



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

FOR THE REGULAR MEETING OF THE
PLANNING COMMISSION
September 11, 2017
6:00 p.m.

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

Gabriel Jimenez, Chairperson
Ralph Aranda, Vice Chairperson
Ken Arnold, Commissioner
John Mora, Commissioner
Frank Ybarra, Commissioner

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

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

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

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

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

Commissioners Aranda, Arnold, Jimenez, Mora, and Ybarra.

4. ORAL COMMUNICATIONS

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

5. MINUTES

Approval of the minutes of the August 14, 2017 Planning Commission meetings

6. NEW BUSINESS

Modification Permit (MOD) Case No. 1280, Modification Permit Case No. 1281 & Amendment to Development Agreement 02-2016

MOD 1280: A request for a Modification of Property Development Standards to increase the maximum height related to the subject digital billboard from 50' to 60'; and MOD 1281: A request for a Modification of Property Development Standards to allow a reduction of the required side yard setback related to the subject digital billboard from 25'-0" to 9'-7", for property located at 13750 Firestone Boulevard, in the M-2 FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (LeFiell Manufacturing Company)

7. NEW BUSINESS

Modification Permit (MOD) Case No. 1282 & Amendment to Development Agreement 02-2016

A request for a Modification of Property Development Standards to allow a reduction to the required side yard setback related to the subject static billboard from 25'-0" to 7'-8" on property located at 13700 Firestone Boulevard, in the M-2 FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (LeFiell Manufacturing Company)

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. 629-4

A compliance review to allow the continued operation and maintenance of a public training school involving platform diving instructions for U.S. Olympic Athletes at 15064 Shoemaker Avenue (APN: 7005-002-042), in the M-2, Heavy Manufacturing, Zone.

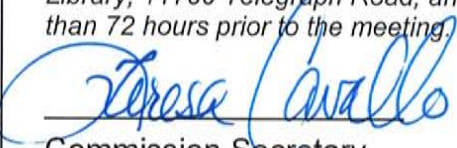
(Amy and Andy Kwan for Pacific Diving Academy)

9. **ANNOUNCEMENTS**

- ♦ Commissioners
- ♦ Staff

10. **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.


Commission Secretary

September 7, 2017
Date



APPROVED:

MINUTES OF THE REGULAR MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

August 14, 2017

1. **CALL TO ORDER**

Commissioner Arnold called the meeting to order at 6:02 p.m.

2. **PLEDGE OF ALLEGIANCE**

Commissioner Arnold called upon Commissioner Ybarra to lead everyone in the Pledge of Allegiance.

3. **ROLL CALL**

Members present:

Commissioner Arnold
Commissioner Mora
Commissioner Ybarra

Staff:

Richard L. Adams II, City Attorney
Wayne M. Morrell, Director of Planning
Cuong Nguyen, Senior Planner
Luis Collazo, Code Enforcement Officer
Teresa Cavallo, Planning Secretary
Laurel Reimer, Planning Consultant
Jimmy Wong, Planning Consultant

Members absent:

Chairperson Jimenez
Vice Chairperson Aranda

4. **ORAL COMMUNICATIONS**

No speakers.

5. **MINUTES**

Approval of the minutes of the June 12, 2017 and July 10, 2017 Planning Commission meetings

It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve the minutes of June 12, 2017, as submitted and approved the minutes of July 10, 2017, with a correction, by the following vote:

Ayes: Arnold, Mora, and Ybarra
Nayes: None
Absent: Aranda and Jimenez

PUBLIC HEARINGS

PUBLIC HEARING

6. General Rule Exemption – CEQA Guidelines § 15061 (b)(3)
Zoning Text Amendment – Mini-warehouses Ordinance No. 1089

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding proposed Ordinance No. 1089, and thereafter close the Public Hearing.
- Find that the proposed amendment to the text of the City's Zoning Regulations relating to mini-warehouses is consistent with the purpose as describe within the Zoning Regulation.
- Find that the proposed amendment to the text of the City's Zoning Regulations relating to mini-warehouses is in compliance with the City's General Plan.
- Find that the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3) (the activity can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the adoption of this ordinance will have no physical changes to the environment.
- Adopt Resolution No. 63-2017, which incorporates the Commission's findings and recommendation regarding this matter.
- Recommend that the City Council approve and adopt Ordinance No. 1089, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

Commissioner Arnold opened the Public Hearing at 6:05 p.m. and called upon Planning Consultant Jimmy Wong to present Zoning Text Amendment – Ordinance 1089 before the Planning Commission.

Commissioner Mora inquired about the need for the amendment to the City's Zoning Code and if a new facility was coming into the City. Planning Consultant Jimmy Wong replied that a business was coming into the City and required the change within the City's Zoning Code to allow the business to move forward with their project.

Commissioner Arnold elaborated on the definition of mini-warehouses and inquired how and where would storage containers be stored within the properties identified under this definition.

A discussion ensued regarding POD's and storage containers within the City's Zoning Code.

Having no one wishing to speak on this matter, Commissioner Arnold closed the Public Hearing at 6:19 p.m. and requested a motion on this matter. It was moved by Commissioner Ybarra, seconded by Commissioner Arnold to approve Zoning Text Amendment – Mini-warehouses Ordinance No. 1089, and the recommendations

regarding this matter, which passed by the following vote:

Ayes: Arnold, Mora, and Ybarra
Nayes: None
Absent: Aranda and Jimenez

At this time, Director of Planning Wayne Morrell introduced the new Assistant City Attorney Richard L. Adams, II. Assistant City Attorney Richard L. Adams, II read the City's appeal process to inform the Planning Commission and public.

PUBLIC HEARING

**7. General Rule Exemption - CEQA Guidelines §15061(b)(3)
Zoning Text Amendment – Wireless Telecommunications Facilities
Ordinance No. 1090**

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding proposed Ordinance No. 1090 and, thereafter, close the Public Hearing; and
- Find that the proposed amendments to the text of the City's Land Use Regulations are consistent with the City's General Plan; and
- Find that the proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), per Section 15061(b)(3) of the CEQA Guidelines; and
- Recommend that the City Council adopt Ordinance No. 1090, to effectuate the proposed zoning text amendments to the FOZ, Freeway Overlay Zone of the City's Zoning Regulations and add Chapter 157 to Title 15 (Land Usage) of the City's Municipal Code, to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas of the city; and
- Adopt Resolution No. 64-2017, which incorporates the Commission's findings and recommendation regarding this matter.

Commissioner Arnold opened the Public Hearing at 6:21 p.m. and called upon Planning Consultant Laurel Reimer to present Zoning Text Amendment – Ordinance 1090 before the Planning Commission.

Having no one wishing to speak on this matter, Commissioner Arnold closed the Public Hearing at 6:47 p.m. and requested a motion on this matter. It was moved by Commissioner Mora, seconded by Commissioner Ybarra to approve Zoning Text Amendment – Wireless Telecommunications Ordinance No. 1090, and the recommendations regarding this matter, which passed by the following vote:

Ayes: Arnold, Mora, and Ybarra
Nayes: None
Absent: Aranda and Jimenez

Assistant City Attorney Richard L. Adams, II read the City's appeal process to inform the Planning Commission and public.

CONSENT ITEMS

8. CONSENT ITEM

A. Alcohol Sales Conditional Use Permit Case No. 66

Recommendation: That the Planning Commission:

- Staff recommends that the Planning Commission extend the time to present a compliance review no later than May 3, 2018.

B. Alcohol Sales Conditional Use Permit Case No. 68

Recommendation: That the Planning Commission:

- Staff recommends that the Planning Commission extend the time to present a compliance review to one-year from the date that the Applicant obtains a completed final building permit.

C. Conditional Use Permit Case No. 730-2

Recommendation: That the Planning Commission:

- Require that Conditional Use Permit Case No. 730, be subject to a compliance review in five (5) years, on or before, August 14, 2022, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve Consent Item Nos. 8A,8B, and 8C and the recommendations regarding these items, which passed by the following vote:

Ayes: Arnold, Mora, and Ybarra

Nayes: None

Absent: Aranda and Jimenez

ANNOUNCEMENTS

9. The following announcements were made:

Commissioners made the following announcements:

- Commissioner Ybarra inquired about the lights at Lake Center Park being left on until 10:00 p.m.
- Commissioner Arnold welcomed Mr. Adams and looks forward to working with him.

Staff made the following announcements:

- None.

10. ADJOURNMENT

Chair Jimenez adjourned the meeting at 6:53 p.m.

Gabriel Jimenez
Chairperson

ATTEST:

Teresa Cavallo
Planning Secretary

Date



NEW BUSINESS

Modification Permit (MOD) Case No. 1280, Modification Permit Case No. 1281 & Amendment to Development Agreement 02-2016

MOD 1280: A request for a Modification

on of Property Development Standards to increase the maximum height related to the subject digital billboard from 50' to 60'; and *MOD 1281*: A request for a Modification of Property Development Standards to allow a reduction of the required side yard setback related to the subject digital billboard from 25'-0" to 9'-7", for property located at 13750 Firestone Boulevard, in the M-2 FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (LeFiell Manufacturing Company)

RECOMMENDATIONS: That the Planning Commission:

- Find that the proposed Modification Permits, 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.
- Find that the applicant's Modification Permit request meets the criteria set forth in Sections 155.695 of the City's Zoning Regulations for the granting of a Modification in nonresidential zones.
- Find that the proposed Modification Permits is within the scope of the Initial Study/Mitigated Negative Declaration which was previously prepared for the construction of two billboard signs (one static and one digital); therefore, additional environmental analysis is not necessary to meet the requirements of the California Environmental Quality Act (CEQA).
- Recommend to the City Council approval of Modification Permit Case No. 1280 and 1281, subject to the conditions of approval as contained within this staff report.
- Recommend to the City Council approval of an amendment to Development Agreement 02-2016 that would allow for modifications to the agreement to reflect the height and setback requirements approved by the Modification Permit Case No. 1280 & 1281.

BACKGROUND / PROJECT DESCRIPTION

The subject property, located at 13700-13750 Firestone Boulevard, is adjacent to the Interstate 5 (I-5) Freeway, between Valley View Avenue to the east and Bloomfield

Avenue to the west. The property is comprised of a single parcel (APN: 7005-014-081) which measures approximately 5.91-acres. The property is zoned M-2 FOZ (Heavy Manufacturing - Freeway Overlay Zone) with a General Plan land use designation of Industrial. LeFiell Manufacturing Company, a fabricator of precision tubular products in support of the commercial airplane, defense, and aerospace industries, currently owns and occupies the site.

In August of 2013, the Planning Commission approved Conditional Use Permit Case No. 743 and 744, to allow LeFiell Manufacturing to construct, operate and maintain two billboard signs (one static and one digital) on the subject property. The billboards were approved with an overall height of 50 feet and measuring 48' wide x 14' tall.

While surveying the site, the applicant discovered that the digital billboard, which is the subject of this MOD request, needed to be relocated from its previously approved location because existing underground utilities and water lines would otherwise obstruct the placement of the sign. The digital billboard could not be moved south because it would be too close to the approved static billboard sign. In accordance with Section 155.384(H)(4) of the City's Zoning Regulations, billboards on the same parcel are required to have a minimum spacing of 500 feet as measured from vertical centerline of each billboard. As a result, LeFiell needed to find a new location somewhere north of the original location. Due to the location of existing structures, driveways, and the required setback from existing SCE lines, the digital sign could only be located at the far north end of the property.

The current proposal, however, requires two deviations from the City's Zoning Regulations: one to increase the maximum height of the digital billboard from 50' to 60', and another to allow a reduction of the required side yard setback from 25'-0" to 9'-7" (*see code sections below*).

Zoning Code Requirements:

Code Section	Billboards - General Requirements
155.384 (H) (2)	<u>Section 155.243 (H) (2)</u> 155.384 Billboards: (H) General requirements: (2) <i>Maximum height.</i> The maximum height of billboards shall be 50 feet, measured from the finished grade at base of the sign.
155.384 (H)(6)	<u>Section 155.243 (H)(6)</u> 155.384 Billboards: (H) General requirements: (6) <i>Minimum setback.</i> The minimum setback distance of the billboard column support post shall be at least 25 feet from any property line and at least 25 feet from the building. Notwithstanding, no portion of the building shall project over the width of any street, highway or other public right-of-way.

The applicant is, therefore, requesting approval of the subject Modification Permits to

allow said deviations from the Code. Increasing the billboard height to 60 feet would allow the sign to have greater visibility to south bound traffic. Due to the existing 40' high Ryder Truck sign, which is located on the adjacent northerly parcel, the proposed digital billboard must be raised to 60 feet in order to be seen over the Ryder sign. The proposed 9'-7" setback is to maximize the visibility of the digital billboard at the new 60' height. At the required 25' setback, the sign would need to be higher to be seen over the existing Ryder Truck sign. The closer the billboard is to the Ryder Truck sign, the less clearance it needs to be seen by southbound traffic. It was determined through a flagging study that a 60' high billboard would maximize the visibility if setback 9'-7" from the side property line (see attached flagging photos).

STREETS AND HIGHWAYS

The subject property fronts onto Firestone Boulevard, a local industrial street.

ZONING AND LAND USE

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

Table 1 – Current Zoning, General Plan and Land Use

Surrounding Zoning, General Plan Designation, Land Use			
Direction	Zoning District	General Plan	Land Use
North	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Corporate Office for grocery store; Trucking facility
South	N/A	N/A	Union Pacific Railroad
East	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Truck and Car Rental
West	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Truck Repair Facility

DEVELOPMENT AGREEMENT

In 2016, the City Council approved Development Agreement 02-2016 related to the construction of the billboard. Since the Modification Permit changes the location and the height of the billboard, Development Agreement 02-2016 should also be amended consistent with the Modification Permit.

PLANNING COMMISSION/CITY COUNCIL APPROVALS

Since the City Council approves development agreements, the amendment to the Development Agreement together with the Modification Permit will be taken up by the City Council for final approval. As a result, the Planning Commission's actions will consist of a recommendation to the City Council on whether to make findings and approve the Development Agreement and Modification Permit.

