



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

FOR THE REGULAR MEETING OF THE PLANNING COMMISSION

September 9, 2019

6:00 p.m.

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

**Frank Ybarra, Chairperson
Ken Arnold, Vice Chairperson
Ralph Aranda, Chairperson
Francis Carbajal, Commissioner
Gabriel Jimenez, 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, Carbajal, Jimenez, 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 for the August 12, 2019 Planning Commission meeting
6. **PUBLIC HEARING - Continued from the 08-12-2019 Planning Commission Meeting**
Categorically Exempt – CEQA Guideline Section 15061(b)(3)
Resolution No. 132-2019
Ordinance No. 1105: An ordinance of the City Council of the City of Santa Fe Springs amending Sections 155.003, 155.153, 155.211, 155.229, 155.243, 155.259, 155.377, 155.383, 155.384, 155.515, 155.516, 155.518, 155.519, 155.524, 155.529, 155.531, and 155.533 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to billboards.
7. **PUBLIC HEARING - Continued from the 08-12-2019 Planning Commission Meeting**
Categorical Exempt – CEQA Guidelines Section 15321, Class 21
Revocation of Conditional Use Permit Case No. 724
A request to consider the revocation of Conditional Use Permit Case No. 724, which granted approval to allow the establishment, operation and maintenance of an aluminum foundry located at 12711 Imperial Highway, within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. (Pacific Cast Products)
8. **PUBLIC HEARING**
Categorically Exempt - CEQA Guidelines Section 15301, Class 1
Conditional Use Permit Case No. 802
A request to upgrade the existing equipment for an existing 50'-tall monopole wireless telecommunications facility located at 8739 Millergrove Drive (APN: 8178-037-019) within the M-2, Heavy Manufacturing Zone. (Eukon Group, on behalf of Verizon Wireless)
9. **PUBLIC HEARING**
Categorically Exempt - CEQA Guidelines Section 15301, Class 1
Conditional Use Permit Case No. 690-1
A request for a ten-year permit approval and equipment upgrades of the existing monopalm wireless telecommunications facility located at 9810 Painter Avenue.

(APN: 8167-028-028) within the M-1-PD, Light Manufacturing – Planned Development Zone. (SBA Monarch Towers I, LLC on behalf of T-Mobile)

10. **PUBLIC HEARING**

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Trucking Use Time Extension No. 4

A request to allow the continued operation and maintenance of an existing nonconforming cross-dock freight transfer facility located at 12250 Clark Street within the M-2, Heavy Manufacturing Zone. (Crown Enterprises, Inc.)

11. **CONSENT ITEMS**

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

A. CONSENT AGENDA – Continued from the 08-12-2019 Planning Commission Meeting

Conditional Use Permit Case No. 776-2

A compliance review to allow the continuation of storage of lubricants in excess of 100,000-gallons or more and up to 162,000-gallons on property located at 12904 Park Street (APN: 8011-017-025) in the M-2, Heavy Manufacturing, Zone. (Ron Van De Pol, Van De Pol Enterprises, LLC.)

B. CONSENT AGENDA

Conditional Use Permit Case No. 592-3

A compliance review to allow the continuation of a drive-through fast food restaurant on property located at 11344 Telegraph Road (APN: 8007-008-114) in the C-4, Community Development, Zone. (Mike Hansberger, Del Taco Restaurant)

12. **ANNOUNCEMENTS**

- ♦ Commissioners
- ♦ Staff

13. **ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda has been posted at the following locations; 1) City Hall, 11710 Telegraph Road; 2) City Library, 11700 Telegraph Road; and 3) Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.

W. Marshall for
Teresa Cavallo

Planning Secretary

September 5, 2019

Date



City of Santa Fe Springs

Planning Commission Meeting

September 9, 2019

PUBLIC HEARING

Categorically Exempt – CEQA Guideline Section 15061(b)(3)

Resolution No. 132-2019

Ordinance No. 1105: An ordinance of the City Council of the City of Santa Fe Springs amending Sections 155.003, 155.153, 155.211, 155.229, 155.243, 155.259, 155.377, 155.383, 155.384, 155.515, 155.516, 155.518, 155.519, 155.524, 155.529, 155.531, and 155.533 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to billboards.

RECOMMENDATION

That the Planning Commission take the following action:

- Take no action.

At its meeting of August 12, 2019, the Planning Commission continued this matter because staff requested additional time to consider the impacts of the code change to properties along the 605 Freeway. Staff is now requesting Resolution No. 132-2019 be pulled from the agenda. No action is required by the Planning Commission to pull the item. The item will be re-introduced and re-noticed at a later time.


