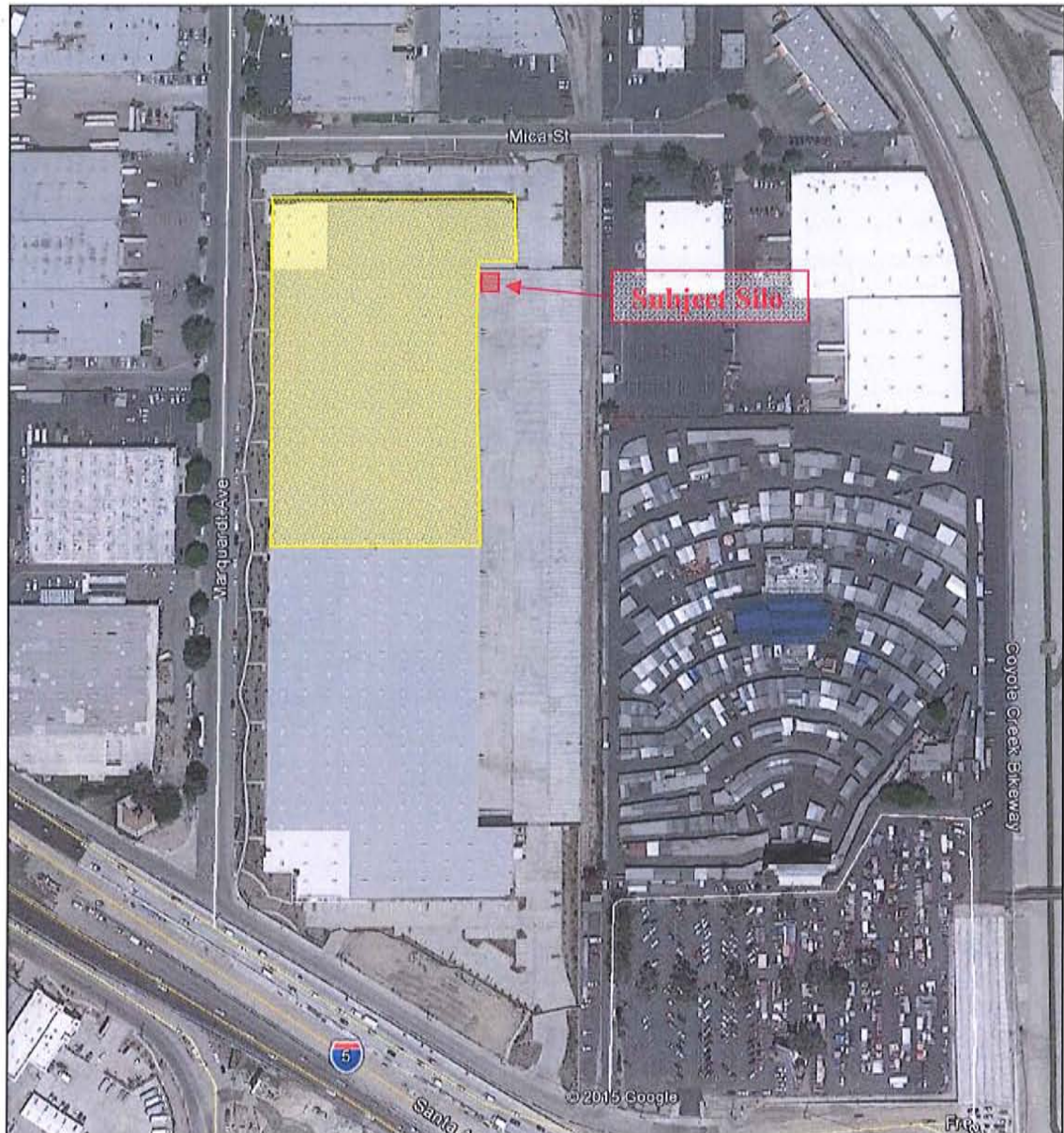
12. That the applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor 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.
13. 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.
14. That the applicant, Freeway Springs, LLC, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject DPA, 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.
15. 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. Plans (Site Plan, Elevation, Perspective Views)
3. Development Plan Approval Application
4. Modification Permit Application

Aerial Photograph



Development Plan Approval No. 897 & Modification Permit No. 1253 14820 Mica Street

Development Plan Approval Application



City of Santa Fe Springs

Application for

DEVELOPMENT PLAN APPROVAL (DPA)

RECEIVED

APR 23 2015

Planning Dept.

The undersigned hereby petition for Development Plan Approval:

LOCATION OF PROPERTY INVOLVED:

Provide street address or Assessor's Parcel Map (APN) number(s) if no address is available. Additionally, provide distance from nearest street intersection:

14820 Mica Street Santa Fe Springs CA 90670

RECORD OWNER OF THE PROPERTY:

Name: Thrifty Oil Co. Phone No: 562-921-3581Mailing Address: 13116 Imperial Highway Santa Fe Springs CA 90670Fax No: _____ E-mail: sassover@thriftyoil.com

THE APPLICATION IS BEING FILED BY:

☐ Record owner of the property☒ Authorized agent of the owner (written authorization must be attached to application)

Status of Authorized Agent:

Engineer/Architect: ☒

Attorney: _____

Purchaser: _____

Lessee: _____

Other (describe): _____

DESCRIBE THE DEVELOPMENT PROPOSAL (See reverse side of this sheet for information as to required accompanying plot plans, floor plans, elevations, etc.)

construct and install a ~45'h silo, caustic tank and an air compressor in the truck dock area

I HEREBY CERTIFY THAT the facts, statements and information furnished above are true and correct to the best of my knowledge and belief.

Signed: _____

Signature

Steve Hong

Print name

(If signed by other than the record owner, written authorization must be attached to this application.)

NOTE

This application must be accompanied by the filing fee, map and other data specified in the form entitled "Checklist for Development Plan Approval."

Development Plan Approval Application (Cont.)DPA Application
Page 2 of 2**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): Moshe Sassover
 Mailing Address: 13116 Imperial Highway, Santa Fe Springs, CA 90670
 Phone No: 562-921-3581 x 372
 Fax No: 562-921-2077 E-mail: sassover@thriftyoil.com
 Signature: 

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES) ss.