ENVIRONMENTAL DOCUMENTS

Staff finds the proposed changes to both the static and digital billboards are within the scope of the Initial Study/Mitigated Negative Declaration (IS/MND) which was previously prepared and approved for the subject billboards. Although, the location and height of the billboards will change, the face/display area and how the billboards will be utilized will remain unchanged. Staff, therefore, finds that the proposed changes to the subject billboards is within the scope of the previously prepared and adopted IS/MND; consequently, no new mitigation measures or further environmental documents would be required.

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 8 notices were mailed out to said property owners on Thursday, August 31, 2017. 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.*

Granting the requested modifications for the subject digital billboard would not be considered a special privilege not enjoyed by other property owners in the area. In 2011, Ryder Truck was granted a Zone Variance to allow their legal non-conforming sign to be reinstalled or otherwise replaced with a new sign at the same size and height.

The current Ryder Truck sign, however, has a direct impact on the height and setback needed to maximize the visibility of the applicant's proposed digital billboard. Granting the subject modifications is, therefore, more of a mitigation to Ryder Truck sign than a special privilege to the applicant. If the Ryder Truck sign was installed at the standard 20' height, the applicant would not have need their requested modifications.

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

Without an approval to increase the digital billboard to 60', and also to reduce the side yard setback to 9'-7", the applicant's digital billboard would be hardly visible to southbound traffic thus renders the north face almost worthless to advertisement. At a height of 50', installing a north face on the digital billboard would, therefore, not make

any financial sense for the applicant.

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

The hardship involved is related to the existing 40' high Ryder Truck sign that was allowed by a Zone Variance. Under normal circumstances, the Ryder Truck sign would have been only 20' high. At that height, the applicant's digital billboard would have stood above the Ryder Sign and the subject request would not have been necessary.

(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.*

The subject billboard was already approved by Conditional Use Permit Case No. 743. Aside from the increase in height, and reduction of the side yard setback, the Modification Permit will not result in a substantially different billboard. Nor will it increase the number of billboards that will be installed. For that reason, if the modification is granted, it would not be detrimental to other persons or properties in the area nor be detrimental to the community in general.

COMMISSIONER CONSIDERATIONS

The Commission should also note that in accordance with Section 155.696 of the City's Zoning Regulations, before granting a Modification Permit, the Commission shall take into considerations the following factors in making its determination as to whether or not there are practical difficulties or hardships involved:

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

The proposed height and location of the subject billboard is due to the location and height of an existing freestanding sign on the adjacent property. The property immediately west, Ryder truck, currently has a 40' high freestanding sign that was permitted under a Zone Variance granted in 2011.

Although the physical circumstance is on the adjacent property, it does have a direct impact on the proposed billboard project. Without an approval to increase the digital billboard to 60', and also to reduce the side yard setback to 9'-7", the applicant's digital billboard would be hardly visible to southbound traffic thus renders the north face almost worthless to advertisement.

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

The modification permit, if approved, would actually have a greater financial impact to the applicant. A 60' billboard would inevitably cost more to build than the previously

approved 50' height given the additional structural demand related to a taller billboard. The applicant, however, is willing to build a taller sign as it would then make their sign visible to southbound traffic.

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

As mentioned previously, the requirement for a 60' high sign situated less than 25' from the side property line is due to the location of an existing 40' freestanding sign that is located on the adjacent property. The applicant did not create this condition as the existing freestanding sign for Ryder Trucks has existed on the adjacent property since 2011.

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

The condition involved is not generally applicable to most of the surrounding properties. As mentioned previously, the proposed height and location of the subject billboard is due to the location and height of an existing freestanding sign on the adjacent property. Said freestanding sign was permitted under a Zone Variance granted in 2011. Without the variance, the freestanding sign would have been limited to 20' and thus a 50' high billboard would not have had the same visual obstruction.

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

The modification, if approved, would not diminish property values in the neighborhood. In accordance with the City's Zoning Regulations, the subject property meets the requirements to have a billboard on-site. In fact, the applicant has already been granted a Conditional Use Permit for the construction of two billboards on-site. The subject Modification Permit does not allow for additional billboards. It is simply to allow the digital billboard to be greater than 50' and also setback less than 25' from the side property line.

Although the billboard would be closer to the adjacent property, the proposed height and location would actually reduce any potentially negative impact. At 50', not only would the existing Ryder sign impact the visibility of the digital billboard to southbound traffic, the billboard would also impact the visibility of the Ryder sign to northbound traffic. At the 60', neither sign would be impacted.

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

Although one might say that billboards do impact traffic levels, it should be noted that the subject property meets the requirements to have a billboard on-site and, more importantly, the applicant already has obtained the necessary entitlements to

construct two billboards on-site. Conditions of approval, which are part of the existing Condition Use Permit, are already in place to ensure said billboard do not impact traffic levels or otherwise endanger the public safety.

It should also be noted that the subject Modification Permit does not allow for additional billboards, rather it is simply to allow the digital billboard to be greater than 50' and also setback less than 25' from the side property line.

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that the applicant's request meets the criteria required by Section 155.696 of the City's Zoning Regulations and thus approval of Modification Permit Case No. 1280 and 1281 will not be detrimental to the property of others or to the community as a whole. Staff is, therefore, recommending that the Planning Commission recommend to the City Council approval of the subject Modification Permit requests subject to the conditions of approval as contained in this report. Staff also recommends that the Planning Commission recommend to the City Council approval of an amendment to Development Agreement 02-2016 that would allow for modifications to the agreement to reflect the change to building setback requirements approved by the Modification Permit Case Nos. 1280 and 1281.

AUTHORITY OF PLANNING COMMISSION

The Planning Commission has the authority, subject to the procedures set forth in §155.690 through §155.702, to grant a Modification Permit whenever it finds that a strict and literal interpretation of the property development standards would cause undue difficulties and unnecessary hardships inconsistent with the purpose and intent of the City's Zoning Regulations.

CONDITIONS OF APPROVAL:

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Cuong Nguyen 562.868-0511 x7359)

1. With the exception of conditions nos. 7, 10, 12, 15, and 16 (which will be replaced with conditions 2, 3, 4, 5, 6 and 7 below), the applicant understands and agrees that existing conditions required by the original CUPs (CUP 743 & CUP 744), as provided within approval letter dated August 15, 2013, shall remain affective.
2. With the exception of a deviation from the maximum height and minimum setback required for billboards, the subject digital billboard shall be in conformance with Ordinance No. 1036, an ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the City.

3. The applicant agrees and understands that the existing Development Agreement must be modified to update the description and location of the subject billboards.
4. The maximum height of the digital billboard shall be sixty feet, measure from the finished grade at the base of the sign (MOD 1280). The static billboard shall remain at the originally approved height of fifty feet.
5. With the exception to the easterly side, which a Zone Variance (ZV 78) was previously granted to Newport Diversified, Inc. to allow a distance of five hundred feet, the minimum distance from either of the two billboards from another billboard on the same side of the freeway shall be one thousand feet, as measure from the vertical centerline of each billboard.
6. The setback distance for the digital billboard to the side property line shall be a minimum of 9'-7", measured from the billboard column support post (MOD 1281). Notwithstanding, no portion of the billboard shall project over the width of any street, highway, or other public right-of-way.
7. The setback distance for the static billboard to the nearest building shall be a minimum of 7'-8", measured from the billboard column support post (MOD 1282). Notwithstanding, no portion of the billboard shall project over the width of any street, highway, or other public right-of-way.
8. The applicant, LeFiell Manufacturing, agrees to prepare an accurately scaled map with GPS coordinates included to show the exact location of subject static and digital billboard, and more importantly, to clarify the exact distance that the subject billboards will be from one another. Said map shall be provided concurrently or prior to submittal for plan check.
9. The applicant, LeFiell Manufacturing Company, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject Modification Permits and Billboards, 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.

10. That it is hereby declared to be the intent that if any provision of this Approval is violated or held 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. Aerial Close-Up (Original Vs. New Location)
3. Overall Site Plan
4. Enlarged Site Plan
5. Proposed Elevations
6. Colored Elevations
7. Flagging Photos @ 50' & 60'
8. Approval Letter Dated August 15, 2013 for CUP 743 & CUP 744
9. Modification Permit Application
10. Notice to Surrounding Property Owners
11. Amendment to Development Agreement No. 02-2016

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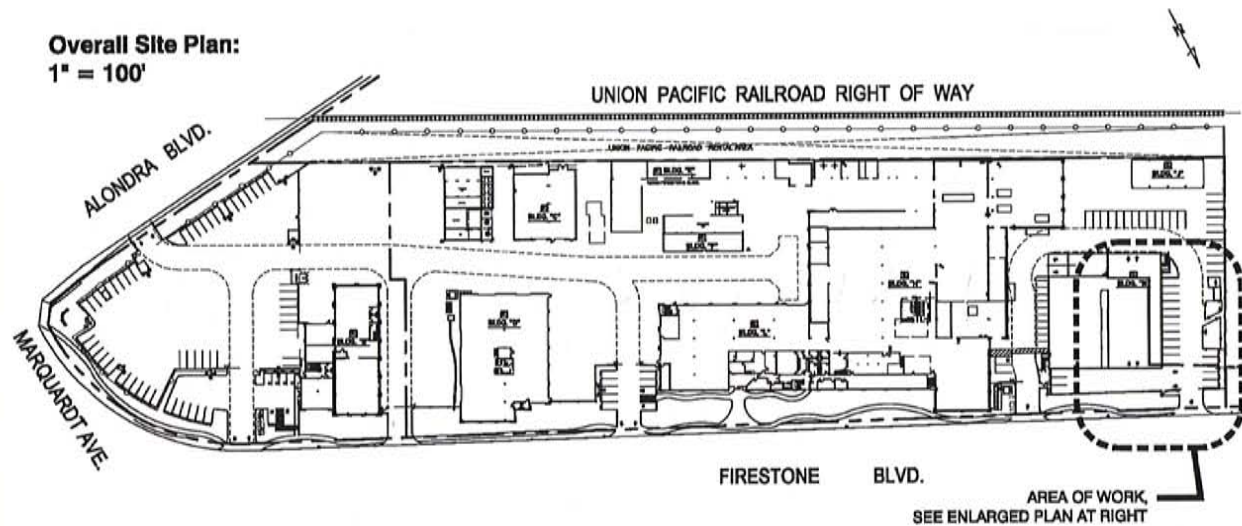
Aerial Photograph

13700-13750 Firestone Boulevard (APN: 7005-014-081)

Aerial Close-Up (Original vs. New Location)

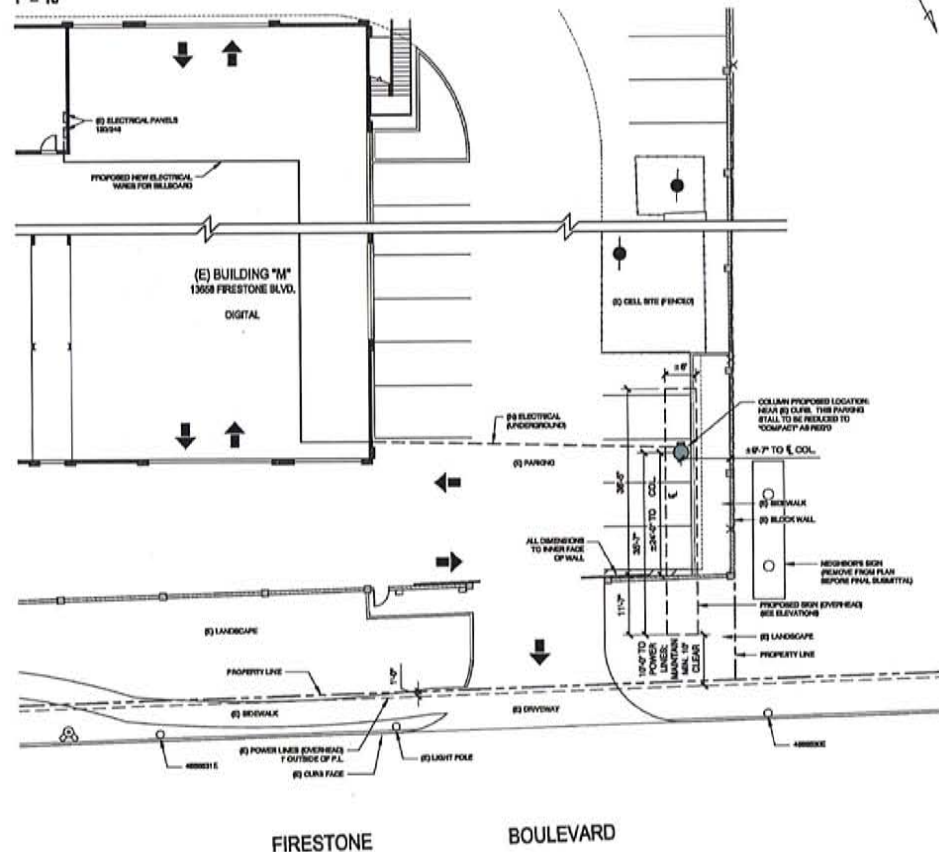
Overall Site Plan

Overall Site Plan:
1" = 100'