Wayne M. Morrell
Director of Planning



PUBLIC HEARING (Continued from Planning Commission Meeting of August 12, 2019)

Categorical Exempt – CEQA Guidelines Section 15321, Class 21

Revocation of Conditional Use Permit Case No. 724

A request to consider the revocation of Conditional Use Permit Case No. 724, which granted approval to allow the establishment, operation and maintenance of an aluminum foundry located at 12711 Imperial Highway, within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. (Pacific Cast Products)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Open the Public Hearing and receive any comments from the public regarding the Revocation of Conditional Use Permit Case No. 724 and, thereafter, close the Public Hearing; and
- Find that pursuant to Section 15321, Class 21 (Enforcement Actions), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Determine one (1) of the following actions:
 - a. Find that the proposed work schedule is acceptable and allow the applicant up to July 13, 2020 to implement all items necessary to be in full compliance with the Conditions of Approval.
 - b. Find that the proposed work schedule is unacceptable and either recommend necessary changes or allow the applicant a final opportunity to work with staff to devise a plausible schedule to present to the Planning Commission for consideration.
 - c. Find that the proposed work schedule is severely unacceptable, and therefore, proceed with the Revocation of Conditional Use Permit Case No. 724.
- Adopt Resolution No. 134-2019, which incorporates the Commission's findings and actions regarding this matter; and

BACKGROUND

At the August 12, 2019 Planning Commission meeting, the subject revocation was presented by staff for the commissioner's consideration. After opening the public hearing, the audience had an opportunity to express their concerns towards the subject revocation. At that time, the applicant, Peter Lake, explained to the commissioners his attempts at bringing the property into compliance and the financial challenges he faces with completing the remaining items. After closing the public hearing, each Commissioner had an opportunity to ask questions of staff and the applicant. Following legal clarification from City Attorney, Richard Adams II, Commissioner Aranda made a motion to continue the item to the September 9th Planning Commission meeting and allow the applicant to work with staff on a detailed work schedule to clarify how he intends to bring the property into conformity.

APPLICANT'S WORK SCHEDULE

Based on Mr. Lake's proposed work plan (Attachment #3), the outstanding Lot Line Adjustment will go before the Planning Commission on or before the December 9th Planning Commission meeting.

To help reduce some of the financial burden, the applicant will strive to complete the façade treatment by June 30, 2020. This process will be begin by Mr. Lake submitting conceptual designs by January 15, 2020 with a formal submittal of a Development Plan Approval by March 5, 2020. Assuming that the Planning Commission approves the proposed design, Mr. Lake will immediately go through the plan check process and thereafter, obtain all necessary permits through all appropriate departments. As previously mentioned, Mr. Lake is targeting to have the project complete by the end of June 2020 and therefore, be in full compliance by the July 13, 2020 Planning Commission meeting.

STAFF RECOMMENDATION

Staff finds the proposed work plan, up to the submittal of a Development Plan Approval, has a strong likelihood of being accomplished. However, based on past projects, staff believes that a June 30, 2020 completion date seems far less likely to be achieved. If the proposed Development Plan Approval is submitted by March 5, 2020, there's a possibility that it doesn't get placed on a Planning Commission agenda for at least two to three months. Following an approval by the Planning Commission, it would typically take several months to go through plan check and thereafter, obtain the permits needed to begin construction. It would be much more realistic to target the end of March 2021 for an overall completion of the project.

Staff is recommending that the Planning Commission take one (1) of the following actions: 1) Find that the proposed work schedule is acceptable and allow the applicant up to July 13, 2020 to implement all items necessary to be in full compliance with the Conditions of Approval; 2) Find that the proposed work schedule is unacceptable and either recommend necessary changes or allow the applicant a final opportunity to work with staff to devise a plausible schedule to present to the Planning Commission for consideration; or 3) Find that the proposed work schedule is severely unacceptable, and therefore, proceed with the Revocation of Conditional Use Permit Case No. 724.



Wayne M. Morrell
Director of Planning

Attachments:

1. August 12, 2019 Staff Report
2. Resolution 134-2019
3. Applicant's Proposed Work Schedule



City of Santa Fe Springs

Planning Commission Meeting

August 12, 2019

PUBLIC HEARING

Categorical Exempt – CEQA Guidelines Section 15321, Class 21

Revocation of Conditional Use Permit Case No. 724

A request to consider the revocation of Conditional Use Permit Case No. 724, which granted approval to allow the establishment, operation and maintenance of an aluminum foundry located at 12711 Imperial Highway, within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. (Pacific Cast Products)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Open the Public Hearing and receive any comments from the public regarding the Revocation of Conditional Use Permit Case No. 724 and, thereafter, close the Public Hearing; and
- Find that pursuant to Section 15321, Class 21, of the California Environmental Quality Act (CEQA), this project is Categorical Exempt; and
- Adopt Resolution No. 134-2019, which incorporates the Commission's findings and actions regarding this matter; and
- Find that the subject aluminum foundry facility, for which Conditional Use Permit Case No. 724 was granted, has been exercised contrary to the conditions of approval. Consequently, the action to revoke and nullify Conditional Use Permit Case No. 724 complies with the requirements and provisions under section 155.811(B).
- Revoke and nullify Conditional Use Permit Case No. 724.

BACKGROUND

The Planning Commission, at their regularly scheduled meeting of July 11, 2011, originally approved Conditional Use Permit (CUP) Case No. 724 to allow the establishment, operation, and maintenance of an aluminum foundry with each furnace to exceed a capacity of 500 pounds and the combined capacity of furnaces to exceed 1,000 pounds. The subject property is located at 12711 Imperial Highway (APN's: 8026-042-014 & 017), within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone.

In 1993, the City Council adopted Ordinance No. 822, requiring all non-conforming metal buildings and structures to be brought into conformity by means of demolition or the application of a non-metallic façade treatment by the year 2013. Nevertheless, the Planning Commission should know that when it comes to addressing non-conforming metal buildings, the City understands the financial burden of bringing such buildings into compliance and thus have not been actively pursued compliance. Simply put, staff does not directly target or enforce immediate compliance. Instead, staff allows such buildings to remain non-conforming until improvements requiring a permit are proposed. Any improvements to a non-conforming metal building must not only

meet the requirements set forth in Ordinance No. 822 but all other city regulations.