I, Moshe Sassover, being duly sworn, depose and say that I am the petitioner in this application for a Development Plan Approval, 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)

**SEE ATTACHED CALIFORNIA
ALL PURPOSE ACKNOWLEDGEMENT**

(seal)

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

WITNESS my hand and official seal

Notary Public

FOR DEPARTMENT USE ONLY	
CASE NO:	<u>DPA 897</u>
DATE FILED:	<u>4/23/15</u>
FILING FEE:	<u>\$ 2,393</u>
RECEIPT NO:	<u>1CL 330 B</u>
APPLICATION COMPLETE?	<u>yes</u>

Development Plan Approval Application (Cont.)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

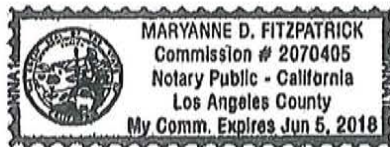
State of California

County of Los AngelesOn June 3, 2015 before me, Mary Anne Fitzpatrick, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Moshé Sassover
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature Maryanne D. Fitzpatrick
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Property Owners Statement Document Date: _____Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

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

Signer Is Representing: _____

Signer's Name: _____

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

Signer Is Representing: _____

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): _____

14820 Mica Street, Santa Fe Springs CA 90670

Legal description of property: _____

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

Record Owner of Property: _____

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

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

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

The application is being filed by:

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

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

Architect

Describe the modification requested: _____

Requesting that the silo and the related equipment need not to be screened from public view

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.
Given the size of the silo at 48feet high, screening such equipment will be prohibitively expensive. Also, making the screen aesthetically pleasing will be very difficult if not making it more visually intrusive.
4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required.
The tenant requires a silo and it is a very integral part of their operations. Also, trying to have it screened will cause maintenance hardship.
5. Explain how the approval of the requested modification would not grant special privileges which are not enjoyed by other property owners in the area.
The adjacent owners already have silo that are visible from public view. US Corrugated has worked closely with the planning department so that the location of the silo will have the least amount of visual impact.
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.
No, the silo will be custom painted to match the building to make it more integral to the building design. Also, the location have been strategically placed to have the least amount of visual impact.

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): Freeway Springs LLC
 Mailing Address: 8116 E. Imperial Highway, Santa Fe Springs, CA 90670
 Phone No: (562) 721-3587 x322
 Fax No: (562) 721-3077 E-mail: jarrover@theflyoil.com
 Signature: [Signature]

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)ss.

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

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

(seal)

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

WITNESS my hand and official seal

Notary Public

FOR DEPARTMENT USE ONLY	
CASE NO:	MUD 1253
DATE FILED:	4/27/15
FILING FEE:	162300 \$
RECEIPT NO:	81140
APPLICATION COMPLETE?	YES

California All Purpose Acknowledgment Attached

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 Los AngelesOn February 9, 2015 before me, Maryanne D. Fitzpatrick, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Moshe Sassover

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature Md Fitzpatrick
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

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

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

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

Signer Is Representing: _____

Signer's Name: _____

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

Signer Is Representing: _____

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NEW BUSINESS

Modification Permit Case No. 1252

Request for a Modification of Property Development Standards (MOD) Permit to eliminate 13 required parking stalls located in the rear parking area (along the southeast corner of the lot) and instead temporarily use said area for open storage on property located at 12234 Florence Avenue (APN: 8009-022-064), within the M-2, Heavy Manufacturing, Zone, within the Consolidated Redevelopment Project Area. (Fortune Metal, Inc.)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed project, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
2. Find that the applicant's Modification Permit request meets the criteria set forth in Section 155.695 of the City's Zoning Regulation for the granting of a Modification Permit.
3. Find that pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; consequently, no other environmental documents are required by law.
4. Approve Modification Permit (MOD) Case No. 1252, subject to the conditions of approval as stated in this staff report.

LOCATION / BACKGROUND

The subject property is located at 12234 Florence Avenue, approximately 457 lineal feet east of the centerline of Norwalk Boulevard, in the M-2, Heavy Manufacturing, Zone, and within the Consolidated Redevelopment Project Area. The property measures approximately 2.6-acres and is currently developed with a 35,134 sq. ft. concrete tilt-up building that was constructed in 2001. The building is one of two concrete tilt-up industrial buildings that were developed under Development Plan Approval Case No. 697 (approved by the Planning Commission on February 28, 2000).

PROJECT DESCRIPTION

The applicant, Fortune Metal, Inc., currently operates and maintains a recycling operation on the subject property within strict limitations set forth by Conditional Use Permit Case No. 741 (approved by the Planning Commission on May 13, 2013). In fact, during a recent compliance review inspection, staff observed some outdoor storage activities that was occurring on the subject property within existing required parking stalls. However, in observing the applicant's existing parking demand and site layout, staff had recommended that the applicant consider applying for a Modification Permit (MOD) to allow them to temporarily use 13 parking spaces in the rear parking area for outdoor storage purposes. Normally, staff would not encourage or otherwise support the use of parking for outdoor storage purposes; however, staff believes Fortune Metal has a unique scenario that would make them the ideal candidate for the subject MOD.

For instance, Fortune Metal only employs 12 individuals on their largest shift. The site is currently striped with a total of 64 parking stalls. If the MOD request was approved, the site would still have 51 parking stalls remaining, which is more than sufficient to accommodate their existing employee count, customers, and any future growth. Additionally, the proposed outdoor storage area is located directly behind the existing building and therefore would not be directly visible from the street. Regardless, similar to other Modification Permits granted for parking purposes, staff will place a condition to clarify that the parking modification, if granted, is solely for Fortune Metal, Inc. and is not transferrable unless prior written approval is granted by the Director of Planning and Development. Should Fortune Metal, Inc. vacate the premises, the subject outdoor storage area shall be fully removed, and said area shall be re-stripe for parking in accordance with the original site plan (see attachment - existing site plan). Further, as a condition of approval, the outdoor storage activities will need to be adequately screened from public view with a wall or fence.