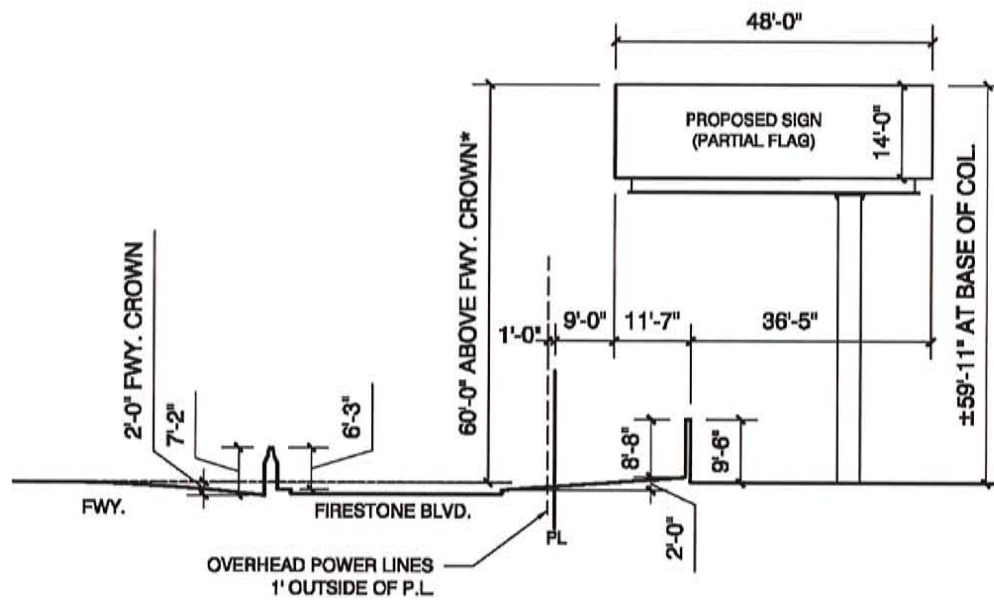


Enlarged Site Plan

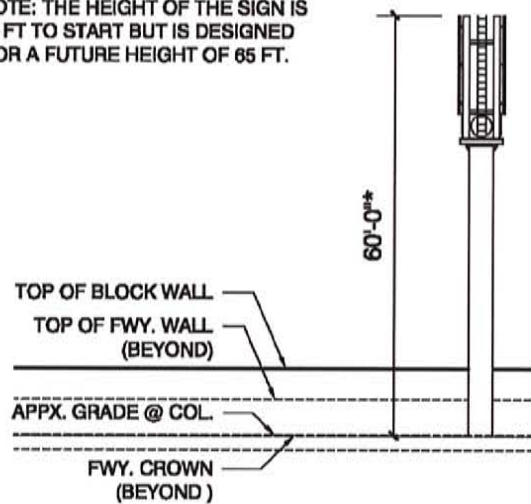
Enlarged Site Plan:
1" = 10'



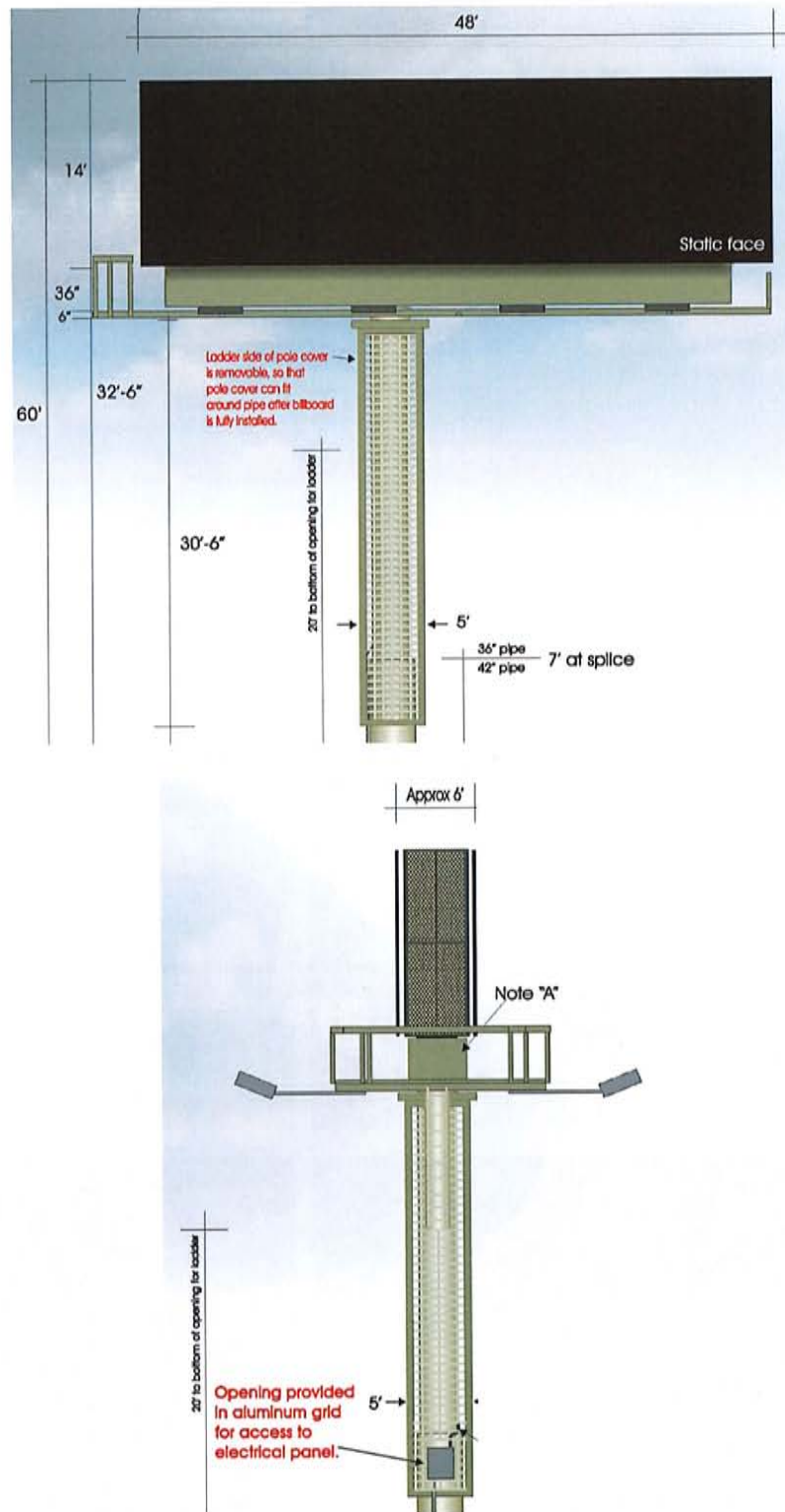
Proposed Elevations



* NOTE: THE HEIGHT OF THE SIGN IS 60 FT TO START BUT IS DESIGNED FOR A FUTURE HEIGHT OF 65 FT.



Colored Elevations



Flagging Photos @ 50' Height



Flagging Photos @ 60' Height



Approval Letter Dated August 15, 2013



FILE COPY

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

"A great place to live, work, and play"

August 15, 2013

Le Fiell Manufacturing Company
13700 Firestone Boulevard
Santa Fe Springs, CA 90670

Attn.: Mr. George Ray

Re: CUP Nos. 743 and 744
13700 and 13750 Firestone Blvd., Santa Fe Springs, CA 90670

Dear Mr. Ray:

The Planning Commission, at their meeting on August 12, 2013, took action on your request to construct and maintain two billboard signs, (one static and one digital), each face/display area measuring 48' wide x 14' tall, with an overall height of 50 feet, on the 8.33-acre Le Fiell Manufacturing property located at 13700-13750 Firestone Boulevard, in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone.

The Planning Commission approved your requested entitlement, subject to the following conditions:

CONDITIONS OF APPROVAL:

ENGINEERING / PUBLIC WORKS DEPARTMENT:

(Contact: Robert Garcia 562-868-0511 x7545)

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

Richard J. Moore, Mayor • Juanita Trujillo, Mayor Pro Tem
City Council
Louie González • Laurie M. Rios • William K. Rounds
City Manager
Thaddeus McCormack

Approval Letter Dated August 15, 2013 (Cont.)**POLICE SERVICES DEPARTMENT:****(Contact: Dino Torres 562.409-1850 x3329 or Phillip De Rouse at x3319)**

2. That the Applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the owner/developer or their representative any time, 24 hours a day.
3. That the support post of the billboards shall be treated with a graffiti-proof paint finish and the billboards shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces.
4. That the Applicant shall not plant trees, shrubs or other type of foliage, or install any structures or appendages that would allow individuals to scale the billboards.

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

5. That the Applicant shall comply with Section 50.51 of the Municipal Code which prohibits any business or residents from contracting any solid waste disposal company that does not hold a current permit from the City.
6. That all projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact the Recycling Coordinator, Teresa Cavallo at (562) 868-0511 x7309.

PLANNING AND DEVELOPMENT DEPARTMENT:**(Contact: Wayne Morrell 562.868-0511 x7362)**

7. That the billboards shall be in conformance with Ordinance No. 1036, an ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the City.
8. That approval of Conditional Use Permits Nos. 743 and 744 shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations.
9. That all required permits regarding Highway Oriented Signs shall be obtained from the California Department of Transportation (Caltrans).

Approval Letter Dated August 15, 2013 (Cont.)

10. That Conditional Use Permits Nos. 743 and 744 shall not become effective, unless the City Council and property owner enter into a Development Agreement regarding the operation of the billboards.
11. That the maximum area of the billboards shall be seven hundred square feet per sign area (e.g., 14 feet x 48 feet).
12. That the maximum height of the billboards shall be fifty feet, measured from the finished grade at the base of the sign.
13. That there shall be no more than two billboards, either digital or static, but not both of the same type, on the subject property.
14. That the minimum distance between the two billboards shall be five hundred feet as measured from the vertical centerline of each billboard.
15. That the minimum distance from either of the two billboards from another billboard on the same side of the freeway shall be one thousand feet, as measured from the vertical centerline of each billboard.
16. That the minimum setback distance of the column support post of the two billboards shall be at least 25 feet from any property line and at least 25 feet from any building. Notwithstanding, no portion of the billboards shall project over the width of any street, highway, or other public right-of-way.
17. That the minimum size of any property on which a billboard can be located shall be five acres, unless a variance is granted to allow a billboard on a smaller property.
18. That none of the billboards shall have more than two (2) faces. (A face shall be considered the display surface upon which an advertising message is displayed). (No V-shape billboards shall be allowed).
 - a. The two faces of two-sided billboards shall be identical in size.
 - b. The two sign faces shall be attached directly and be parallel to each other.
 - c. The top, bottom, and sides of the two sign faces shall be in alignment, and no portion of either face shall project beyond the corresponding portion of the other face.
19. That none of the billboards shall have more than one (1) face (display surface) oriented in the same vertical plane.
20. That each billboard shall plainly display the name of the person or company owning or maintaining it and the identifying number of the billboard.

Approval Letter Dated August 15, 2013 (Cont.)

21. That all billboards, if projecting over a driveway or driving aisle, shall have a minimum clearance of sixteen feet (16') between the lowest point of the sign and the driveway grade.
22. That all billboards, if projecting over a pedestrian walkway shall have a minimum clearance of eight feet (8') between the lowest point of the sign and the walkway grade.
23. That all billboards shall have a minimum clearance of eight feet (8') between the lowest point of the sign and ground level so as not to provide an attractive nuisance for graffiti and vandalism.
24. That the back or rear portions of each billboard, when visible from a public right-of-way or other public or private property, shall be screened, encased, or otherwise suitably covered. The screening shall cover all structural members of the sign, not including the pole supports.
25. That prior to issuance of a building permit for the billboards, the Applicant shall provide the following:
 - a. The telephone number of a maintenance service to be available twenty-four (24) hours a day, to be contacted in the event that a billboard becomes dilapidated or damaged.
 - b. Proof of lease demonstrating a right to install the billboard on the subject property.
 - c. A list of locations of all billboards in the City owned or managed by the entity that will own or manage the subject billboard. This information also shall be provided on a map. The intent of this requirement is to facilitate analysis of the proposed billboard's compliance with the spacing and location requirements.
26. That the billboards shall be designed to have a single (steel) cylindrical column support post. Said support shall be designed to integrate the architectural features of the adjacent building.
27. That the billboard structures shall be free of any bracing, angle iron, guy wires, cables, microwave dishes, etc.
28. That the installation of the billboards shall not require the removal of trees or other on-site landscaping or the reduction of any required on-site parking spaces.
29. That the proposed billboards shall be constructed within a landscape planter area, where applicable.

Approval Letter Dated August 15, 2013 (Cont.)

30. That each billboard shall be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface.
31. That none of the billboards shall display any statement or words of an obscene, indecent, or immoral character.
32. That none of the billboards shall display any advertising of: Any drugs, including but not limited to marijuana; or tobacco products; or adult-type uses, including but not limited to nude or topless bars or nightclubs, or establishments that feature nude or topless dancing or mud wrestling, or businesses featuring the sales of adult novelty items, books, magazines, videos, DVDs, or tapes, or other content that contains any obscene or profane language.
33. That none of the billboards shall display flashing, shimmering, glittering, intermittent, or moving light or lights. Exceptions to this restriction include time, date, temperature, weather, and smog index units, provided the frequency of change does not exceed four (4) second intervals.
34. That none of the billboards shall include any illumination or message change that is in motion or that change or expose a message for less than four seconds. (Messages are to remain static for a minimum of 4 seconds prior to next message appearing (no blank in-between messages)); Continuous motion, including full motion video, shall not be permitted. Message transition shall be instantaneous or 1-2 seconds if fading.
35. That all utilities for the billboards shall be installed underground.
36. That each billboard shall be tied into the National Emergency Network and provide emergency information, including child abduction alerts (i.e., "Amber Alerts").
37. That the billboards shall comply with all applicable federal, state, and local laws and regulations, including but not limited to the Highway Beautification Act of 1965 (23 U.S.C. 131), the California Outdoor Advertising Act (Cal. Bus. & Prof. Code, 5200 et seq.), and the California Vehicle Code, Section 21466.5.
38. That the digital billboard shall be provided with an ambient light sensor that automatically adjusts the brightness level of the electronic sign based on ambient light conditions, so that on overcast or poor weather days, the sign would automatically adjust to the ambient light level.
39. That lighting levels on the digital billboard shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America (OAAA).

Approval Letter Dated August 15, 2013 (Cont.)

40. That brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness shall not exceed 7500 nits.
41. That the digital billboard shall be designed to either: freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction.
42. That none of the billboards shall utilize technology that would allow interaction with drivers, vehicles, or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system, or other device.
43. That walls or screens at the base of the billboards shall not create a hazard to public safety or provide an attractive nuisance.
44. That none of the billboards shall emit audible sound, odor, or particulate matter.
45. That none of the billboards shall simulate or imitate any directional, warning, danger, or information sign, or any display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning to traffic, by, for example, the use of the words "stop" or "slow down."
46. That none of the billboards shall involve any red or blinking or intermittent light likely to be mistaken for warning or danger signals nor shall its illumination impair the vision of travelers on the adjacent freeway and/or roadways. Illuminations shall be considered vision impairing when its brilliance exceeds the values set forth in Section 21466.5 of the Vehicle Code.
47. That within one week after the sign is activated, a qualified lighting consultant/electrical engineer shall measure the sign intensity at the sign face and ensure compliance with Section 21466.5 of the Vehicle Code. Written verification of compliance shall be provided to the Planning Department within one week following sign activation. All cost shall be the responsibility of the Applicant.
48. That the Applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909, if applicable.
49. That the Applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings. ***Construction drawings shall not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings.***

Approval Letter Dated August 15, 2013 (Cont.)