Typically, a new CUP is approved with the requirement for a compliance review after one year. However, because the subject site contained two existing non-conforming metal buildings, the Planning Commission granted approval of the subject CUP, but provided the applicant with five years to allow sufficient time to meet all conditions of approval and bring said buildings into compliance with Ordinance No. 822.

Throughout the compliance review process, staff has tried to accommodate the applicant. On April 28, 2016, staff mailed the applicant a notice to inform him that the aforementioned CUP was subject to a review for compliance with the existing conditions of approval. Failing to respond to staff's initial notice, a second notice was sent to the applicant on June 30, 2016. A third and final notice was sent on December 12, 2016, via certified mail. On December 20, 2016, the applicant eventually provided staff with the required fee and materials needed to begin the compliance review process. After almost 8 months, staff received the necessary materials.

An initial walk-through inspection was conducted on January 12, 2017; however, due to poor weather conditions, staff had to schedule a follow-up visit. On February 14, 2017, staff conducted a second walk through inspection and provided the applicant with a written notice (Attachment #3) detailing the violations that were discovered during both inspection. Since then, the applicant has adequately addressed five (5) of the seven (7) violations that were identified. The two (2) remaining violations, which do have the largest financial impact to the applicant, include: 1) re-cladding of the existing metal buildings; and 2) consolidating the two (2) existing parcels into a single parcel.

Staff has continued to work with the applicant, Peter Lake, during the last twenty-nine (29) months by evaluating the progress and continually providing him with additional time to bring the subject use/property into full compliance. Until April of this year, staff had found previous actions by Mr. Lake to be a good-faith effort toward correcting the outstanding violations. Unfortunately, based on recent conversations and lack of effort by the applicant, staff now believes that Mr. Lake is no longer conveying that he has any intentions to satisfy the two remaining violations. Nevertheless, understanding the implications of a CUP revocation, staff met with Mr. Lake on April 12, 2019 to discuss the outstanding items. At the meeting, specific tasks and timelines were established to help ensure that continuous progress is made. It was concluded that the applicant would have 90-days to submit the materials required to move forward (Attachment #5). It was also agreed upon by both parties that, if at the end of those 90-days and the materials were not submitted, staff would move forward with the revocation of the subject CUP.

On July 10, 2019, Mr. Lake provided staff with a copy of a bid for a Tentative Parcel Map from one (1) engineering firm and a proposed idea for the façade. Mr. Lake

proposed to grow vines up the building façade to cover the metallic material with vegetation, similar to an office building located along Katella Avenue within the City of Los Alamitos. It was explained to Mr. Lake that his proposal would not satisfy the requirements of the metal building ordinance as it would not be considered a contemporary building design.

It is evident by staff's actions to date, that it was never the intent to revoke the subject CUP or drive the subject business out of the city. Staff has patiently worked with the applicant for the last three years. In fact, staff has continued to provide the applicant with additional time as necessary, provided that progress toward full compliance was observed. Unfortunately, the lack of effort by the applicant during recent months has greatly diminished staff's confidence that full compliance will ever be met. At a minimum, staff's expectations after the 90-day period was for Mr. Lake to have signed an agreement to begin the process to merge the two parcels and to provide conceptual designs for the re-cladding; however, the applicant remains uncommitted to meeting the minimum requirements. After approximately 30 months, following the initial site inspection and multiple attempts to resolve the remaining items, the subject property continues to be in violation of the conditions without an adequate plan for resolution; and therefore, staff is requesting that the Planning Commission consider the revocation of CUP Case No. 724.

MUNICIPAL CODE REQUIREMENTS

City of Santa Fe Springs – Zoning Regulations Section 155.811 – GROUND FOR REVOCATION (B)
Any variance, modification, permit, or other approval may be revoked and nullified if it is found that any one of the following conditions apply: (B) That the permit or variance has been or is being exercised contrary to the terms or conditions of approval, or is in violation of any statute, ordinance, law or regulation.

As previously described herein, staff believes there is sufficient evidence to confirm that the above-mentioned condition exist, and that there are adequate grounds to revoke the subject conditional use permit.

ENVIRONMENTAL DOCUMENTS

Upon review of the proposed project, Staff finds the project would qualify for a categorical exemption pursuant to Section 15321, Class 21 (Enforcement Actions by Regulatory Agencies) of the California Environmental Quality Act (CEQA), in that the subject Conditional Use Permit is being exercised contrary to the conditions of approval, and therefore, the City is taking the action to revoke the Conditional Use Permit. Additional environmental analysis is therefore not necessary to meet the requirements of the CEQA. If the Planning Commission agrees, staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days from the date

the Planning Commission revokes the subject Conditional Use Permit.

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Zoning Regulations.

In accordance with Section 155.813 of the City's Zoning Regulations, a letter (copy attached as Revocation Letter) was mailed to the business owner, and previous applicant via Certified Mail ten days or more prior to the date of this hearing to revoke and nullify CUP Case No. 724. The property owner was also notified of the hearing and provided an opportunity to maintain the Permit.