STREETS AND HIGHWAYS

The subject site fronts onto Florence Avenue. Florence Avenue is designated as a "Major Arterial" within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

Industrially zoned areas generally surround the subject site. Properties to the east, west, and south are zoned M-2, Heavy Manufacturing, and are currently occupied with industrial manufacturing, production, and warehouse/distribution type facilities. The property immediately north of the subject property (along the north side of Florence Avenue) is zoned M-2 PD, Heavy Manufacturing – Planned Development, and currently developed with a multi-tenant industrial center with various warehouse and manufacturing type uses.

ENVIRONMENTAL DOCUMENTS

Upon review of the proposed project, staff finds the project would qualify for a categorical exemption pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) since it only involves a minor deviation to the parking requirements for the existing building on-site. Additionally, the project involves no additional square footage or otherwise substantial improvement to the existing site. With the exception of the outdoor storage activities in the southeast parking area, all business operations will occur within the building interior. The project would, therefore, cause very little disturbance to the existing building, nearby properties and its occupants. Additional environmental analysis is therefore not necessary to meet the requirements of the CEQA. If the Commission agrees, Staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days of approval of the project by the Planning Commission.

NOTICE TO ADJACENT PROPERTY OWNERS

The Planning Commission should note that, as with similar requests, staff mailed a notice of public hearing to the adjacent property owners (north, south, east and west) to advise them of the Modification Permit request and of the date and time when this matter would be considered by the Planning Commission. A total of 5 notices were mailed out to said property owners on May 28, 2015. To date, staff has not received any correspondence from the surrounding property owners that received the notice.

REQUIRED SHOWING

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

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

The Planning Commission would not be granting special privileges to the applicant since similar requests have been granted in the past. The chart provided below identifies similar parking Modifications that were approved and justified based on the existing employee to parking ratios that are unique to each respective business and location.

Recent Parking Modifications

Case No.	Site Address	Request	Date Approved
MOD 1251	14820 Mica Street	Parking Reduction	May 2015
MOD 1249	13833 Freeway Drive	Parking Reduction	March 2015
MOD 1247	15600-15601 Resin Place	Parking Reduction	Nov 2014
MOD 1221	9306 Sorenson Avenue	Parking Reduction	Jan 2012

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

The subject outdoor storage activities is a critical component of the applicant's operations. Since the subject property is already fully developed, there is no opportunity for any future expansion on-site. Fortune Metal, unfortunately, is facing a decision to either re-locate to a larger building where their additional storage needs may be met or otherwise find a potential solution to address their storage needs on-site.

Given that Fortune Metal employees 12 employees on their largest shift, and the site currently has 64 parking stalls, a total of 51 parking stalls would remain unused (assuming that every employee is driving to work alone). Even if the employee count doubled or tripled in size, the site will still have more than enough stalls to accommodate their business for years to come. If all parking stalls remained striped and available, valuable yard area would be consumed by unused stalls instead of being made available for additional storage or other accessory use.

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

The unique circumstance related to this project is the applicant's employee to parking ratio. Although the subject property is currently required to provide 60 parking stalls, given the applicant's current employee count of 12 employees on their largest shift, they do not have a need for approximately 80% of the 64 stalls currently available on-site (assuming all employees drive alone). Requiring 60 parking stalls would effectively limit, or otherwise penalize, Fortune Metal for having an unusually low employee count for an industrial use.

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

Granting the Modification Permit request would not be detrimental to other persons, properties in the area, or the community in general. Given Fortune Metal's existing employee count, the Modification Permit is not expected to result in an overflow parking onto the adjacent streets and businesses.

Based on their current operational needs, Fortune Metal expects to have a total of 12 employees. Fortune Metal hopes to continue to develop and grow their operation during the next five to ten years; however, the growth is only expected to roughly double their existing employee count to a total of 24 employees. As previously stated, the site has been designed to provide 64 parking spaces, which is more than sufficient to handle the existing parking demands related to their current operations and any anticipated future growth.

Nevertheless, similar to previous Modification Permits granted by the Commission, staff placed a condition to clarify that the parking modification, if granted, is solely for Fortune Metal and is not transferable unless prior written approval is granted by the Director of Planning. Furthermore, should Fortune Metal vacate the premises, they are required to fully remove the subject storage area and related fencing and said area shall revert back to parking as originally approved (see conditions #1 and #5).

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that approval of Modification Permit Case No. 1252 will not be detrimental to the surrounding properties or to the community as a whole and is, therefore, recommending approval of the Modification request subject to the conditions of approval as contained in this report.

CONDITIONS OF APPROVAL

POLICE SERVICES DEPARTMENT:

(Contact: Margarita Munoz 562.868-0511 x3319)

1. That Modification Permit (MOD) Case No. 1252 shall only apply during the occupancy of Fortune Metal. Should the Fortune Metal's recycling use cease or should they vacate the premises, the area designated as "outdoor storage" shall be returned to its original approved use by the removal of all fences, gates or other improvements, and that the parking stalls shall be repainted accordingly. The property owner shall contact the Code Enforcement Division of the Police Services Department to inspect the premises prior to the occupancy of another tenant.

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION)

(Contact: Brian Reparuk 562.868-0511 x3716)

2. All gates to be provided with Fire Department Knox access with Knox padlocks or Knox key switches if gates are electronic.

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Cuong Nguyen 562.868-0511 x7359)

3. That only storage of materials directly related to the applicant's business shall be stored within the outdoor storage area. Additionally, the outdoor storage area shall be adequately screened from public view, to the satisfaction of the Director of Planning.
4. That the applicant shall install and maintain a wall/fence to fully screen the proposed outdoor storage activities from view. Additionally, the applicant shall obtain the necessary Building Permits and related approvals from the Building,

Planning and Fire Department prior to installation of said screen.