50. 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.
51. That all plans, such as, but not limited to, the site plan, elevations, landscape, and civil drawings, submitted to the Building Department for permits shall be coordinated for consistency by the Applicant prior to the issuance of any permits. Any change or modification to one particular plan shall require the corresponding revisions on all other applicable plans. The Applicant shall be responsible for correcting any inconsistencies that may occur through error or omission during plan preparation or construction.
52. That the billboards shall be installed substantially in accordance with the site plan and elevations submitted by the Applicant and on file with the case; however, the Director of Planning is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
53. That Conditional Use Permit Case Nos. 743 and 744 shall be subject to a compliance review in ten (10) years, until August 12, 2023.
54. That in the event Conditional Use Permit Case Nos. 743 and 744 are not utilized within a period of 12 consecutive months following the issuance of this approval, this approval shall become null and void pursuant to Sections 155.745 of the City Zoning Regulations, unless an extension is granted per City code and ordinances.
55. That the final site plan and elevations for the proposed billboards and all other appurtenant improvements, shall be subject to the final approval of the Director of Planning or his designee.
56. 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.
57. That Le Fiell Manufacturing Company agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or

Approval Letter Dated August 15, 2013 (Cont.)

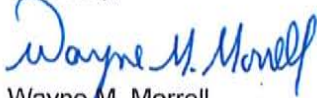
boards arising from or in any way related to the subject Conditional Use Permit Case Nos. 743 and 744, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof.

58. It is hereby declared to be the intent that if any material provision of this Approval is adjudicated to have been violated or held to be invalid, this Approval shall be void and the privileges granted hereunder shall lapse.

The Zoning Ordinance sets forth an appeal period of fourteen (14) days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

If you have any questions, please call me, at (562) 868-0511 x7362, or E-Mail waynemorrell@santafesprings.org.

Sincerely,



Wayne M. Morrell
Director of Planning

cc: City Council (Electronically)
Thaddeus McCormack, City Manager (Electronically)
Dino Torres, Director of Police Services (Electronically)
Phillip De Rousse, Management Assistant I (Electronically)
Noe Negrete, Director of Public Works (Electronically)
Robert Garcia, Associate Civil Engineer (Electronically)
Michael Crook, Fire Chief (Electronically)
Tom Hall, Deputy Director of Environment Services (Electronically)
Brian Reparuk, Deputy Fire Marshall
Wayne Morrell, Director of Planner (Electronically)
Teresa Cavallo, Planning Program Assistant (Electronically)
Tom Milton, Building Inspector (Electronically)
Roy Furuto, Furuto Rubio & Associates, Inc.
File Copy

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): 13750 Firestone, Santa Fe Springs

Legal description of property: See Attached

Record Owner of Property:

Name: LeFell Manufacturing Company Phone No: (562) 921-3411 (800) 451-5971

Mailing Address: 13750 Firestone Blvd, Santa Fe Springs, CA 90670

Fax No: (800) 373-3361 E-mail: george@gtrdevelopment.net

The application is being filed by:

X 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.): Lessee

Describe the modification requested: The sign at this location will be Digital. The City currently allows the maximum height of 50' overall and a distance from the side property line to the column is 25'. The applicant is requesting a modification to a height of 60' overall and to place the sign at a distance of approximately 9' 7" from the side property line to the centerline of the column.

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.

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. This billboard had to be moved from its original location to the location due to too many underground utilities and water lines near a driveway entrance which prohibited the placement of a sign column. Furthermore, the height of and the main building to the south would require the sign to be much taller than is allowed in the City (see "Original Plot Plan" and "Aerial"). The sign could not be moved south since the main building was on the south side of the original location. The sign could not be moved to the south side of the main building because it would be too close to the static LeFlell sign and that would violate the 500 foot spacing that is required between billboards on the same property. Our only option was to find another location to the north of the original location. Some of the possible locations going north on the LeFlell property did not meet the 25' side setback from a front property line and did not meet the required setback from the SCE lines since those locations would place the sign column in the driveway which would block ingress and egress on the property and cause the Ryder Truck sign to the north to block the north face of the new sign. LeFlell's only solution was to place the new sign at the far north end of the property (see "New Plot Plan"). Since the Ryder Truck Rental sign next door obtained a height variance to 40', the LeFlell sign is placed as close as possible to the Ryder Truck sign so it can be visible to south bound traffic. The height of the proposed billboard is 60' and the proposed setback is 9'-7" so that the sign is not blocked by the Ryder sign and can be seen over the Ryder sign. The side setback variance is needed since the closer one gets to an obstacle, the less height variance the sign needs to be seen over the top of the obstacle. 60' is 10' over the 50' height limit. The side setback of 25' is reduced to 9'-7". The attached photos were computer generated from a crane flagging and are highly accurate (See "Flagging Photos"). The photos clearly show that at 60' with a 9'-7" side setback, the LeFlell sign is barely visible over the Ryder sign.

4. Explain the unusual or unique circumstances involved with the subject property which

Modification Permit Application (Cont.)

would cause hardship if compliance with the existing regulations is required. The City has already approved this sign at its original location through a Development Agreement with the property owner. At the new location, the proposed sign will not be able to meet the City's height limit of 50' and the City's side property setback of 25' and therefore the sign owner would suffer the hardship of losing their previously approved sign. The sign owner would suffer a further hardship in not getting a height variance even though the Ryder Truck property owner obtained a height variance and the only reason the new sign owner is requesting a height variance and a property setback variance is because of the height of the Ryder Truck sign. The closer the new sign can get to the Ryder sign, the less height variance we need. The computer photographs show that at 60' tall with a 9'-7" side setback, the new LeFlell sign is barely visible over the Ryder Truck Sign. Most cities do not have large side setbacks. Denying a variance to the LeFlell signs would be a hardship since the reason the variance is needed, is because the City granted a height variance to the Ryder Truck sign and the other obstacles listed above that are located on and off the property.

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. Because the property owners on the north and south sides of LeFlell have been granted variance for off-premise and on-premise signs, it is reasonable that LeFlell can be granted a modification. The granting of a modification that has been granted to others is not a special privilege for the LeFlell sign since others have obtained the height variance. The surrounding property owners had other challenges that the City took into consideration when granting their height variance. This modification of sign height and side yard setback is no different than what has been granted to surrounding property owners. Most other cities do not have side property setbacks for signs.
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 modification will not be detrimental to the other properties since the other properties either did not need a modification to have their signs visible or obtained similar modifications; such as the neighbors Ryder sign and the Newport Diversified Digital sign.

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: LeFell Manufacturing/Manufacturing Company/George Ray
 Mailing Address: 13750 Firestone Blvd, Santa Fe Springs, CA 90670
 Phone No: (562) 921-3411 800) 451-5971
 Fax No: (800) 373-3361 E-mail: george@atrdevelopment.net
 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: _____
 DATE FILED: _____
 FILING FEE: _____
 RECEIPT NO: _____
 APPLICATION COMPLETE? _____

Authorization to Represent – Property Owner



Re
JUL 03 2017
Planning Department

13700 FIRESTONE BOULEVARD
SANTA FE SPRINGS, CALIFORNIA 90670
(562) 921-3411
FAX (562) 921-5480

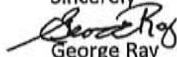
<http://www.lefiell.com>

January 9, 2017

To Whom It May Concern,

I, George Ray, name Victor Gomez, Andrew Goodman and Mark Kudler as agents for LeFiell to sign and apply for all permits and permit related applications in relation to the static and digital off-premise signs being built on the property.

Sincerely


George Ray
LeFiell

PRECISION TUBULAR PARTS & ASSEMBLIES

Authorization to Represent – Property Owner (Cont.)**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT****CIVIL CODE § 1189**

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

State of California)

County of Los Angeles)On January 10, 2017 before me, Shirley C. Vega NOTARY PUBLIC,
Date Here Insert Name and Title of the Officerpersonally appeared George Ray
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 Shirley C. Vega
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached DocumentTitle or Type of Document: Authorization to RepresentDocument Date: Jan 9, 2017Number of Pages: 1

Signer(s) Other Than Named Above: _____

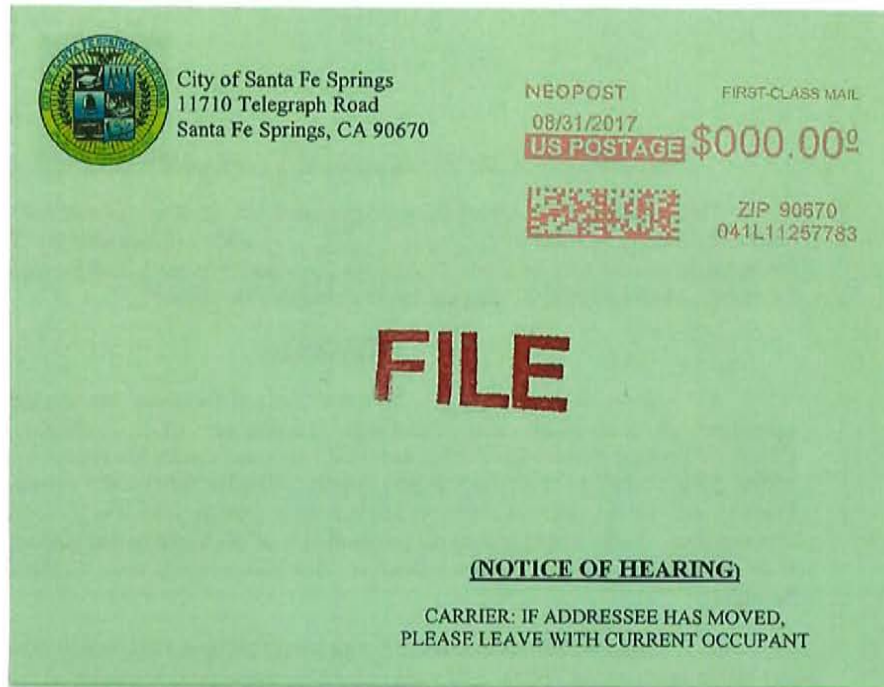
Capacity(ies) Claimed by Signer(s)Signer's Name: George Ray☒ Corporate Officer — Title(s): CH. OF THE BOARD☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

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: _____

Notice to Surrounding Property Owners**CITY OF SANTA FE SPRINGS
NOTICE TO ADJACENT PROPERTY OWNERS**

NOTICE IS HEREBY GIVEN that the Santa Fe Springs Planning Commission will take action on the matter below at a regular meeting on **Monday, September 11, 2017 at 6:00 p.m.**, in the Council Chambers of City Hall located at 11710 Telegraph Road, on the following matter:

MODIFICATION PERMIT CASE #1280 & #1281

MOD 1280: A request for a Modification of Property Development Standards to increase the maximum height related to the subject digital billboard from 50' to 60'; and **MOD 1281:** A request for a Modification of Property Development Standards to allow a reduction of the required side yard setback related to the subject digital billboard from 25'-0" to 9'-7", for property located at 13700 Firestone Boulevard, in the M-2 FOZ, Heavy Manufacturing – Freeway Overlay, Zone.

Upon review of the proposed project, Staff finds the proposed changes to the both static and digital billboards are within the scope of the Initial Study/Mitigated Negative Declaration (IS/MND) which was previously prepared and approved for the subject billboards. Although the location and height of the billboards will change, the face/display area and how the billboards will be utilized will remain unchanged. Additional environmental analysis is therefore not necessary to meet the requirements of the CEQA.

All interested persons are invited to attend the above Hearing. If you challenge the above mentioned item and related actions in court, you may be limited to raising only those issues you or someone else raised at the Hearing described in this notice, or in written correspondence delivered to the City of Santa Fe Springs Department of Planning and Development at, or prior to the Hearing. Any person interested in this matter may contact Cuong Nguyen at 562-868-0511, Ext. 7359 or cuongnguyen@santafesprings.org

Amendment to Development Agreement No. 02-2016

[Exempt From Recording Fee Per Gov. Code §6103]

AMENDMENT TO DEVELOPMENT AGREEMENT NO. 02-2016

This Amendment to Development Agreement No. 02-2016 (hereinafter "Agreement") is entered into this _____ day of _____, 2017 (hereinafter the "Effective Date"), by and between the City of Santa Fe Springs (hereinafter "City"), and Le Fiell Manufacturing Company, a Sub Chapter "S" Corporation (hereinafter "Developer").

RECITALS

A. In or about _____, 2016, the City and Developer entered into a development agreement in accordance with California Government Code Sections 65864 *et seq.* ("Development Agreement Law") that provided terms and conditions related to the construction of the double-sided 14 x 48 foot digital display ("Digital Billboard") oriented toward the 5 Freeway and double-sided 14 x 48 foot static display ("Static Billboard") oriented toward the 5 Freeway located adjacent to and on the southern side of the South bound lanes of the 5 Freeway, at the Southwest corner of Firestone Boulevard and Marquardt Avenue in the City of Santa Fe Springs.

B. Approval of Modification Permit Nos. 1280 and 1281, which modify the setbacks and height limits of the Digital Billboard require an amendment to the Development Agreement for consistency.

C. Modification Permit No. 1282 which modifies the building setback for the Static Billboard requires an amendment to the Development Agreement for consistency.

D. On September 11, 2017 at a duly noticed public hearing, the Planning Commission recommended to the City Council approval of this Amendment to the Development Agreement.

E. On _____, the City Council of the City, at a duly noticed hearing to consider the approval of this Agreement, considered the proposal, heard testimony, and introduced Ordinance No. _____, which Ordinance approves the Amendment to Development Agreement 02-2016.