Legal notice of the Public Hearing to revoke and nullify Conditional Use Permit Case No. 724 was also sent via first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on August 1, 2019. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and Town Center on August 1, 2019, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

Wayne M. Morrell
Director of Planning

Attachments:

1. Public Hearing Notice
2. Approval Letter – July 12, 2011
3. Compliance Review Initiation Letter
4. Site Inspection Letter
5. Update Email – March 31, 2017
6. 90-day Letter – April 12, 2019
7. Revocation Letter
8. Resolution 134-2019

Public Hearing Notice**CITY OF SANTA FE SPRINGS
NOTICE OF PUBLIC HEARING
TO PROPERTY OWNERS WITHIN 500 FEET**

NOTICE IS HEREBY GIVEN that the Santa Fe Springs Planning Commission will conduct a public hearing at a regular meeting on **Monday, August 12, 2019 at 6:00 p.m.**, in the Council Chambers of City Hall located at 11710 Telegraph Road, on the following matter:

Initiated By: City of Santa Fe Springs

Property located at: 12711 Imperial Highway (APN: 8026-042-014 & 017) (Pacific Cast Products)

Revocation of Conditional Use Permit (CUP) Case No. 724: In accordance with Section 155.811(B), staff is recommending to the Planning Commission to revoke and nullify Conditional Use Permit Case No. 724 because the use for which approval was granted has been exercised contrary to the conditions of approval.

CEQA Status: After staff review and analysis, along with consultation of an outside environmental firm, staff intends to file a Notice of Exemption (if the Planning Commission agrees), specifically Class 21, Section 15321—Enforcement Actions by Regulatory Agencies of the California Environmental Quality Act (CEQA). Staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days following action by the Planning Commission.

All interested persons are invited to attend the above Public 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 Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Fe Springs Planning Department at, or prior to the Public Hearing. Any person interested in this matter may contact Vince Velasco at 562-868-0511, Ext. 7353 or vincevelasco@santafesprings.org



City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

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ZIP 90670
041L11257783

FILE COPY**(NOTICE OF PUBLIC HEARING)**

CARRIER: IF ADDRESSEE HAS MOVED,
PLEASE LEAVE WITH CURRENT OCCUPANT

CITY OF SANTA FE SPRINGS RESOLUTION NO. 134-2019

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS REGARDING REVOCATION OF CONDITIONAL USE PERMIT CASE NO. 724

WHEREAS, a request to consider the Revocation of Conditional Use Permit Case No. 724 located at 12711 Imperial Highway, within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone; and

WHEREAS, the Planning Commission on July 11, 2011, originally approved Conditional Use Permit Case No. 724 to allow the establishment, operation, and maintenance of an aluminum foundry, to exceed a furnace capacity of 500 pounds and for the total (sum) amount of furnaces to exceed a capacity of 1,000 pounds; and

WHEREAS, the subject property is located on the north side of Imperial Highway, with Assessor's Parcel Numbers: 8026-042-014 & 8026-042-017, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is Dirtpad LLC, 12711 Imperial Highway, Santa Fe Springs, CA 90670-4711; and

WHEREAS, the proposed Revocation of Conditional Use Permit Case No. 724 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, based on the information received from the applicant and staff's assessment, the Planning Commission has found and determined that the proposed project meets the criteria for a Categorical Exemption, pursuant to the California Environmental Quality Act (CEQA), Section 15321-Class 21 (Enforcement Actions by Regulatory Agencies); and

WHEREAS, the City of Santa Fe Springs Planning and Development Department on August 1, 2019 published a legal notice in the *Whittier Daily News*, a local paper of general circulation, indicating the date and time of the public hearing, and also mailed said public hearing notice on July 31, 2019 to each property owner within a 500 foot radius of the project site in accordance with state law; and

WHEREAS, the City of Santa Fe Springs Planning Commission has considered the written and oral staff report, the City of Santa Fe Springs Zoning Regulations, the testimony, written comments, or other materials presented at the Planning Commission Meeting on August 12, 2019 concerning the Revocation of Conditional Use Permit Case No. 724.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

Pursuant to Section 15321, Class 21 (Enforcement Actions by Regulatory Agencies), of the California Environmental Quality Act (CEQA), the Planning Commission hereby finds and determines that the project is categorically exempt, in that the subject Conditional Use Permit is being exercised contrary to the conditions of approval. It, therefore, has been determined that additional environmental analysis is not necessary to meet the requirements of CEQA.

SECTION II. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 134-2019 to approve the Revocation of Conditional Use Permit Case No. 724 to revoke the operation and maintenance of an aluminum foundry, exceeding a furnace capacity of 500 pounds and the total (sum) amount of furnaces exceeding a capacity of 1,000 pounds located at 12711 Imperial Highway (APN's: 8026-042-014 & 8026-042-017).

ADOPTED and APPROVED this 12th day of August, 2019 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Ralph Aranda, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

ATTACHMENT #3

From: [Peter Lake](#)
To: [Vince Velasco](#)
Subject: Re: September 9th Planning Commission
Date: Tuesday, September 03, 2019 7:18:52 PM

Hi Vince,

I have committed to the Lot Line Adjustment cost and I have reached out to Samir to get his involvement and to get this done. I am making an assumption as to what this will cost and I expect to have to pay for this cost this year. I would think this can be complete by December 1, 2019.

I cannot afford more until next year. I need to save some money for year end as December is a low production/high cost month for me. I cannot put an architect on a retainer and have this work done until next year.