5. That the applicant acknowledges that the City is granting this Permit for the sole benefit of Fortune Metal, Inc. Should Fortune Metal, Inc. transfer, sell or vacate the premises, the subject outdoor storage area be returned to its prior condition. This includes but is not limited to the removal of any wall/fence used to screen the outdoor storage activities and the re-striping of the subject outdoor storage area for parking purposes.
6. That prior to vacating the premises, Fortune Metal, Inc. shall provide a 90-day advance notice to the Director of Planning of its intent to vacate the property.
7. That the subject outdoor storage area shall otherwise be substantially in accordance with the plot plan submitted by the owner and on file with the case.
8. That 51 off-street parking spaces shall be made continuously available on the subject site at all times as shown on the site plan submitted by the applicant and on file with this case.
9. That there shall be a maximum of 35 employees total (at peak period) employed with Fortune Metal, Inc.
10. That no portion of the required access driveways, off-street parking and loading areas, shall be used for outdoor storage, manufacturing, repackaging, assembly or similar uses at any time, unless approved by the Director of Planning.
11. 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.
12. That the applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Pasos, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.
13. That the applicant, Fortune Metal, Inc., agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of

its councils, commissions, committees or boards arising from or in any way related to the subject modification permit, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof.

14. 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.
15. 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.
16. 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. Existing Site Plan
3. Proposed Site Plan
4. MOD 1252 – Application

Aerial Photograph

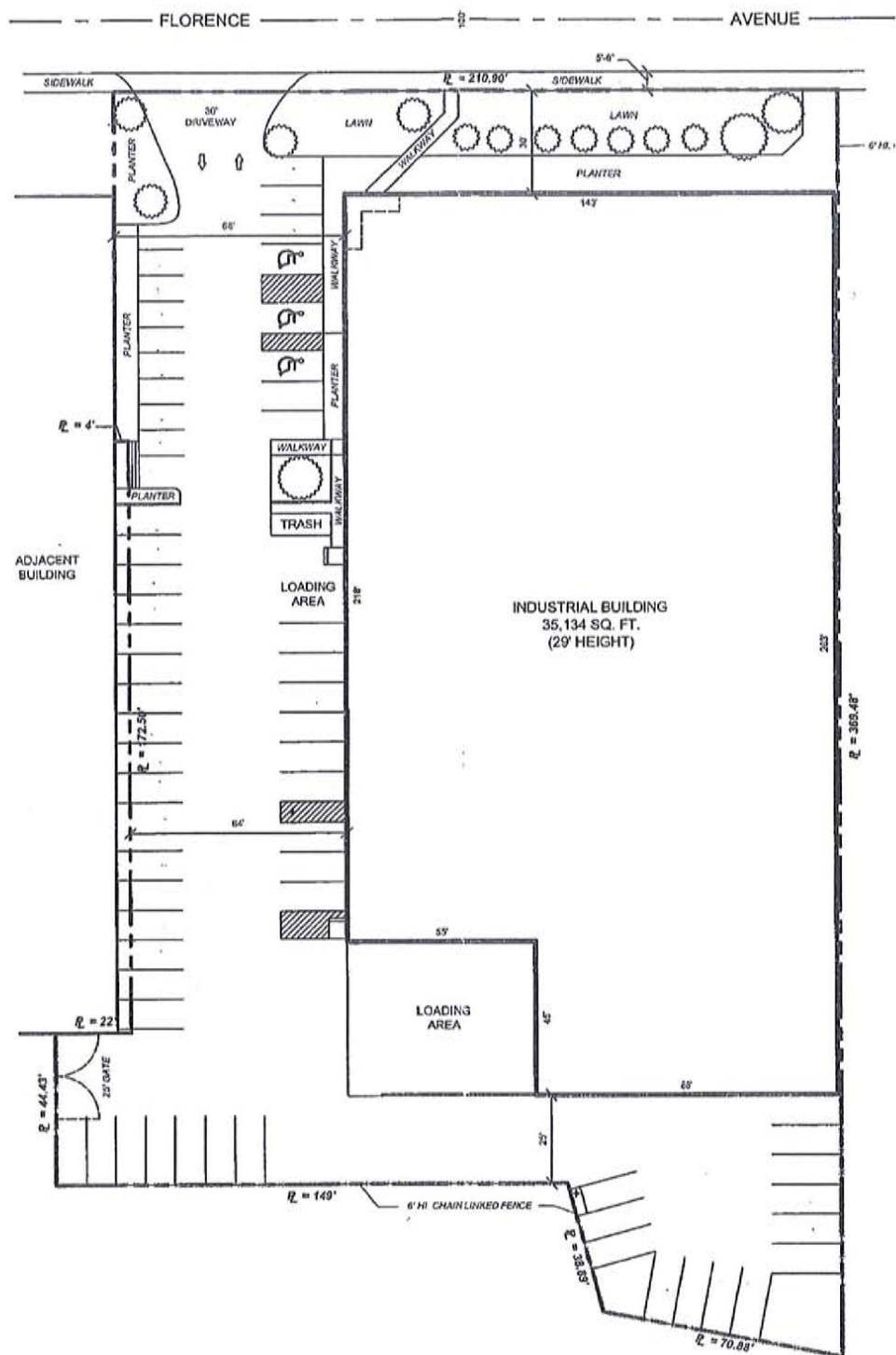


12234 Florence Avenue

MODIFICATION PERMIT CASE NO. 1252

APPLICANT: Fortune Metals, Inc.

Existing Site Plan



The site plan shows an industrial building with the following features and dimensions:

- Building Dimensions:** 35,134 SQ. FT. (29' HEIGHT).
- Adjacent Building:** Located to the west of the main building.
- Driveway:** 30' DRIVEWAY.
- Planters:** Several planters are located along the driveway and sidewalk.
- Walkway:** A walkway is shown near the driveway.
- Trash:** A trash area is located near the building.
- Loading Area:** A loading area is located near the building.
- Proposed Outdoor Storage Area:** A blue-shaded area at the bottom right, bounded by a 5' Ht. Chain Linked Fence.
- Dimensions:**
 - Overall width: 210.90'
 - Overall height: 302.46'
 - Driveway width: 44.43'
 - Driveway depth: 72.50'
 - Driveway angle: 25° C/A/T/E
 - Driveway height: 22'
 - Driveway width: 149'
 - Driveway height: 55'
 - Driveway width: 50'
 - Driveway height: 70.88'
 - Driveway width: 151.85'
 - Driveway height: 35.45'

MOD 1252 Application



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

RECEIVED

MAR 25 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): 12234 Florence Ave

Legal description of property: Lot 2 parcel map No. 25939 (p.m.b.) 298-116-17) 35,134 sq ft (29' foot) height

Record Owner of Property:

Name: Quin Road, Inc. Phone No: 732-381-3355

Mailing Address: 900 Leesville Ave Rahway, NJ

Fax No: (732) 381-7919 E-mail: johnng@fortune-group.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: Elimination of 12 parking spaces located out of site of major roads behind property to allow for additional storage space.