NOW THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

I. Development Agreement No. 2016-02 is hereby amended to reflect the change in height and setback of the Static Billboard, and only to the extent, said change is consistent with Modification Permit Nos. 1280, 1281, and 1282.

II. The City and Developer mutually understand and agree that in all other respects, Development Agreement No. 02-2016 remain in full force and effect.

1

Amendment to Development Agreement 02-2016-- Ordinance No. _____

Amendment to Development Agreement No. 02-2016 (Cont.)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day
and year first set forth above.

CITY:

CITY OF SANTA FE SPRINGS
a California municipal corporation

By: _____
Mayor

DEVELOPER:

Le Fiell Manufacturing Company
a Sub Chapter "S" Corporation

By: _____
George A. Ray, Chairman of the Board

[end of signatures]

Amendment to Development Agreement No. 02-2016 (Cont.)

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
 a Notary Public, personally appeared _____, 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.

 Notary Public

[SEAL]

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
 a Notary Public, personally appeared _____, 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.

 Notary Public

[SEAL]



Modification Permit (MOD) Case No. 1282 & Amendment to Development Agreement 02-2016

A request for a Modification of Property Development Standards to allow a reduction to the required building setback related to the subject static billboard from 25'-0" to 7'-8" on property located at 13700 Firestone Boulevard, in the M-2 FOZ, Heavy Manufacturing – Freeway Overlay, Zone. (LeFiell Manufacturing Company)

RECOMMENDATIONS: That the Planning Commission:

- Find that the proposed Modification Permit, 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.
- Find that the applicant's Modification Permit request meets the criteria set forth in Sections 155.695 of the City's Zoning Regulations for the granting of a Modification in nonresidential zones.
- Find that the proposed Modification Permit is within the scope of the Initial Study/Mitigated Negative Declaration which was previously prepared for the construction of two billboard signs (one static and one digital); therefore, additional environmental analysis is not necessary to meet the requirements of the California Environmental Quality Act (CEQA).
- Recommend to the City Council approval of Modification Permit Case No. 1282, subject to the conditions of approval as contained within this staff report.
- Recommend to the City Council approval of an amendment to Development Agreement 02-2016 that would allow for modifications to the agreement to reflect the change to building setback requirements approved by the Modification Permit Case No. 1282.

BACKGROUND / PROJECT DESCRIPTION

The subject property, located at 13700-13750 Firestone Boulevard, is adjacent to the Interstate 5 (I-5) Freeway, between Valley View Avenue to the east and Bloomfield Avenue to the west. The property is comprised of a single parcel (APN: 7005-014-081) which measures approximately 5.91-acres. The property is zoned M-2 FOZ (Heavy Manufacturing - Freeway Overlay Zone) with a General Plan land use designation of Industrial. LeFiell Manufacturing Company, a fabricator of precision

tubular products in support of the commercial airplane, defense, and aerospace industries, currently owns and occupies the site.

In August of 2013, the Planning Commission approved Conditional Use Permit Case No. 743 and 744, to allow LeFiell Manufacturing to construct, operate and maintain two billboard signs (one static and one digital) on the subject property. The billboards were approved with an overall height of 50 feet and measuring 48' wide x 14' tall.

At the time of the original approval, the static billboard was setback 25' from the nearest building, as required per Code. Thereafter, Newport Diversified was granted approval of a Conditional Use Permit (CUP 751) to upgrade their existing freestanding sign to a new digital billboard. But due to the proximity of the LeFiell static billboard, a Zone Variance (ZV 78) was also granted to allow a 500' separation between the Newport Diversified billboard and the LeFiell static billboard. Without the Variance, the minimum distance between billboards located on the same side of the freeway is 1,000 feet.

Due to a Caltrans deadline, Newport Diversified had immediately submitted their construction drawings for review and approval. The plans called out a 500' separation between the Newport Diversified billboard and the LeFiell static billboard. However, it was later discovered that the actual distance was approximately 485' apart, though the exhibits submitted by Newport Diversified as part of their application package, showed a minimum separation distance of 500 feet. Notwithstanding, to be a good neighbor, Newport Diversified agreed to move their sign in order to achieve the 500' separation. LeFiell, however, volunteered to move their static sign since Newport Diversified was already in plan check.

LeFiell looked into two other locations before settling on the proposed location. First, LeFiell had planned to move their sign northwest (near the front of the building). This location was problematic because the location would interfere with SCE's requirement that all structures be a minimum distance of ten (10) feet from an electrical line. Second, LeFiell had planned to move their sign to the west (on the opposite side of the building). This location also proved to be problematic because the height of the adjacent building effectively obscured portions of the billboard from being viewed from southbound traffic. To mitigate this impact, the billboard would need to be raised to seventy-five (75) feet. The City was, however, not in support of granting a Variance for the 75' height. As a result, it was determined that the most effective placement of the static billboard, while still meeting the 500 separation requirement from the Newport Diversified billboard, was at the proposed location.

The current proposal, however, requires a deviation from the City's Zoning Regulations: to allow a reduction of the required building setback from 25'-0" to 7'-8"

Zoning Code Requirements:

Code Section	Billboards - General Requirements
155.384 (H)(6)	Section 155.243 (H)(6) 155.384 Billboards: (H) General requirements: (6) <i>Minimum setback.</i> The minimum setback distance of the billboard column support post shall be at least 25 feet from any property line and at least 25 feet from the building. Notwithstanding, no portion of the building shall project over the width of any street, highway or other public right-of-way.

The applicant is, therefore, requesting approval of the subject Modification Permit to allow said deviation from the Code.

STREETS AND HIGHWAYS

The subject property fronts onto Firestone Boulevard, a local industrial street.

ZONING AND LAND USE

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

Table 1 – Current Zoning, General Plan and Land Use

Surrounding Zoning, General Plan Designation, Land Use			
Direction	Zoning District	General Plan	Land Use
North	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Corporate Office for grocery store; Trucking facility
South	N/A	N/A	Union Pacific Railroad
East	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Truck and Car Rental
West	M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone	Industrial	Truck Repair Facility

DEVELOPMENT AGREEMENT

In 2016, the City Council approved Development Agreement 02-2016 related to the construction of the billboard. Since the Modification Permit changes the location of the billboard, Development Agreement 02-2016 should also be amended consistent with the Modification Permit.

PLANNING COMMISSION/CITY COUNCIL APPROVALS

Since the City Council approves development agreements, the amendment to the Development Agreement together with the Modification Permit will be taken up by the City Council for final approval. As a result, the Planning Commission's actions will

consist of a recommendation to the City Council on whether to make findings and approve the Development Agreement and Modification Permit.

ENVIRONMENTAL DOCUMENTS

Staff finds the proposed changes to the both static and digital billboards are within the scope of the Initial Study/Mitigated Negative Declaration (IS/MND) which was previously prepared and approved for the subject billboards. Although the location and height of the billboards will change, the face/display area and how the billboards will be utilized will remain unchanged. Staff, therefore, finds that the proposed changes to the subject billboards is within the scope of the previously prepared and adopted IS/MND; consequently, no new mitigation measures or further environmental documents would be required.

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 8 notices were mailed out to said property owners on Thursday, August 31, 2017. 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.*

Granting the requested modification for the subject digital billboard would not be considered a special privilege to the applicant. In the original plans, the applicant had met the 25 foot setback. The new sign location, although requires the subject modification, is simply a good neighborly gesture to help both LeFiell and Newport Diversified meet the 500' separation requirement between two billboards located on the same side of the freeway.

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

Without the subject modification, the only other options would be for LeFiell to either keep the sign at the previously approved location or otherwise re-locate it to the west side of the building. But at 50' high, their sign would be obstructed by the adjacent building. Specifically, visibility from southbound traffic would be reduced and thus would impact their potential for advertisement on the west sign face.

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

The unique circumstance in this case is related to the adjacent easterly property, which was granted a Conditional Use Permit and Zone Variance to allow the construction of a new digital billboard. Said entitlements were granted to Newport Diversified due to their irregular shape and because the site already had an existing freestanding sign. A billboard on the Newport Diversified property, however, creates a need to have a separation of 500'.

LeFiell did explore two other potential locations before settling on the proposed location. But due to the location of existing SCE power lines, and the height of the adjacent building, the alternative locations did not work. As a result, it was determined that the most effective placement of the static billboard, while still meeting the 500 separation requirement from the Newport Diversified billboard, would be at the proposed location.

(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.*

The subject billboard was already approved by Conditional Use Permit Case No. 744. Aside from a reduction to the required building setback, the Modification Permit will not result in a substantially different billboard. Nor will it increase the number of billboards that will be installed. For that reason, if the modification is granted, it would not be detrimental to other persons or properties in the area nor be detrimental to the community in general.

COMMISSIONER CONSIDERATIONS

The Commission should also note that in accordance with Section 155.696 of the City's Zoning Regulations, before granting a Modification Permit, the Commission shall take into considerations the following factors in making its determination as to whether or not there are practical difficulties or hardships involved:

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

As mentioned previously, LeFiell evaluated two other locations before settling on the proposed location. Due to the location of existing SCE power lines, and the height of the adjacent building, the alternative locations simply did not work. As a result, it was decided that the most effective placement of the static billboard, while still meeting the 500 separation requirement from the Newport Diversified billboard, is at the proposed location.

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

The subject modification is the result of a good neighborly gesture. Although moving the sign closer to the building does allow the LeFiell greater visibility, they could have left their sign in the original location and require Newport Diversified to move their sign. However, since Newport Diversified was already in plan check, LeFiell felt that it would be a nice gesture look into moving their sign rather than force Newport Diversified to revise their plans in order to accommodate the 500 separation requirement. Had LeFiell kept the sign where it was originally approved, they wouldn't have needed the subject modification permit.

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

As mentioned previously, applicant would not need the subject modification permit if they simply kept the sign where it was originally approved. The new location, although requires approval of the subject modification, is the result of a good neighborly gesture since Newport Diversified was already in plan check.

LeFiell did explore two other possibly locations before deciding on the proposed location. Unfortunately, due to the location of existing SCE power lines, and the height of the adjacent building, the alternative locations did not work. These two constraints are preexisting conditions that prohibited LeFiell from placing their billboard at the alternative locations, both of which would not have require any deviation from the Code.

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

Although, LeFiell was the first to receive entitlements to construct their billboards, Newport Diversified was the first to submit plans for plan check. The plans called out a 500' separation between the Newport Diversified billboard and the LeFiell static billboard. However, it was later discovered that the actual distance was approximately 485' apart, though the exhibits submitted by Newport Diversified showed a minimum separation distance of 500 feet. Notwithstanding, to be a good neighbor, Newport Diversified agreed to move their sign in order to achieve the 500' separation. LeFiell, however, volunteered to move their static sign since Newport Diversified was already in plan check.

LeFiell did explore two other potential locations before settling on the proposed location. But due to the location of existing SCE power lines, and the height of the adjacent building, the alternative locations did not work. As a result, it was decided that the most effective placement of the static billboard, while still meeting the 500 separation requirement from the Newport Diversified billboard, is at the proposed location.

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

Typically, the number of billboards or proximity of a particular billboard would have the greatest impact on adjacent properties. The subject Modification Permit would not result in any additional billboards. Additionally, if the modification is granted, it would actually create a greater separation from the adjacent property. For that reason, if the modification is granted, would not diminish property values in the neighborhood.

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

Although, one might say that billboards do impact traffic levels, it should be noted that the subject property meets the requirements to have a billboard on-site and, more importantly, the applicant already has obtained the necessary entitlements to construct two billboards on-site. Conditions of approval, which are part of the existing Condition Use Permit, are already in place to ensure said billboard do not impact traffic levels or otherwise endanger the public safety.

It should also be noted that the subject Modification Permit does not allow for additional billboards, rather it is simply to allow the static billboard to be less than 25' from the adjacent building.

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that the applicant's request meets the criteria required by Section 155.696 of the City's Zoning Regulations and thus approval of Modification Permit Case No. 1282 will not be detrimental to the property of others or to the community as a whole. Staff is, therefore, recommending that the Planning Commission recommend to the City Council approval of the subject Modification Permit request subject to the conditions of approval as contained in this report. Staff also recommends that the Planning Commission recommend to the City Council approval of an amendment to Development Agreement 02-2016 that would allow for modifications to the agreement to reflect the change to building setback requirements approved by the Modification Permit Case No. 1282.

AUTHORITY OF PLANNING COMMISSION

The Planning Commission has the authority, subject to the procedures set forth in §155.690 through §155.702, to grant a Modification Permit whenever it finds that a strict and literal interpretation of the property development standards would cause undue difficulties and unnecessary hardships inconsistent with the purpose and intent of the City's Zoning Regulations.

CONDITIONS OF APPROVAL:

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

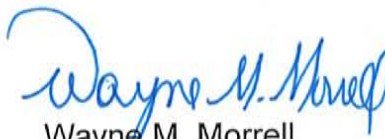
1. With the exception of conditions nos. 7, 10, 12, 15, and 16 (which will be replaced with conditions 2, 3, 4, 5, 6 and 7 below), the applicant understands

and agrees that existing conditions required by the original CUPs (CUP 743 & CUP 744), as provided within approval letter dated August 15, 2013, shall remain affective.

2. With the exception of a deviation from the maximum height and minimum setback required for billboards, the subject digital billboard shall be in conformance with Ordinance No. 1036, an ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the City.
3. The applicant agrees and understands that the existing Development Agreement must be modified to update the description and location of the subject billboards.
4. The maximum height of the digital billboard shall be sixty feet, measure from the finished grade at the base of the sign (MOD 1280). The static billboard shall remain at the originally approved height of fifty feet.
5. With the exception to the easterly side, which a Zone Variance (ZV 78) was previously granted to Newport Diversified, Inc. to allow a distance of five hundred feet, the minimum distance from either of the two billboards from another billboard on the same side of the freeway shall be one thousand feet, as measure from the vertical centerline of each billboard.
6. The setback distance for the digital billboard to the side property line shall be a minimum of 9'-7", measured from the billboard column support post (MOD 1281). Notwithstanding, no portion of the billboard shall project over the width of any street, highway, or other public right-of-way.
7. The setback distance for the static billboard to the nearest building shall be a minimum of 7'-8", measured from the billboard column support post (MOD 1282). Notwithstanding, no portion of the billboard shall project over the width of any street, highway, or other public right-of-way.
8. The applicant, LeFiell Manufacturing, agrees to prepare an accurately scaled map with GPS coordinates included to show the exact location of subject static and digital billboard, and more importantly, to clarify the exact distance that the subject billboards will be from one another. Said map shall be provided concurrently or prior to submittal for plan check.
9. The applicant, LeFiell Manufacturing Company, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject Modification Permits and Billboards, 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.