Given the more recent acceptance of a "contemporary" looking metal cladding, I believe I can put a solution in place by June 30, 2020. I believe that with a start in mid-January to create and draw up the "look" of the new material in a conceptual drawing for approval, with submission potentially by March 1st, some time to approve and get a permit, and then a couple of months to do the work should get it done by June 30th. This is based on removal of the current cladding, adding whatever supports an engineer/architect will require, and fastening on new materials to the south wall of the two buildings. I am also open to building a free-standing connecting wall between the two buildings to provide a more uniform look and potentially provide more "character" to the buildings.

Let me know if you need more. If you want this information on letterhead, just let me know. If you want to discuss, you can call my cell at 562-400-2702.

Thank you.

Peter Lake,
Pacific Cast Products,
12711 Imperial Highway,
Santa Fe Springs, CA 90670-4711
Phone: 562-633-6673, Fax: 562-602-1180, peter@pacificcastproducts.com

From: Vince Velasco <VinceVelasco@santafesprings.org>
Sent: Tuesday, September 3, 2019 3:39 PM
To: Peter Lake <peter@pacificcastproducts.com>
Subject: September 9th Planning Commission

Hi Peter,



PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Conditional Use Permit Case No. 802

A request to upgrade the existing equipment for an existing 50'-tall monopole wireless telecommunications facility located at 8739 Millergrrove Drive (APN: 8178-037-019) within the M-2, Heavy Manufacturing Zone. (Eukon Group, on behalf of Verizon Wireless)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 802 and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request meets the criteria set forth in §155.716 of the Zoning Regulations for the granting of a Conditional Use Permit; and
- Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Approve Conditional Use Permit Case No. 802, subject to the conditions of approval as contained with Resolution No. 135-2019; and
- Adopt Resolution No. 135-2019, which incorporates the Planning Commission's findings and actions regarding this matter.

GENERAL INFORMATION

- A. Applicant: Eukon Group
Attn: Peter Hilger
1919 Williams Street, Ste. 360
Simi Valley, CA 93065
(949) 533-0380
peterhilger@eukongroup.com
- B. Facility Owner: American Tower Corporation
Attn: Site 411740 – Pioneer CA

- 116 Huntington Avenue, 11th floor
Boston, MA 20116
- Property Owner: Millergrove Investments 26 LLC
Attn: Abi Gabay
P.O Box 351947
Los Angeles, CA 90035
- C. Subject Property: 8739 Millergrove Drive
Santa Fe Springs, CA 90670
APN: (8178-037-019)
- D. Existing Zone: M-2 (Heavy Manufacturing)
- E. General Plan: Industrial
- F. CEQA Status: Categorically Exempt (Class 1)
- G. Hearing Date: September 9, 2019
- H. Staff Contact: Andrew S. Gonzales, Planning Intern
andrewgonzales@santafesprings.org
(562) 868-0511 x7519

LOCATION AND BACKGROUND

The subject monopole was first approved in 2002 via a building permit, which permitted a 50'- tall monopole and an associated equipment room. At the time, wireless facilities were only regulated by an adopted set of guidelines, and numerous facilities were allowed to be constructed without first obtaining a conditional use permit. Ordinance 1090, passed September 28, 2017, added Chapter 157 (Wireless Telecommunications Facilities) to the city's Code Ordinances, which established a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation, and maintenance of wireless telecommunications facilities in all areas, within the city. Per §157.04(A), all wireless telecommunications facilities are now subject to the granting of a conditional use permit.

Eukon Group, on behalf of Verizon Wireless, is seeking approval to remove and replace (6) existing 6' panel antennas, (1) 3315 raycap with (1) new 6627 raycap; install (6) new [700/850] RRUs at existing antenna sectors, (3) new combiners, (2) new hybrid cables, (1) new 6601 on existing telco rack in existing equipment shelter; remove (1) existing 1900 frame and return to asf, (1) existing 6201 cabinet in existing equipment shelter, at the existing monopole facility located at 8739 Millergrove Drive

(APN 8178-037-019), in the M-2 (Heavy Manufacturing) Zone. Since the existing monopole does not currently have a valid conditional use permit, Verizon is required to obtain one in order to complete their facility upgrades.

STREETS AND HIGHWAYS

The property has frontage on Millergrove Drive and is located between Rivera Road to the north, Enterprise Avenue to the south and Pioneer Boulevard to the west. Pioneer Boulevard is considered a major arterial within the circulation element of the general plan.

ZONING & GENERAL PLAN LAND USE DESIGNATION

The subject property, as well as the adjacent properties to the north, east, west, and south are zoned M-2 Heavy Manufacturing with a General Plan land use designation of Industrial. Properties just north of the railroad right-of-way are within the unincorporated area of Los Angeles County and are developed with single family homes.

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing for the proposed project was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on August 29, 2019. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on August 29, 2019 and published in a newspaper of general circulation (Whittier Daily News) on August 29, 2019 as required by the State Zoning and Development Laws and by the City's Zoning Regulations. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

ZONING REQUIREMENTS

Section 157.04 of the municipal code requires that all wireless telecommunications facilities have a valid conditional use permit. The procedures set forth in Section 155.711 of the Zoning Regulations state that the purpose of the conditional use permit is to allow proper integration of uses into the community which may only be suitable in specific locations or only if such uses are designed or constructed in a particular manner on the site, and under certain conditions. A conditional use permit may be granted only for uses listed as conditional uses in the various zones, and for such other uses as are set forth in other provisions of this chapter as requiring said permit.