NOTE

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

MOD 1252 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. *N/A*
2. Explain how the modification request, if granted, will not be detrimental to the property of others in the area. *N/A*

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. *We only employ 12 employees. The parking behind the building is not used and would provide our company with additional storage area that would not be seen from any major road.*
4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required. *Although the building is 35,134 square feet, at the maximum shift only 12 employees are needed. Sixty-Four (64) parking spaces are provided. With the elimination of twelve (12) parking spaces, forty-eight (48) parking spaces will still be available.*
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. *Our neighbors to the west could also use their property behind them if they wished. Currently there is a gate located between properties with privacy slats. From a Google map a large trash bin can be seen behind neighbor's property.*
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. *No other properties would be impacted by the proposed modification request. Additionally, fire access would not be compromised or any hazardous condition created.*

MOD 1252 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): JOHN NG
 Mailing Address: 12234 FLORENCE AVE
 Phone No: (562) 941-6143
 Fax No: (562) 941-6126 E-mail: marye.fortune@group.net
 Signature: _____

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)ss.

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

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

(seal)

On Jan. 21, 2015 before me, John Ng, 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

Kristin M. Kreeger
 Notary Public

KRISTIN M. KREEGER
 NOTARY PUBLIC OF NEW JERSEY
 ID # 2414861
 My Commission Expires 11/22/2016

FOR DEPARTMENT USE ONLY	
CASE NO:	<u>MOD 1252</u>
DATE FILED:	<u>3/25/15</u>
FILING FEE:	<u>1,140.00</u>
RECEIPT NO:	
APPLICATION COMPLETE?	

04-06-05 1012164 CHECK 1140.00

MOD 1252 Application (cont.)

DISTRIBUTION					
FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	277	7110	16820	MOD 1252	\$1,140.00

CITY OF SANTA FE SPRINGS

04-06-15 #0

HIS06-153461.00160

CHECK 1140.00

ITEM 1

ICL 2164 09:26

NAME: PCTAL, INC.

(NAME)

21 BUNN RD.

(ADDRESS)

PSALD, CA 93308

(CITY AND STATE)

MOD 1252 - 1400

(DESCRIPTION)

RECEIPT

04-06-15 ICL 2164 CHECK 1140.00



NEW BUSINESS

Modification Permit Case No. 1254

Request for a Modification of Property Development Standards (MOD) Permit to remove two (2) of thirteen (13) required parking stalls due to the installation of a Americans with Disabilities Act (ADA) compliant handicap stall and related access at 12805 Sunshine Avenue (APN: 8026-020-063), within the M-2, Heavy Manufacturing, Zone. (Robert Honing & Machining Inc.)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed project, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
2. Find that the applicant's Modification Permit request meets the criteria set forth in Section 155.695 of the City's Zoning Regulation for the granting of a Modification Permit.
3. Find and determine that the proposed ADA related improvements meet 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. 1254, subject to the conditions of approval as stated within this staff report.

LOCATION / BACKGROUND

The subject site is located at the northeast corner of Sunshine Avenue and Greenstone Avenue and within the M-2, Heavy Manufacturing, Zone. The site, comprised of a single parcel (APN: 8026-020-063) of approximately 11,761 sq. ft. (.27 acres), has a single building of 6,365 sq. ft. with an address of 12805 Sunshine Avenue. Industrial land uses are located to the north, east, south, and west.

The 6,365 sq. ft. building, initially constructed in 1969, has supported various industrial uses over the years, and currently is utilized by Robert Honing & Machining, a machining company. The existing building, along with several others in the vicinity,

recently experienced damage due to fire. The structure will be repaired to its previously permitted state, with no additional square footage proposed. It should be noted that the building complied with the provisions of the City Zoning Regulations, Uniform Building Code, Fire Code, and other applicable regulations in effect at the time of construction.

PROJECT DESCRIPTION

As previously stated, the 6,365 sq. ft. building was initially constructed in 1969, prior to the passage of the Americans with Disabilities Act (ADA) of 1990. The Act prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. When passed in 1990, the ADA did not require that all existing buildings be retrofitted for accessibility immediately. Instead, it relies on alterations and barrier removal to improve accessibility in older buildings over time. The ADA uses the term "alteration" to mean any change to an existing building or facility that affects usability. This includes remodeling, renovation, rearrangements in structural parts, and changes or rearrangement of walls and full-height partitions. The scope of work for the repair of the fire-damaged building meets the criteria, per the ADA, of an alteration. As such, the structure must comply with current ADA requirements. One such requirement is to provide handicap parking and related access. The site is fully developed and cannot accommodate for additional parking stalls; as a result, two (2) required parking stalls will be lost due to the installation of a handicap stall and related access. The site will now provide eleven (11) of the thirteen (13) required parking stalls. Therefore, a modification of property development standards to not provide the minimum required parking stalls must be obtained.

STREETS AND HIGHWAYS

The subject site has frontage on Sunshine Avenue to the south and Greenstone Avenue to west. Both Sunshine Avenue and Greenstone Avenue are considered local streets.

ZONING AND LAND USE

The subject property and all surrounding properties are zoned M-2, Heavy Manufacturing, and are generally occupied by various manufacturing/warehouse type uses.