10. That it is hereby declared to be the intent that if any provision of this Approval is violated or held 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. Aerial Close-Up
3. Overall Site Plan
4. Enlarged Site Plan (Previously Approved Plan)
5. Enlarged Site Plan (Current Proposal)
6. Proposed Elevations
7. Colored Elevations
8. Approval Letter Dated August 15, 2013 for CUP 743 & CUP 744
9. Modification Permit Application
10. Notice to Surrounding Property Owners
11. Amendment to Development Agreement No. 02-2016

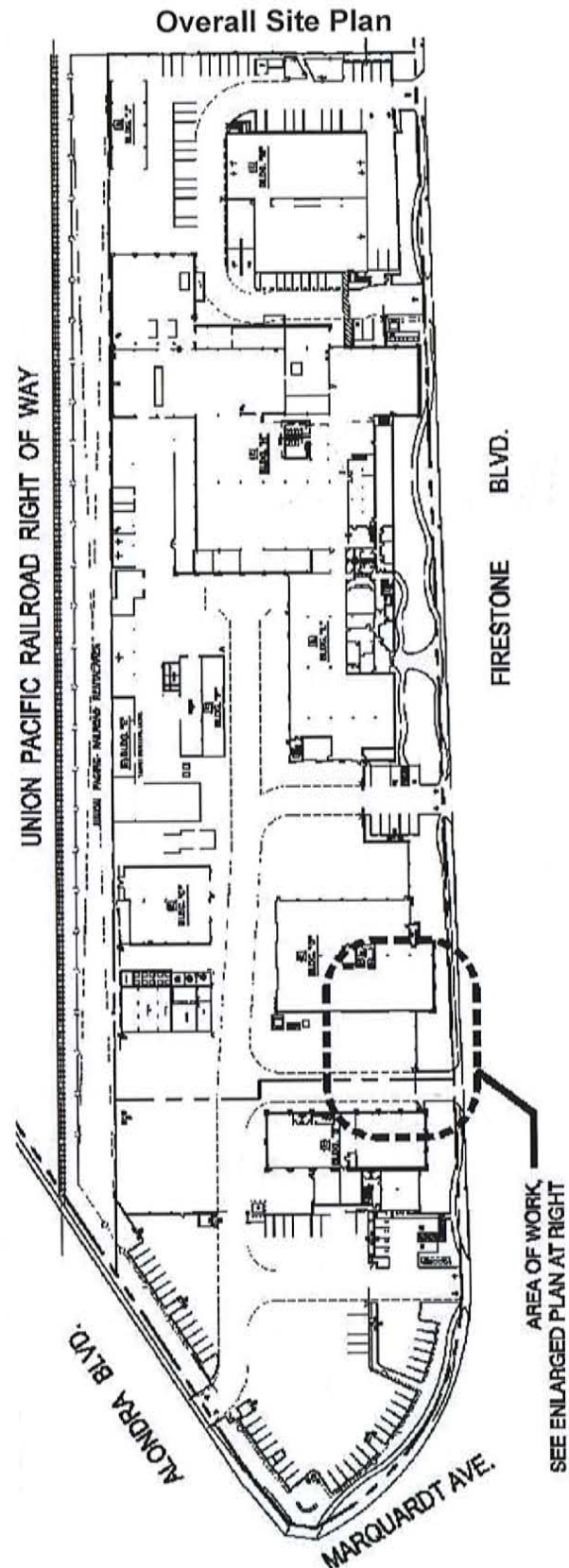
Aerial Photograph



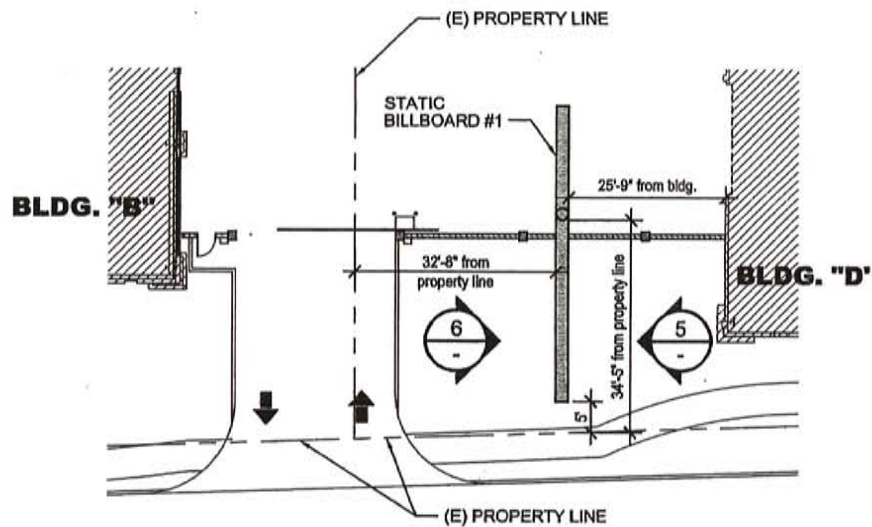
13700-13750 Firestone Boulevard (APN: 7005-014-081)

Aerial Close-Up

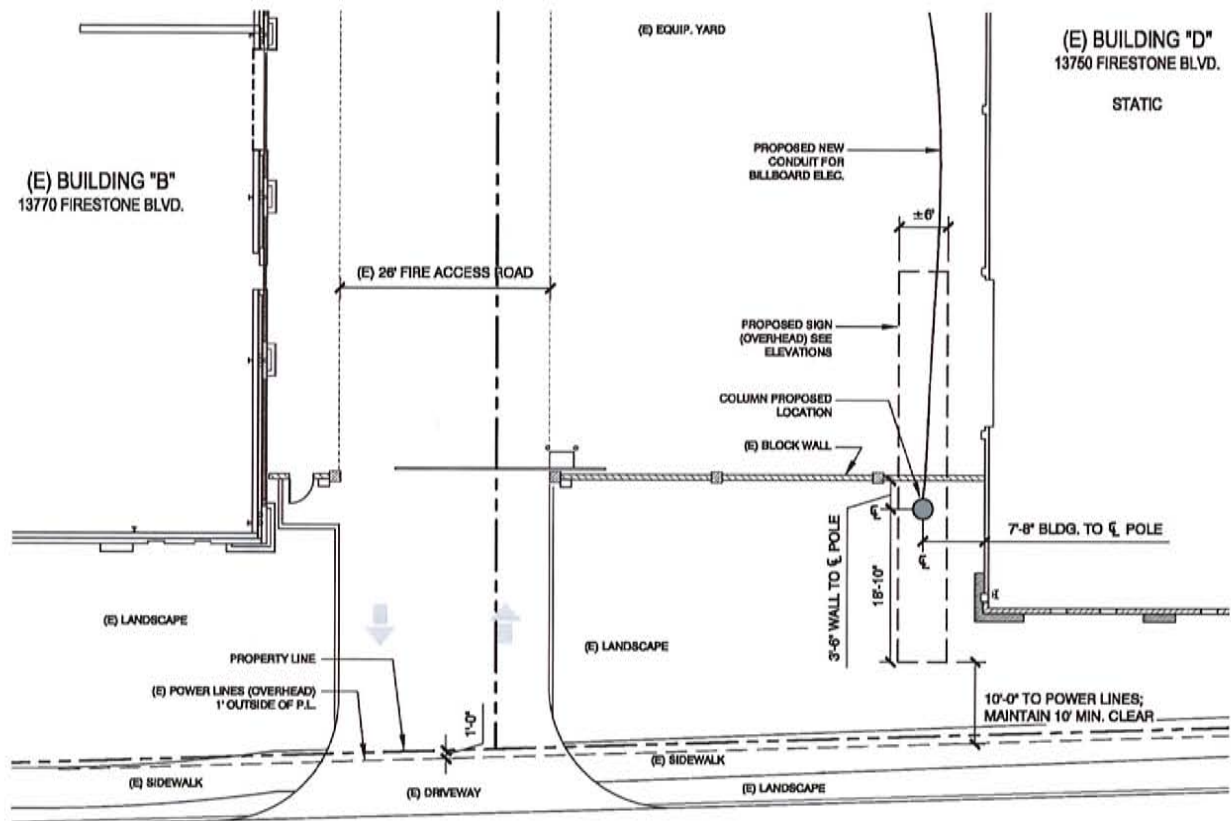




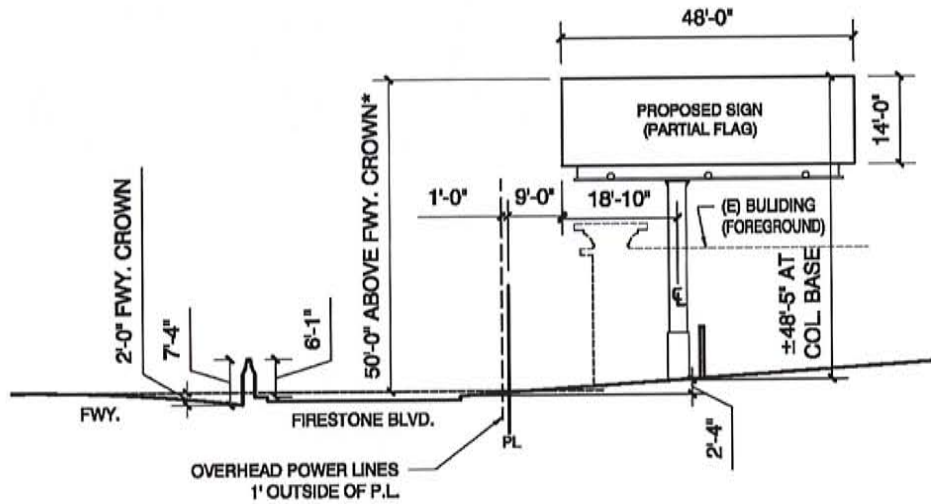
Enlarged Site Plan (Previously Approved Location)



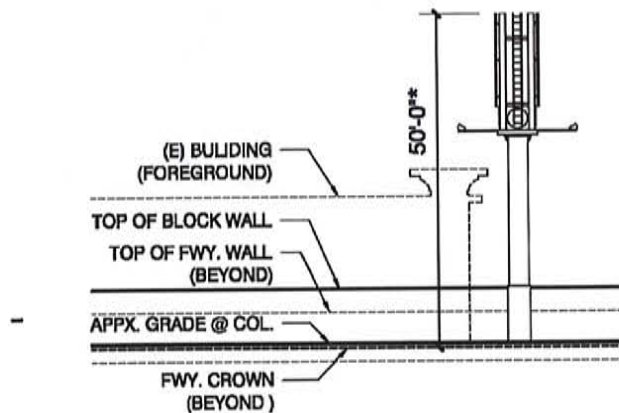
Enlarged Site Plan (Current Proposal)

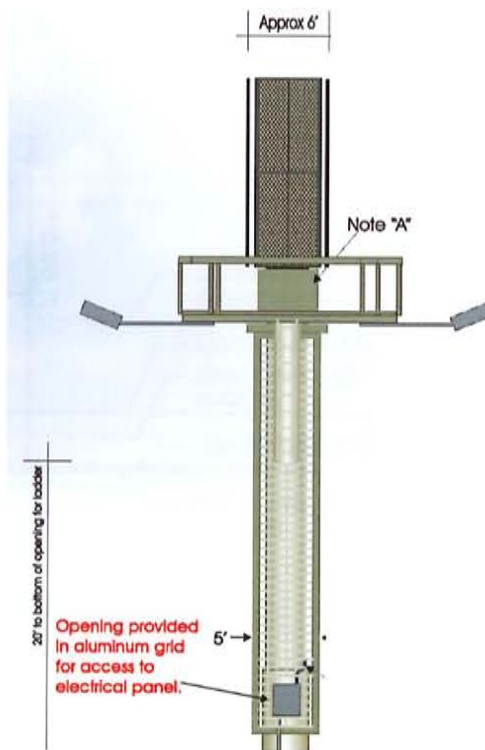
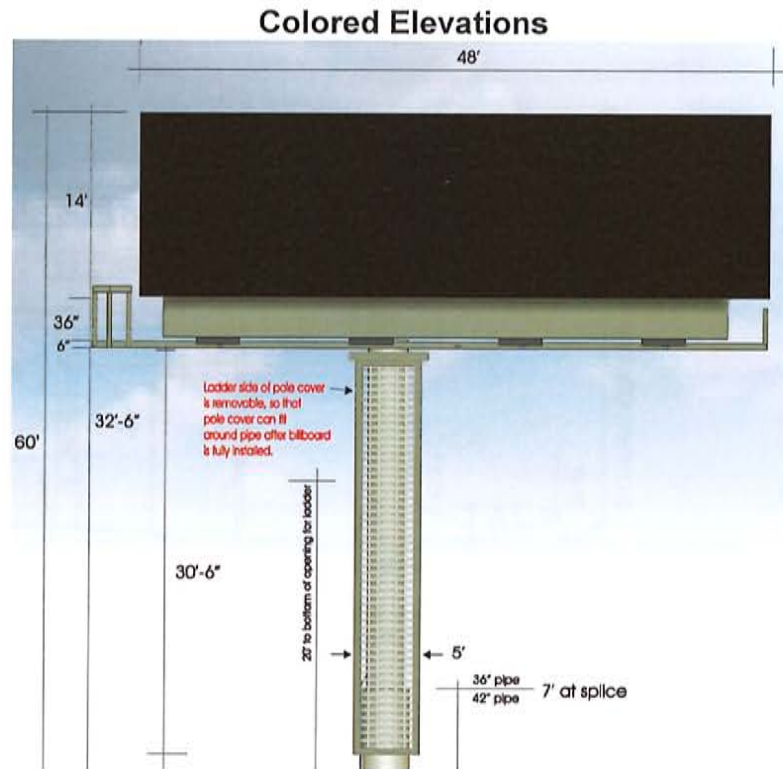


Proposed Elevations



* NOTE: THE HEIGHT OF THE SIGN IS 50 FT TO START BUT IS DESIGNED FOR A FUTURE HEIGHT OF 60 FT.