ENVIRONMENTAL DOCUMENT

Staff finds that the wireless telecommunications facility conditional use permit meets the criteria for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities) because the facility is existing and there will be no expansion of the site. Consequently, no further environmental documents are required.

AUTHORITY OF PLANNING COMMISSION

The Planning Commission has the authority, subject to the procedures set forth in the City's Zoning Regulations, to grant a conditional use permit when it has been found that said approval is consistent with the requirements, intent and purpose of the City's Zoning Regulations. The Commission may grant, conditionally grant or deny a conditional use permit based on the evidence submitted and its own study and knowledge of the circumstances. All conditions of approval shall: be binding upon the applicants, their successors and assigns; run with the land; limit and control the issuance and validity of certificates of occupancy; and restrict and limit the construction, location, use and maintenance of all land and structures within the development.

STAFF CONSIDERATIONS

Based on the findings set forth within Resolution 128-2019 (see attachment 6), staff finds that the applicant's request meets the criteria set forth in §155.716 for the granting of a Conditional Use Permit. Staff is, therefore, recommending approval of Conditional Use Permit Case No. 802, subject to the conditions of approval as provided within Exhibit A of Resolution 128-2019.

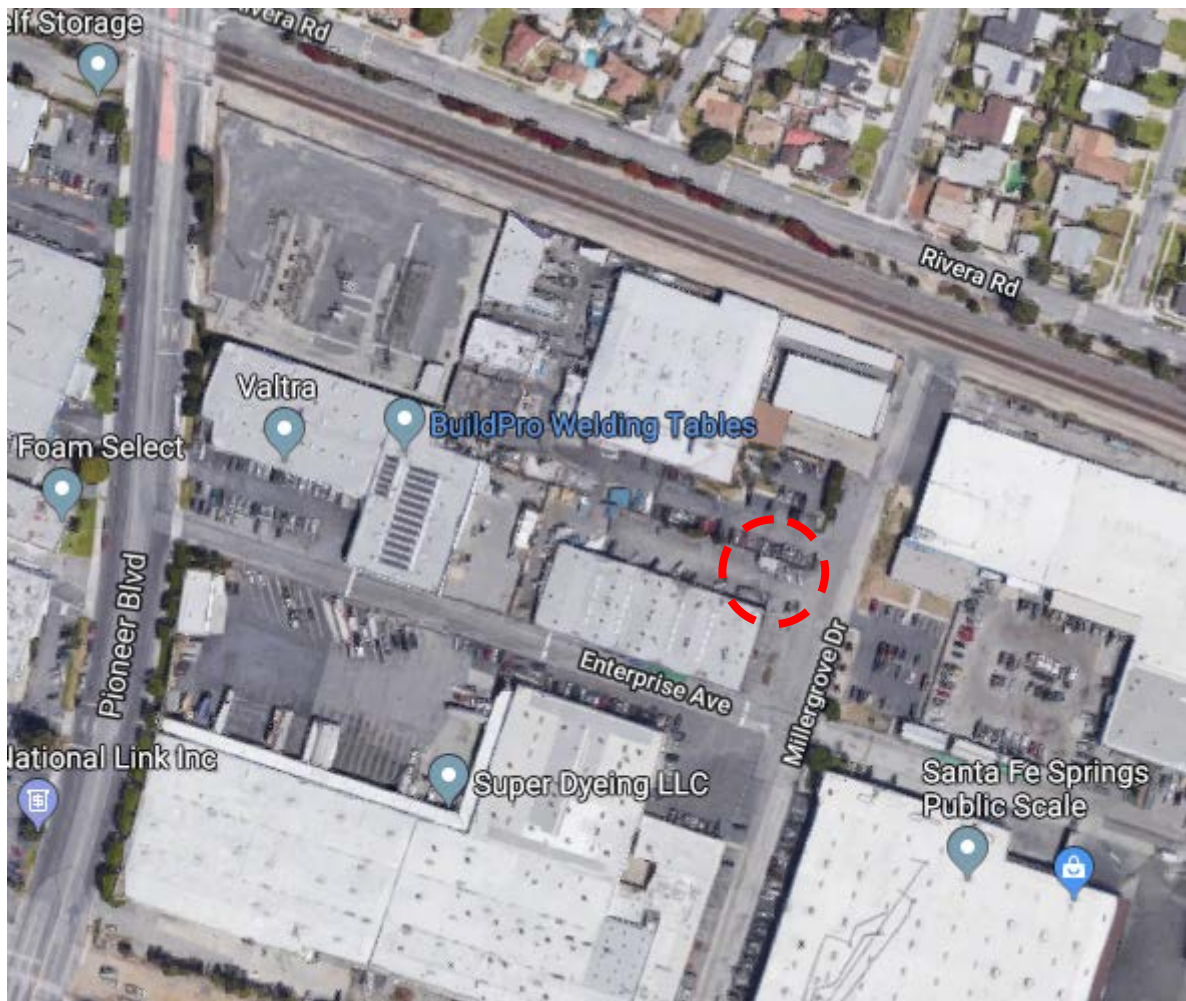


Wayne M. Morrell
Director of Planning

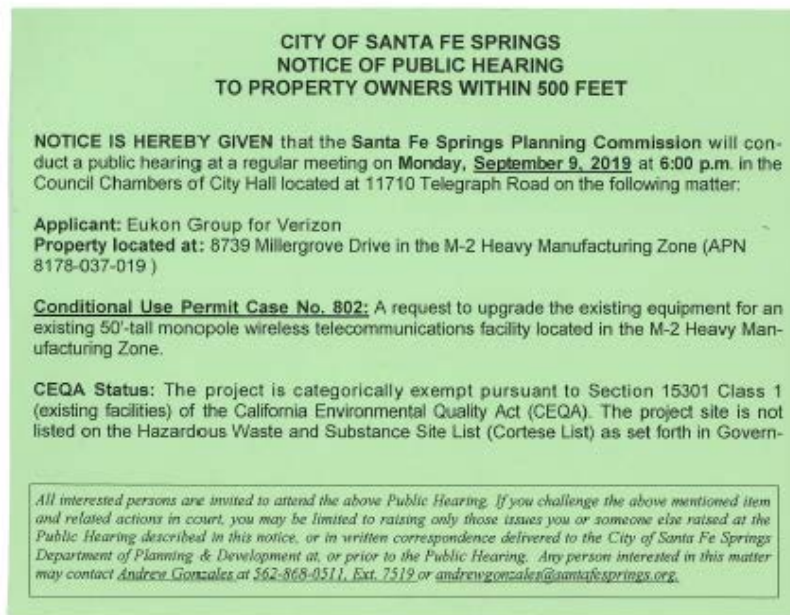
Attachments:

1. Aerial Photograph
2. Public Hearing Notice
3. Photo Simulations
4. Site Photos
5. Project Plans
 - Resolution 135-2019
 - Exhibit A – Conditions of Approval