ENVIRONMENTAL DOCUMENTS

Upon review of the proposed project, staff finds the project would qualify for a categorical exemption pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features,

involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

As aforementioned, the project entails minor modifications (alterations) required to comply with ADA requirements regarding handicap parking and related access. Staff finds that the project meets the criteria stated above and, consequently, additional environmental analysis is not necessary to meet the requirements of the CEQA. If the Planning Commission agrees, Staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days of approval of the proposed project by the Commission.

NOTICE TO ADJACENT PROPERTY OWNERS

As with similar requests, staff mailed a notice, on May 28th, to adjacent property owners to advise them of the Modification Permit request and of the date and time when this matter would be considered by the Planning Commission. To date, staff has not received any correspondence concerning the request.

REQUIRED SHOWING

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

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

Title II, Subpart B, Section 35.130 (b)(7) of the ADA states, "A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification." Staff finds that granting a parking Modification to be a reasonable modification of the City's Zoning Regulations (policy). Moreover, if a similar request arose, staff would consider the circumstance of the case and, if the facts presented are similar, staff would also recommend approval for a Modification.

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

The site is fully developed; as such, there is no available space on the subject property to provide the ADA compliant handicap stall and related access and also meet the minimum parking requirement of thirteen (13) stalls.

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

The 6,365 sq. ft. building was initially constructed in 1969, prior to the passage of the Americans with Disabilities Act (ADA) of 1990. As previously stated, the building complied with the provisions of the City Zoning Regulations, Uniform Building Code, Fire Code, and other applicable regulations in effect at the time of construction, including required parking standards. The unique circumstance is the repair of the fire-damaged building triggers the requirement to comply with ADA requirements of a built-out site. Nevertheless, staff has imposed a condition to limit the occupancy at peak shift to help ensure the remaining 11 stalls will be sufficient to accommodate employees and visitors.

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

Granting the Modification Permit request would not be detrimental to other persons, properties in the area, or the community in general. Given Robert Honing & Machining Inc. existing employee count of eight (see attached employee roster), the Modification Permit is not expected to result in overflow parking onto the adjacent streets and businesses. Additionally, it should be noted that the business does not generate walk-in traffic. Lastly, the building will now be in compliance with the ADA and accessible to persons with disabilities.

Nevertheless, staff placed a condition to clarify that any future tenant/owner must provide the Director of Planning with an employee roster confirming the employee count before Planning Department approval of any future business license applications relating to the subject property. (see condition #4).

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that approval of Modification Permit Case No. 1254 will not be detrimental to the surrounding properties or to the community as a whole and is, therefore, recommending approval of the Modification Permit request subject to the conditions of approval as contained in this report.

CONDITIONS OF APPROVAL:

PLANNING AND DEVELOPMENT DEPARTMENT: **(Contact: Paul Garcia 562.868-0511 x7354)**

1. That 11 off-street parking spaces, as shown on the site plan, shall be made continuously available on the subject site at all times.
2. That the designated remaining parking areas shall not be further reduced or encroached upon for any type of outdoor storage or staging at any time.

3. That the applicant understands that any future expansion to the building shall require prior approval by the Planning Commission for an amendment to this Modification Permit.
4. That there shall be a maximum capacity of nine (9) employees total at peak shift for Robert Honing & Machining Inc. or any future tenants. 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.
5. 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.
6. That the subject property shall otherwise be substantially in accordance with the plot plan submitted by the owner and on file with the case.
7. That the applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire Department for the proposed improvements.
8. That the owner 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.
9. 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.
10. That the applicant, Robert Honing & Machining Inc., agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject Modification Permit, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly

notify the applicant of such claim, action or proceeding, and shall cooperate fully in the defense thereof.

11. 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.
12. 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.
13. 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. MOD 1254 – Application
3. Employee Roster
4. Set of Plans

Aerial Photograph



Modification Permit Case No. 1254

12805 Sunshine Avenue

Robert Honing & Machining Inc.

MOD 1254 Application



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

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Planning Dept.

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

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

12805 Sunshine Ave.

Santa Fe Springs, CA 90670

Legal description of property: See Attached Exhibit "A"

Record Owner of Property:

Name: Anita Lee & Robert Pirillo Phone No: 562-777-2480

Mailing Address: 12115 Shoemaker Ave.
Santa Fe Springs, Ca. 90670

Fax No: 562-777-2490 E-mail: anitasailor@aol.com

The application is being filed by:

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

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

Describe the modification requested: The property owners are requesting not to
provide required parking spaces for their property. This is due to having to comply with ADA
requirements. Due to ADA Requirements the property mentioned above lost 3 parking spaces.

NOTE

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

MOD 1254 Application (cont.)MOD Application
Page 2 of 3RECEIVED
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Planning Dept.**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. Site does not support required parking spaces due to complying with ADA requirements. Because of having to comply to ADA requirements my property lost 3 parking spaces.
4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required. Site is already fully developed and can not accept additional parking spaces. This is due to having to comply with ADA regulations and requirements.
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.
My business does not deal with the public so all parking spaces are for my employees, so no special privileges will be granted to me. Also I have more parking places than employees
For employee information see: " attached copy of employee manifest".
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.
The reduction of parking spaces on my property will not have any detrimental effect on any other business or property. We have more than enough parking spaces for our business.

MOD 1254 Application (cont.)MOD Application
Page 3 of 3

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Planning Dept.

PROPERTY OWNERS STATEMENT

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

Name (please print): Anita Lee & Robert Pirillo
 Mailing Address: 12115 Shoemaker Ave. Santa Fe Springs, Ca. 90670
 Phone No: 562-777-2480 Cell 562-833-6089
 Fax No: 562-777-2490 E-mail: anitasailor@aol.com
 Signature: _____

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)ss.