Approval Letter Dated August 15, 2013



FILE COPY

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

"A great place to live, work, and play"

August 15, 2013

Le Fiell Manufacturing Company
13700 Firestone Boulevard
Santa Fe Springs, CA 90670

Attn.: Mr. George Ray

Re: CUP Nos. 743 and 744
13700 and 13750 Firestone Blvd., Santa Fe Springs, CA 90670

Dear Mr. Ray:

The Planning Commission, at their meeting on August 12, 2013, took action on your request to construct and maintain two billboard signs, (one static and one digital), each face/display area measuring 48' wide x 14' tall, with an overall height of 50 feet, on the 8.33-acre Le Fiell Manufacturing property located at 13700-13750 Firestone Boulevard, in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone.

The Planning Commission approved your requested entitlement, subject to the following conditions:

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

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

Richard J. Moore, Mayor • Juanita Trujillo, Mayor Pro Tem
City Council
Louie González • Laurie M. Rios • William K. Rounds
City Manager
Thaddeus McCormack

Approval Letter Dated August 15, 2013 (Cont.)**POLICE SERVICES DEPARTMENT:****(Contact: Dino Torres 562.409-1850 x3329 or Phillip De Rouse at x3319)**

2. That the Applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the owner/developer or their representative any time, 24 hours a day.
3. That the support post of the billboards shall be treated with a graffiti-proof paint finish and the billboards shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces.
4. That the Applicant shall not plant trees, shrubs or other type of foliage, or install any structures or appendages that would allow individuals to scale the billboards.

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

5. That the Applicant shall comply with Section 50.51 of the Municipal Code which prohibits any business or residents from contracting any solid waste disposal company that does not hold a current permit from the City.
6. That all projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact the Recycling Coordinator, Teresa Cavallo at (562) 868-0511 x7309.

PLANNING AND DEVELOPMENT DEPARTMENT:**(Contact: Wayne Morrell 562.868-0511 x7362)**

7. That the billboards shall be in conformance with Ordinance No. 1036, an ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the City.
8. That approval of Conditional Use Permits Nos. 743 and 744 shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations.
9. That all required permits regarding Highway Oriented Signs shall be obtained from the California Department of Transportation (Caltrans).

Approval Letter Dated August 15, 2013 (Cont.)

10. That Conditional Use Permits Nos. 743 and 744 shall not become effective, unless the City Council and property owner enter into a Development Agreement regarding the operation of the billboards.
11. That the maximum area of the billboards shall be seven hundred square feet per sign area (e.g., 14 feet x 48 feet).
12. That the maximum height of the billboards shall be fifty feet, measured from the finished grade at the base of the sign.
13. That there shall be no more than two billboards, either digital or static, but not both of the same type, on the subject property.
14. That the minimum distance between the two billboards shall be five hundred feet as measured from the vertical centerline of each billboard.
15. That the minimum distance from either of the two billboards from another billboard on the same side of the freeway shall be one thousand feet, as measured from the vertical centerline of each billboard.
16. That the minimum setback distance of the column support post of the two billboards shall be at least 25 feet from any property line and at least 25 feet from any building. Notwithstanding, no portion of the billboards shall project over the width of any street, highway, or other public right-of-way.
17. That the minimum size of any property on which a billboard can be located shall be five acres, unless a variance is granted to allow a billboard on a smaller property.
18. That none of the billboards shall have more than two (2) faces. (A face shall be considered the display surface upon which an advertising message is displayed). (No V-shape billboards shall be allowed).
 - a. The two faces of two-sided billboards shall be identical in size.
 - b. The two sign faces shall be attached directly and be parallel to each other.
 - c. The top, bottom, and sides of the two sign faces shall be in alignment, and no portion of either face shall project beyond the corresponding portion of the other face.
19. That none of the billboards shall have more than one (1) face (display surface) oriented in the same vertical plane.
20. That each billboard shall plainly display the name of the person or company owning or maintaining it and the identifying number of the billboard.

Approval Letter Dated August 15, 2013 (Cont.)

21. That all billboards, if projecting over a driveway or driving aisle, shall have a minimum clearance of sixteen feet (16') between the lowest point of the sign and the driveway grade.
22. That all billboards, if projecting over a pedestrian walkway shall have a minimum clearance of eight feet (8') between the lowest point of the sign and the walkway grade.
23. That all billboards shall have a minimum clearance of eight feet (8') between the lowest point of the sign and ground level so as not to provide an attractive nuisance for graffiti and vandalism.
24. That the back or rear portions of each billboard, when visible from a public right-of-way or other public or private property, shall be screened, encased, or otherwise suitably covered. The screening shall cover all structural members of the sign, not including the pole supports.
25. That prior to issuance of a building permit for the billboards, the Applicant shall provide the following:
 - a. The telephone number of a maintenance service to be available twenty-four (24) hours a day, to be contacted in the event that a billboard becomes dilapidated or damaged.
 - b. Proof of lease demonstrating a right to install the billboard on the subject property.
 - c. A list of locations of all billboards in the City owned or managed by the entity that will own or manage the subject billboard. This information also shall be provided on a map. The intent of this requirement is to facilitate analysis of the proposed billboard's compliance with the spacing and location requirements.
26. That the billboards shall be designed to have a single (steel) cylindrical column support post. Said support shall be designed to integrate the architectural features of the adjacent building.
27. That the billboard structures shall be free of any bracing, angle iron, guy wires, cables, microwave dishes, etc.
28. That the installation of the billboards shall not require the removal of trees or other on-site landscaping or the reduction of any required on-site parking spaces.
29. That the proposed billboards shall be constructed within a landscape planter area, where applicable.

Approval Letter Dated August 15, 2013 (Cont.)

30. That each billboard shall be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface.
31. That none of the billboards shall display any statement or words of an obscene, indecent, or immoral character.
32. That none of the billboards shall display any advertising of: Any drugs, including but not limited to marijuana; or tobacco products; or adult-type uses, including but not limited to nude or topless bars or nightclubs, or establishments that feature nude or topless dancing or mud wrestling, or businesses featuring the sales of adult novelty items, books, magazines, videos, DVDs, or tapes, or other content that contains any obscene or profane language.
33. That none of the billboards shall display flashing, shimmering, glittering, intermittent, or moving light or lights. Exceptions to this restriction include time, date, temperature, weather, and smog index units, provided the frequency of change does not exceed four (4) second intervals.
34. That none of the billboards shall include any illumination or message change that is in motion or that change or expose a message for less than four seconds. (Messages are to remain static for a minimum of 4 seconds prior to next message appearing (no blank in-between messages)); Continuous motion, including full motion video, shall not be permitted. Message transition shall be instantaneous or 1-2 seconds if fading.
35. That all utilities for the billboards shall be installed underground.
36. That each billboard shall be tied into the National Emergency Network and provide emergency information, including child abduction alerts (i.e., "Amber Alerts").
37. That the billboards shall comply with all applicable federal, state, and local laws and regulations, including but not limited to the Highway Beautification Act of 1965 (23 U.S.C. 131), the California Outdoor Advertising Act (Cal. Bus. & Prof. Code, 5200 et seq.), and the California Vehicle Code, Section 21466.5.
38. That the digital billboard shall be provided with an ambient light sensor that automatically adjusts the brightness level of the electronic sign based on ambient light conditions, so that on overcast or poor weather days, the sign would automatically adjust to the ambient light level.
39. That lighting levels on the digital billboard shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America (OAAA).

Approval Letter Dated August 15, 2013 (Cont.)

40. That brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness shall not exceed 7500 nits.
41. That the digital billboard shall be designed to either: freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction.
42. That none of the billboards shall utilize technology that would allow interaction with drivers, vehicles, or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system, or other device.
43. That walls or screens at the base of the billboards shall not create a hazard to public safety or provide an attractive nuisance.
44. That none of the billboards shall emit audible sound, odor, or particulate matter.
45. That none of the billboards shall simulate or imitate any directional, warning, danger, or information sign, or any display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning to traffic, by, for example, the use of the words "stop" or "slow down."
46. That none of the billboards shall involve any red or blinking or intermittent light likely to be mistaken for warning or danger signals nor shall its illumination impair the vision of travelers on the adjacent freeway and/or roadways. Illuminations shall be considered vision impairing when its brilliance exceeds the values set forth in Section 21466.5 of the Vehicle Code.
47. That within one week after the sign is activated, a qualified lighting consultant/electrical engineer shall measure the sign intensity at the sign face and ensure compliance with Section 21466.5 of the Vehicle Code. Written verification of compliance shall be provided to the Planning Department within one week following sign activation. All cost shall be the responsibility of the Applicant.
48. That the Applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909, if applicable.
49. That the Applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings. ***Construction drawings shall not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings.***

Approval Letter Dated August 15, 2013 (Cont.)

50. 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.
51. That all plans, such as, but not limited to, the site plan, elevations, landscape, and civil drawings, submitted to the Building Department for permits shall be coordinated for consistency by the Applicant prior to the issuance of any permits. Any change or modification to one particular plan shall require the corresponding revisions on all other applicable plans. The Applicant shall be responsible for correcting any inconsistencies that may occur through error or omission during plan preparation or construction.
52. That the billboards shall be installed substantially in accordance with the site plan and elevations submitted by the Applicant and on file with the case; however, the Director of Planning is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
53. That Conditional Use Permit Case Nos. 743 and 744 shall be subject to a compliance review in ten (10) years, until August 12, 2023.
54. That in the event Conditional Use Permit Case Nos. 743 and 744 are not utilized within a period of 12 consecutive months following the issuance of this approval, this approval shall become null and void pursuant to Sections 155.745 of the City Zoning Regulations, unless an extension is granted per City code and ordinances.
55. That the final site plan and elevations for the proposed billboards and all other appurtenant improvements, shall be subject to the final approval of the Director of Planning or his designee.
56. 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.
57. That Le Fiell Manufacturing Company agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or

Approval Letter Dated August 15, 2013 (Cont.)

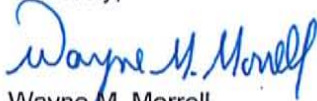
boards arising from or in any way related to the subject Conditional Use Permit Case Nos. 743 and 744, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof.

58. It is hereby declared to be the intent that if any material provision of this Approval is adjudicated to have been violated or held to be invalid, this Approval shall be void and the privileges granted hereunder shall lapse.

The Zoning Ordinance sets forth an appeal period of fourteen (14) days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

If you have any questions, please call me, at (562) 868-0511 x7362, or E-Mail waynemorrell@santafesprings.org.

Sincerely,



Wayne M. Morrell
Director of Planning

cc: City Council (Electronically)
Thaddeus McCormack, City Manager (Electronically)
Dino Torres, Director of Police Services (Electronically)
Phillip De Rouse, Management Assistant I (Electronically)
Noe Negrete, Director of Public Works (Electronically)
Robert Garcia, Associate Civil Engineer (Electronically)
Michael Crook, Fire Chief (Electronically)
Tom Hall, Deputy Director of Environment Services (Electronically)
Brian Reparuk, Deputy Fire Marshall
Wayne Morrell, Director of Planner (Electronically)
Teresa Cavallo, Planning Program Assistant (Electronically)
Tom Milton, Building Inspector (Electronically)
Roy Furuto, Furuto Rubio & Associates, Inc.
File Copy

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): 13700 Firestone, Santa Fe Springs

Legal description of property: See Attached

Record Owner of Property:

Name: LeFell Manufacturing Company Phone No: (562) 921-3411 (800) 451-5971

Mailing Address: 13750 Firestone Blvd, Santa Fe Springs, CA 90670

Fax No: (800) 373-3361 E-mail: george@trdevelopment.net

The application is being filed by:

☒ X 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.): Lessee

Describe the modification requested: The sign at this location will be a Static Billboard. The City current regulations require the distance from a building to the column to be 25'. The applicant is requesting a modification in the distance from the building to the centerline of the column will be 7' 8".

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.
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. At the time of the original approval the LeFlell sign was 25' from the current building (See attached "Old Plot Plan"). Thereafter the City approved Newport Diversified for a new digital sign to the south of the LeFlell sign location and a variance was granted reducing the 1000' foot spacing between billboards to 500'. Although Newport Diversified provided the City with a plot plan that showed that their billboard and the LeFlell billboard were 500' apart, our calculations showed the two billboards were only 482'8" apart from each other. Therefore, the LeFlell billboard had to be moved north a few feet from its original location (25' from the building) to the present location (7'-8" from the building) in order to meet the City's and Cal Trans 500' spacing regulations between these two signs. Moving to the new location made the sign approximately 7' 8" from the south side of the building (the requirement is 25' from a building)(see the attached "New Plot Plan"). The sign cannot fit on the east side of the building because there is not enough room to meet the required setbacks from SCE's electrical lines. The sign cannot fit on the north side of the building since it would be close to the taller main building and the city did not want to approve a 75' tall sign.
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 City has already approved the original location that was 25' from the building, but in order to accommodate the Newport Diversified's sign, this sign was moved to approximately 7' 8" from the building. If the modification is not granted, the property owner will not be able to meet the City 25' spacing that must exist between the sign and the building and therefore LeFlell will lose their entitlement. Although LeFlell obtained their entitlements prior to Newport Diversified getting their sign approved, due to Newport Diversified's error in the measurement between the two signs, LeFlell volunteered to move their sign since they had more room to move their sign. It would be an extreme hardship for LeFlell to be punished by the City denying their requested spacing modification after LeFlell offered to help the City and Newport Diversified by moving the LeFlell sign location.

Modification Permit Application (Cont.)

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 surrounding property owners with billboards have all been able to meet the 25' spacing requirements that must exist between the sign and a building. Therefore, this spacing modification is not granting this property owner a special privilege to build a sign since the other property owners already have built their own signs. The City granted Newport Diversified a variance to the spacing requirements between signs on different properties. This property owner originally met the spacing regulations between a building and sign and for reasons outside their control, has now been limited to building in this new specific location. Most cities do not have side setbacks from buildings and therefore LeFell is not being granted any special privileges over other businesses in the City or outside the City.
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 requested modification is small and the column is located in the middle of the property and has no effect on the adjacent properties and the pole cover is designed to match other sign covers in the surrounding area.

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 LeFlell Manufacturing Company/ George Ray
 Mailing Address: 13700 Firestone Blvd, Santa Fe CA 90670
 Phone No: (562) 921-3411 800) 451-5971
 Fax No: (800) 373-3361 E-mail: george@gtrdevelopment.net
 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: _____
 DATE FILED: _____
 FILING FEE: _____
 RECEIPT NO: _____
 APPLICATION COMPLETE? _____

Authorization to Represent – Property Owner



Re
JUL 03 2017
Planning Department

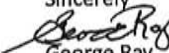
13700 FIRESTONE BOULEVARD
SANTA FE SPRINGS, CALIFORNIA 90670
(562) 921-3411
FAX (562) 921-5480

<http://www.lefiell.com>

January 9, 2017

To Whom It May Concern,

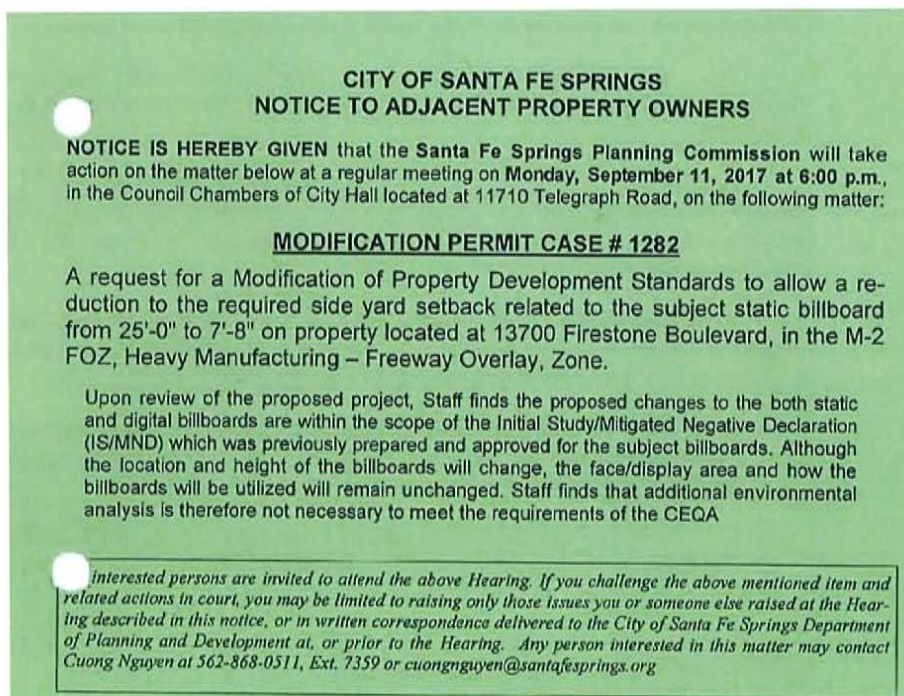
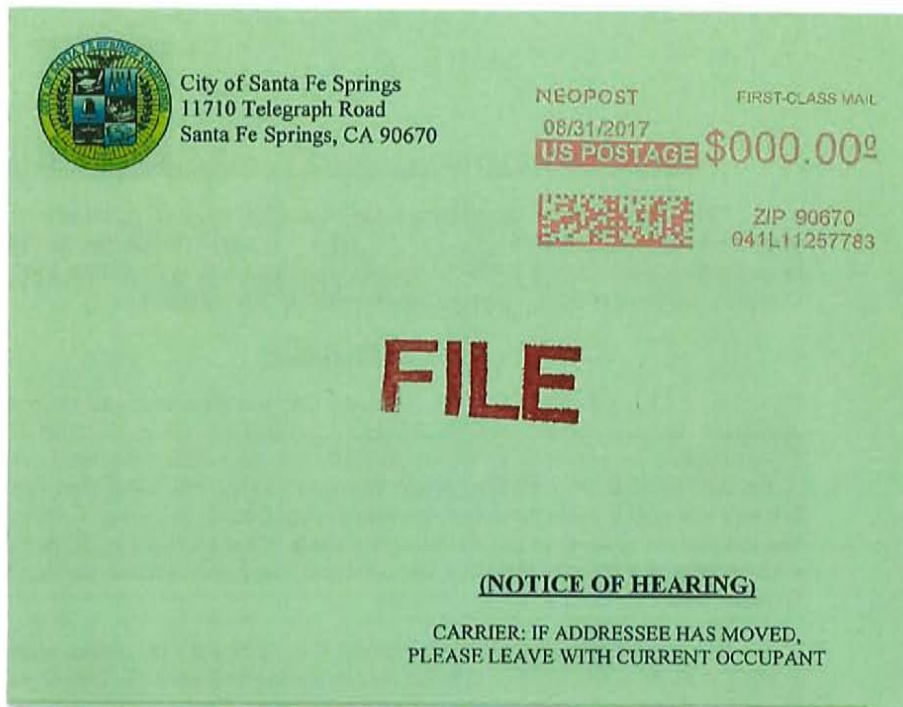
I, George Ray, name Victor Gomez, Andrew Goodman and Mark Kudler as agents for LeFiell to sign and apply for all permits and permit related applications in relation to the static and digital off-premise signs being built on the property.

Sincerely

George Ray
LeFiell

PRECISION TUBULAR PARTS & ASSEMBLIES

Report Submitted By: Cuong Nguyen
Planning and Development Dept.

Date of Report: September 7, 2017

Notice to Surrounding Property Owners

Amendment to Development Agreement No. 02-2016

[Exempt From Recording Fee Per Gov. Code §6103]

AMENDMENT TO DEVELOPMENT AGREEMENT NO. 02-2016

This Amendment to Development Agreement No. 02-2016 (hereinafter "Agreement") is entered into this _____ day of _____, 2017 (hereinafter the "Effective Date"), by and between the City of Santa Fe Springs (hereinafter "City"), and Le Fiell Manufacturing Company, a Sub Chapter "S" Corporation (hereinafter "Developer").

RECITALS

A. In or about _____, 2016, the City and Developer entered into a development agreement in accordance with California Government Code Sections 65864 *et seq.* ("Development Agreement Law") that provided terms and conditions related to the construction of the double-sided 14 x 48 foot digital display ("Digital Billboard") oriented toward the 5 Freeway and double-sided 14 x 48 foot static display ("Static Billboard") oriented toward the 5 Freeway located adjacent to and on the southern side of the South bound lanes of the 5 Freeway, at the Southwest corner of Firestone Boulevard and Marquardt Avenue in the City of Santa Fe Springs.

B. Approval of Modification Permit Nos. 1280 and 1281, which modify the setbacks and height limits of the Digital Billboard require an amendment to the Development Agreement for consistency.

C. Modification Permit No. 1282 which modifies the building setback for the Static Billboard requires an amendment to the Development Agreement for consistency.

D. On September 11, 2017 at a duly noticed public hearing, the Planning Commission recommended to the City Council approval of this Amendment to the Development Agreement.

E. On _____, the City Council of the City, at a duly noticed hearing to consider the approval of this Agreement, considered the proposal, heard testimony, and introduced Ordinance No. _____, which Ordinance approves the Amendment to Development Agreement 02-2016.

NOW THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

I. Development Agreement No. 2016-02 is hereby amended to reflect the change in height and setback of the Static Billboard, and only to the extent, said change is consistent with Modification Permit Nos. 1280, 1281, and 1282.

II. The City and Developer mutually understand and agree that in all other respects, Development Agreement No. 02-2016 remain in full force and effect.

1

Amendment to Development Agreement 02-2016- Ordinance No. _____

Amendment to Development Agreement No. 02-2016 (Cont.)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first set forth above.

CITY:

CITY OF SANTA FE SPRINGS
a California municipal corporation

By: _____
Mayor

DEVELOPER:

Le Fiell Manufacturing Company
a Sub Chapter "S" Corporation

By: _____
George A. Ray, Chairman of the Board

[end of signatures]

Amendment to Development Agreement No. 02-2016 (Cont.)

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
 a Notary Public, personally appeared _____, 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.

 Notary Public

[SEAL]

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
 a Notary Public, personally appeared _____, 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
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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.

 Notary Public

[SEAL]

AMENDMENT TO DEVELOPMENT AGREEMENT NO. 02-2016

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RECITALS

A. In or about _____, 2016, the City and Developer entered into a development agreement in accordance with California Government Code Sections 65864 *et seq.* ("Development Agreement Law") that provided terms and conditions related to the construction of the double-sided 14 x 48 foot digital display ("Digital Billboard") oriented toward the 5 Freeway and double-sided 14 x 48 foot static display ("Static Billboard") oriented toward the 5 Freeway located adjacent to and on the southern side of the South bound lanes of the 5 Freeway, at the Southwest corner of Firestone Boulevard and Marquardt Avenue in the City of Santa Fe Springs.

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E. On _____, the City Council of the City, at a duly noticed hearing to consider the approval of this Agreement, considered the proposal, heard testimony, and introduced Ordinance No. _____, which Ordinance approves the Amendment to Development Agreement 02-2016.

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I. Development Agreement No. 2016-02 is hereby amended to reflect the change in height and setback of the Static Billboard, and only to the extent, said change is consistent with Modification Permit Nos. 1280, 1281, and 1282.

II. The City and Developer mutually understand and agree that in all other respects, Development Agreement No. 02-2016 remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first set forth above.

CITY:

CITY OF SANTA FE SPRINGS
a California municipal corporation

By: _____
Mayor

DEVELOPER:

Le Fiell Manufacturing Company
a Sub Chapter "S" Corporation

By: _____
George A. Ray, Chairman of the Board

[end of signatures]

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
a Notary Public, personally appeared _____, 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.

Notary Public

[SEAL]

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On _____, 2017, before me, _____,
a Notary Public, personally appeared _____, 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.

Notary Public

[SEAL]



City of Santa Fe Springs

Planning Commission Meeting

September 11, 2017

CONSENT ITEM

Conditional Use Permit Case No. 629-4

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

RECOMMENDATIONS: That the Planning Commission:

- Find that the continued operation and maintenance of a public training school, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 629, be subject to a compliance review in five (5) years, on or before, September 11, 2022, to ensure the use is still operating in strict compliance with the conditions of approval as contained with this staff report.

BACKGROUND

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

Zoning Code Requirement

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

City of Santa Fe Springs – Zoning Regulations

Section 155.243 - CONDITIONAL USES (L)

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

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

On August 12, 2015, PDA was initially granted Planning Commission approval to establish, operate, and maintain a public training school on the subject property. Three (3) subsequent compliance reviews have been conducted since the original CUP approval.

STAFF CONSIDERATIONS

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

Staff recently verified that the applicant is in full compliance with the existing conditions of approval. Staff finds that if the public training school continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending that CUP 629 be subject to a compliance review in five (5) years, on or before September 11, 2022, to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL:

(Contact: Camillia Martinez 562.868-0511 x7519)

1. That a minimum of 30 parking spaces shall be continually made available at all times for the training academy. **(Ongoing)**
2. That the applicant shall be responsible for maintaining control of litter on the subject property and the adjacent properties as a result of the business. **(Ongoing)**
3. That students, instructors, visitors or other persons associated with the training academy shall park in the designated parking spaces and shall not park their vehicles on any other neighboring properties not approved by the Director of Planning. **(Ongoing)**
4. That any lighting, fences, walls, and poles shall be maintained by the applicant in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 24 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the adjacent surfaces. **(Ongoing)**
5. That all instruction, training and practices shall be conducted completely indoors

at all times. **(Ongoing)**

6. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors where visible from the street or adjacent properties. **(Ongoing)**
7. That streamers, banners, pennants, whirling devices or similar objects that wave, float, fly, rotate or move in the breeze shall be prohibited unless approved by the Director of Planning. **(Ongoing)**
8. That the hours of operation shall be between 3:00 p.m. and 10:00 p.m. during the work week, and 8:00 a.m. to 6:00 p.m. unless otherwise approved by the Director of Planning. **(Ongoing)**
9. That the subject property shall not be subleased, sold or otherwise assigned for use by any other entity other than the applicant on file without prior written approval by the Director of Planning. **(Ongoing)**
10. That the applicant shall comply with all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Codes and all other applicable regulations. **(Ongoing)**
11. That Conditional Use Permit Case No. 629 shall be **subject to a compliance review in a five (5) years, on or before September 11, 2022**. Approximately three (3) months before **September 11, 2022**, the applicant/owner shall request, in writing, an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval. **(Revised - Ongoing)**
12. That the applicant, Pacific Diving Academy, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Conditional Use Permit Case No. 629, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(Ongoing)**
13. That if there is evidence that these conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director of Planning may refer the Conditional Use Permit (CUP) back to the Planning Commission for review. If upon such review, the Commission finds that any of

the results above have occurred, the Commission may modify or revoke the CUP. **(Ongoing)**

14. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse. **(Ongoing)**



Wayne M. Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. CUP Compliance Review Request Letter
3. Current Site Photo taken on 09-05-2017

Aerial Photograph



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH

CONDITIONAL USE PERMIT CASE NO. 629



15064 Shoemaker Avenue
(Applicant: Pacific Diving Academy)

CUP Extension Request Letter



July 18, 2017

To Whom it may concern,

Pacific Diving Academy USA Inc is a sports training center. We have made no changes since the last review of our CUP.

Thank you,

Amy Kwan

CEO

DISTRIBUTION					
FUND	GL	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	397	4110	8909	CUP 629-4	5563.00

City of Santa Fe Springs

PDGA USA Inc
(NAME)

15064 Shannaker Ave
(ADDRESS)

Santa Fe Springs, CA
(CITY AND STATE)

CUP Compliance Letter
(DESCRIPTION)

RECEIPT

07-24-17 10:17:46 CHECK 5563.00

Current Site Photo Taken on 09/05/2017