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

On 4/17/15 before me, OSCAR FLORES A NOTARY PUBLIC,
 personally appeared ANITA S. LEE
 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

[Signature]
 Notary Public

FOR DEPARTMENT USE ONLYCASE NO: MOD # 1252DATE FILED: 4/21/15FILING FEE: \$1,140RECEIPT NO: 1CL2147APPLICATION COMPLETE? Yes

Employee Roster

Robert' Honing & Machining, Inc.
12215 Shoemaker Ave.
Santa Fe Springs, CA. 90670

Paul M. Garcia
Contract Planner
City of Santa Fe Springs

Subject: Modification of Property Development Standards
Reduction of Parking Places

Date: 4-17-2015

Employee Manifest

NAME	TITLE	POSITION	SHIFT
Albert Nam	Machinist	Sunnen Honer	4:00PM till 7:00PM
Ayllon Hildebrando	Machinist	Gundriller	7:30AM till 4:30PM
Fernando Bailon	Machinist	Gundriller	7:30AM till 4:30PM
Manuel Ramirez	Machinist	Gundriller	7:30AM till 4:30PM
Robert Ramirez	Machinist	Sunner honer	7:30AM till 4:30PM
Robert Ramirez JR.	Machinist	Vertical Honer	7:30AM till 4:30PM
Anita Lee	CFO / Sales	Owner	Varies
Robert Pirillo	CEO	Owner	Varies

Fridays we are open from 7:30 till 2:00

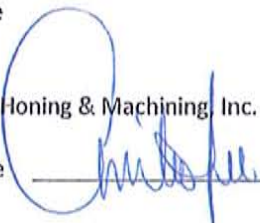
Closed Weekends

Sincerely,

Anita Lee

CFO
Robert's Honing & Machining, Inc.

Signature



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Planning Dept.



City of Santa Fe Springs

Planning Commission Meeting

June 8, 2015

CONSENT ITEM

Conditional Use Permit Case No. 741-1

Request for a compliance review of a recycling use involving metals, plastics, and electronics on property located at 12234 Florence Avenue (APN: 8009-022-064), in the M-2, Heavy Manufacturing, Zone, within the Consolidated Redevelopment Project Area. (Fortune Metal, Inc.)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of the subject recycling use, 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. 741, be subject to a compliance review in five (5) years, on or before June 8, 2020, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.243 (C)(5) of City's Zoning Regulations, Industrial waste material salvage, recycling, storage and processing including metal, rags, clothing, wood, residues, sawdust, wood chips, rubber, oil, glass and paper is required to obtain a Conditional Use Permit prior to commencement of such activities in the M-2 (Heavy Manufacturing) Zone.

City of Santa Fe Springs – Zoning Regulations

Section 155.243 - CONDITIONAL USES(C)(5)

- (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, residues, sawdust, wood chips, rubber, oil, glass and paper.

In May 2013, the Planning Commission approved Conditional Use Permit (CUP) Case No. 741, to allow the establishment, operation and maintenance of a use to recycle metals, plastics, and electronics, and to receive and purchase non-commercial/business related scrap metals within a 35,134 sq. ft. building at 12234 Florence Avenue, in the M-2, Heavy Manufacturing, Zone.

The subject recycling use was granted an initial 1-year time period which ended on May 13, 2014. The applicant is, therefore, seeking approval for a compliance review of the subject CUP to allow the continued operation and maintenance of the subject recycling use on the subject site.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property is 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 walk-through inspection, the applicant was directed to comply with the following:

1. Remove the two (2) existing storage bins along the westerly property line that are currently located within the required parking area.
2. Remove the two (2) existing storage units along the southerly property line that are currently located within Fire Department access area.
3. Remove or otherwise re-locate empty wood pallets inside the building.
4. Continually keep and maintain trash bins inside the provided trash enclosure.
5. Re-paint handrail along the rear exit door.
6. Re-paint existing vent pipe along the south face of the existing building.
7. Re-paint trash enclosure doors.

With the exception of the outdoor storage activities (Items 1-3), which is being addressed separately through a Modification Permit (MOD 1252), staff has verified that the applicant has completed the above-referenced items. It should be noted that the applicant is aware that, if MOD 1252 is not approved by the Planning Commission, the outdoor storage activities in the southeasterly parking area shall cease immediately. Consequently, the applicant is considered to be in compliance with the existing conditions of approval.

Staff finds that if the subject recycling facility 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 and/or environment. Staff is, therefore, recommending that CUP 741-1, be subject to a compliance review in three (3) years to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL**DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION)****(Contact: Brian Reparuk 562.941-9713 x3716)**

1. ~~That all buildings over 5,000 sq ft shall be protected by an approved automatic sprinkler system per Section 93.11 of the Santa Fe Springs Municipal Code.~~
(Satisfied)
2. ~~That the owner shall comply with the requirements of Section 117.131 of the Santa Fe Springs Municipal Code, Requirement for a Soil Gas Study, in accordance with Ordinance No. 955, prior to issuance of building permits.~~
(Satisfied)
3. That interior gates or fences are not permitted across required Fire Department access roadways unless otherwise granted prior approval by the City Fire Department. **(Ongoing)**
4. That if on-site fire hydrants are required by the Fire Department, a minimum flow must be provided at 2,500 gpm with 1,500 gpm flowing from the most remote hydrant. In addition, on-site hydrants must have current testing, inspection and maintenance per California Title 19 and NFPA 25. **(Ongoing)**
5. That the standard aisle width for onsite emergency vehicle maneuvering shall be 26 feet with a minimum clear height of 13 feet 6 inches. Internal driveways shall have a turning radius of not less than 52 feet. The final location and design of this 26 feet shall be subject to the approval of the City's Fire Chief as established by the Uniform Fire Code. A request to provide emergency vehicle aisle width less than 26 feet shall be considered upon the installation/provision of mitigation improvements approved by the City's Fire Chief. **(Ongoing)**
6. That Knox boxes are required on all new construction. All entry gates shall also be equipped with Knox boxes or Knox key switches for power-activated gates. **(Ongoing)**
7. ~~That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways.~~ **(Satisfied)**

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

8. That the owner/operator 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. **(Ongoing)**

9. That the owner/operator shall comply with the Department of Toxic Substances Control (DTSC) notification and annual reporting requirements, found in Title 22 of the California Code of Regulations, should cathode ray tubes and/or universal waste electronic materials be handled or recycled at the facility. **(Ongoing)**

POLICE SERVICES DEPARTMENT:

(Contact: Margarita Munoz 562.409-1850 x3319)

10. ~~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.~~ **(Satisfied)**
11. ~~That the existing building, 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.~~ **(Satisfied)**
12. That the area in front of the "crash gate" that is located between the subject property and the property to the west, shall remain free and unobstructed. **(Ongoing)**
13. ~~That the parking lot area shall be re-striped. Prior to striping, the applicant shall provide a site/striping plan to the Planning and Building departments for review. Applicant shall re-stripe parking area within 180 days of approval by the Planning Commission.~~ **(Satisfied)**
14. That all designated vehicle circulation driveways, parking areas and area depicted as "Loading Area" on the site plan shall remain free of storage, clear, open and unobstructed at all times. **(Ongoing – MOD 1252, if approved, would however provide exception for the southeasterly rear parking area)**
15. That at no time shall commercial vehicles, trucks and/or truck tractors be allowed to queue on Florence Avenue and Norwalk Boulevard, nor shall such streets be used as a staging area, or to backup onto the property from said streets. **(Ongoing)**

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

16. That the applicant shall not knowingly transport loads containing more than 10% residue. **(Ongoing)**
17. 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. **(Ongoing)**
18. 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 #17. **(Ongoing)**

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

19. ~~That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909. **(Satisfied)**~~
20. That the truck scale shall not be used by the public for public weighing. In the event that the use is terminated, the scale shall be removed. Applicant shall draft a document that is to be recorded, specifying that the truck scale is for the exclusive use of Fortune Metal, and that the scale shall be removed should the use be terminated. **(Ongoing)**
21. That each trash receptacle shall be stored within their respective trash enclosure. Trash receptacles shall not be stored outside of an enclosure. **(Ongoing)**
22. ~~That permit(s) shall be obtained for the existing wall sign. Permits shall be obtained within sixty (60) days from the date of approval by the Planning Commission. **(Unpermitted sign was removed)**~~
23. That the entire site shall be permanently maintained free of accumulated dirt and litter, and in an otherwise neat and attractive manner. **(Ongoing)**

24. That the facility shall be maintained so as to prevent or control on-site populations of vectors using techniques appropriate for protection of human health and the environment and prevent the facility from being a vector breeding area. **(Ongoing)**
25. That no outdoor speakers, loudspeaker intercom systems, bells, horns, or other audible notification systems, other than those audible systems required for emergency or safety warnings, shall be used in the day to day operations of the facility. **(Ongoing)**
26. That the noise generated by this use shall not exceed the limits established by the Noise Regulations of the City of Santa Fe Springs and State of California. **(Ongoing)**
27. That within thirty (30) days of approval, all pallets, damaged vending machines, drums, scrap metals, and all other trash, junk and debris, shall be removed from the property. Property shall then be maintained, free of trash, junk, debris, etc. **(Ongoing)**
28. That all recycling activities, except for the weighing of recycled materials and the transferring of materials into the building, shall occur inside the building. No materials, sorted, baled, or otherwise, shall be stored outside the building. **(Ongoing – MOD 1252, if approved, would however provide exception for the southeasterly rear parking area)**
29. That all vehicles associated with the businesses on the subject property 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. **(Ongoing)**
30. That if there is evidence that the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services in general, the Director of Planning may refer the use permit to the Planning Commission for review. If upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the use permit. Applicant shall be notified of any such proceedings. **(Ongoing)**

31. That the facility operator(s) shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the City, including cleanup, and injury or damage to persons or property. Additionally, operators shall be responsible for any sanctions, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. "Pollutants" means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, electromagnetic waves and waste. "Waste" includes materials to be recycled, reconditioned or reclaimed. **(Ongoing)**
32. That the use shall comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner. **(Ongoing)**
33. ~~That the final site plan and floor plan for the proposed use shall be subject to the final approval of the Director of Planning.~~ **(Satisfied)**
34. 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. **(Ongoing)**
35. That Conditional Use Permit Case No. 741 shall be subject to a compliance review in three (3) years, by ~~May 13, 2014~~ **June 8, 2020**. Approximately three (3) months before, ~~May 13, 2014~~ **June 8, 2020**, the applicant 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)**
36. That the Applicant, Fortune Metal, Inc of Rhode Island, 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. 741, 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. **(Ongoing)**

37. 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, the Permit shall be void and the privileges granted hereunder shall lapse.
(Ongoing)



Wayne M. Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. Compliance Review Request Letter

AERIAL PHOTOGRAPH



12234 Florence Avenue
CONDITIONAL USE PERMIT CASE NO. 741-1
(Fortune Metal Inc.)

COMPLIANCE REVIEW REQUEST LETTER

*The Fortune Group™*

FORTUNE METAL, INC. OF RHODE ISLAND

... Part of the Fortune Group

RECEIVED

APR 09 2014

Planning Dept.

City of Santa Fe Springs

Attn: Cuong Nguyen

11710 Telegraph Road

Santa Fe Springs, Ca 90670

RE: Request of review for compliance of the Conditional Use Permit (CUP) Case No. 741

12234 Florence Avenue, Santa Fe springs, Ca 90670

Mr. Nguyen:

Please except this as our letter requesting review for compliance of our (CUP) Case No. 741. Currently none of our activities has changed from our original application. Fortune Metal Inc of RI is still recycling non ferrous metals at the above location based on the conditions of our conditional use permit. We provide asset recovery services to California's two largest telecommunications companies. In addition, we also provide services to multi-national OEM's with operations in California. The Santa Fe Springs facility provide pickup of materials from our customers utilizing our roll of trucks, validation of weights on our certified scales, sorting of materials into commodity classes, baling, removal of plastic insulation from wire/cable, dereeling of cable from reels, and storage.

Enclosed you will also find our check in the amount of \$563.00 made payable to City of Santa Fe springs.

Please let me know if you need any further information or assistance.

Thank you,

Mary Harris

Manager

Fortune Metal Inc of RI

19421 Quinn Road, Bakersfield, CA 93308

Phone: (661) 387-1100 Fax: (661) 387-9892