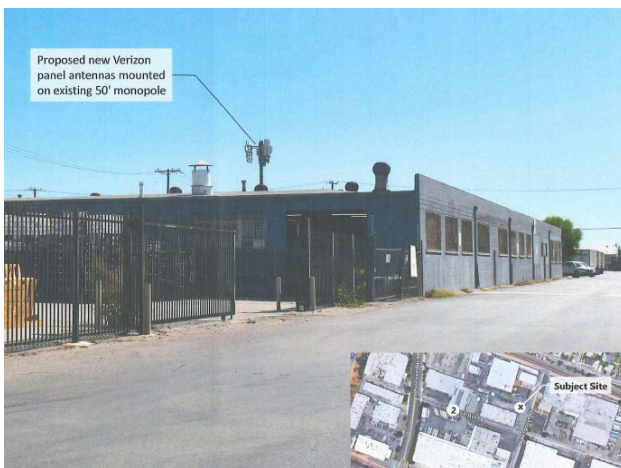
Attachment 1: Aerial View



**Conditional Use Permit No. 802
8739 Millergrrove Drive
Eukon Group (for Verizon Wireless)**

Attachment 2. Public Hearing Notice

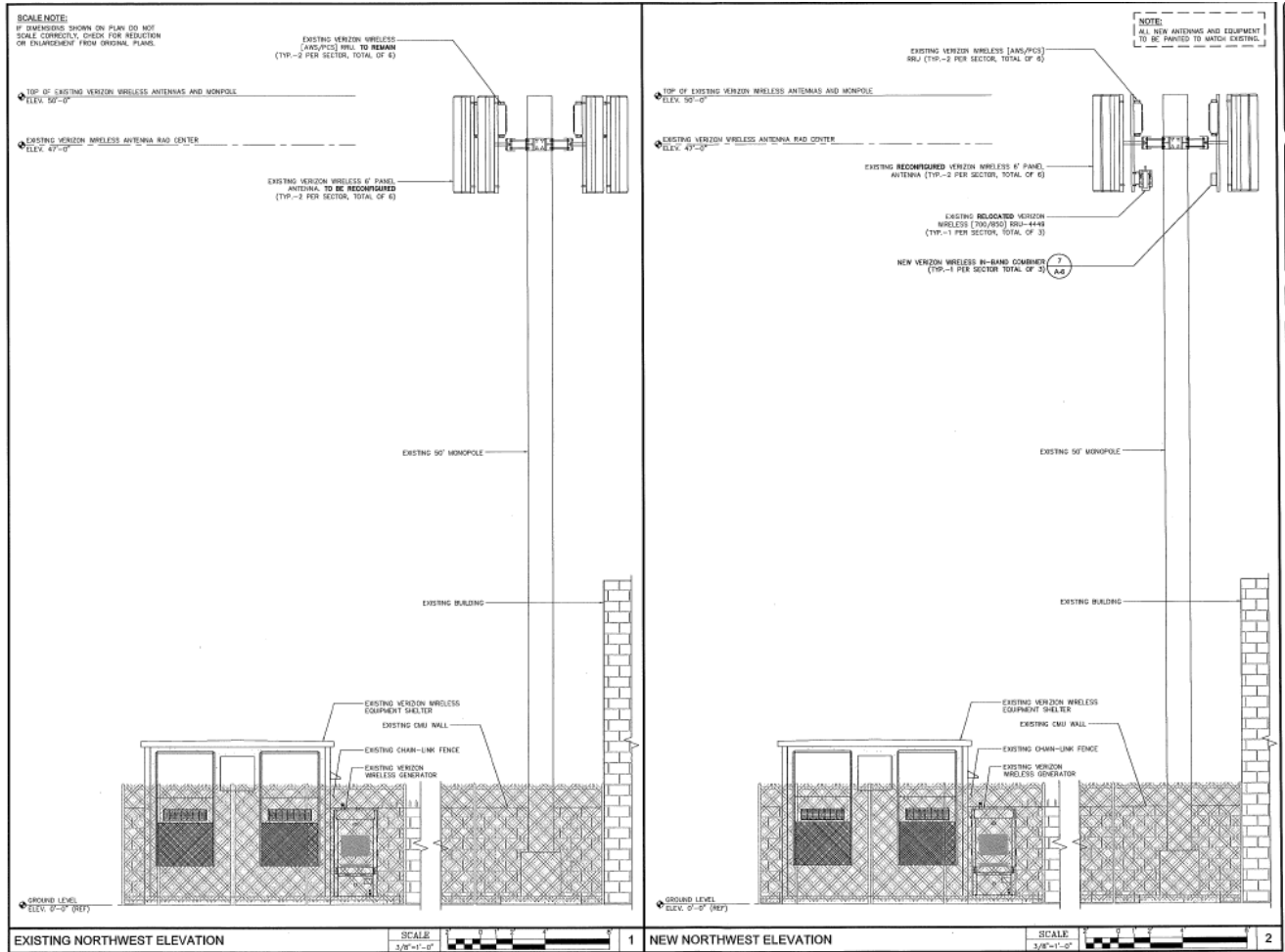
Attachment 3: Photo Simulations



Attachment 4: Site Photos



Attachment 5: Project Plans



Attachment: 6. Resolution 128-2019

- **Exhibit A – Conditions of Approval**

CITY OF SANTA FE SPRINGS
RESOLUTION No. 135-2019

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA FE SPRINGS REGARDING
CONDITIONAL USE PERMIT CASE NO. 802**

WHEREAS, a request was filed for Conditional Use Permit Case No. 802 to allow upgrades to the existing equipment for an existing 50'-tall monopole wireless telecommunications facility located at 8739 Millergrove Drive, (APN: 8178-037-019) within the M-2, Heavy Manufacturing Zone; and

WHEREAS, the subject property is located east of Pioneer Boulevard with an Accessor's Parcel Number of 8178-037-019, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is Millergrove Investments 26 LLC Attn: Abi Gabay, P.O Box 351947, Los Angeles, CA 90035; and

WHEREAS, the applicant is Eukon Group (on behalf of Verizon Wireless), Attn: Peter Hilger, 1919 Williams Street, Ste. 360, Simi Valley, CA 93065; and

WHEREAS, the facility owner is American Tower Corporation, Attn: Site 411740 – Pioneer CA, 116 Huntington Ave., 11th floor, Boston, MA 20116; and

WHEREAS, the proposed Conditional Use Permit Case No. 802 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, based on the information received from the applicant and staff's assessment, the Planning Commission has found and determined that the proposed project meets the criteria for a Categorical Exemption, pursuant to the California Environmental Quality Act (CEQA), Section 15301 – Class 1; and

WHEREAS, the City of Santa Fe Springs Planning and Development Department on August 29, 2019 published a legal notice in the *Whitter Daily News*, a local paper of general circulation, indicating the date and time of the public hearing, and also mailed said public hearing notice on August 29, 2019 to each property owner within a 500-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Santa Fe Springs Planning Commission has considered the application, the written and oral staff report, the General Plan and zoning of the subject property, the testimony, written comments, or other materials presented at the Planning Commission meeting on September 9, 2019 concerning Conditional Use Permit Case No. 802.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

Pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), the Planning Commission hereby finds and determines that the project is categorically exempt, in that the project involves upgrades to existing equipment for an existing 50'-tall monopole wireless telecommunications facility and no additional square footage is proposed. Therefore, it has been determined that additional environmental analysis is not necessary to meet the requirements of CEQA.

SECTION II. CONDITIONAL USE PERMIT FINDINGS

Pursuant to Section 155.716 of the Zoning Regulations, in studying any application for a Conditional Use Permit, the Commission shall give consideration to the following:

- A) *Satisfy itself that the proposed use will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.*

The subject site is located within the M-2, Heavy Manufacturing, Zone and has a General Plan land use designation of Industrial. Upgrades to an existing 50'-tall monopole wireless telecommunications facility, provided that a CUP is granted, would be consistent with the current zoning and land use designation.

To address concerns related to aesthetics; traffic, and ongoing maintenance conditions have been placed to help ensure the proposed upgrades to the existing 50'-tall monopole wireless telecommunications facility operates in full compliance with all performance standards set forth in the City's Zoning Regulations. The Planning Commission, therefore, finds that if the applicant operates in strict compliance with the conditions of approval, the proposed upgrades to the existing 50'-tall monopole wireless telecommunications facility would be harmonious with adjoining properties and surrounding land uses.

- B) *Give due consideration to the appearance of any proposed structure and may require revised architectural treatment if deemed necessary to preserve the general appearance and welfare of the community.*

The conditional use permit request is to upgrade equipment of an existing monopole wireless facility. The monopole facility is located approximately 728' east of Pioneer Blvd, 432' south of Rivera Rd, and 682' north of Los Nietos Rd. These large distances from public streets mitigate the facility's visual impact. Therefore, the Planning Commission finds that the proposed use will preserve the general appearance and welfare of the community.

SECTION III. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 135-2019 to determine that the proposed Conditional Use Permit is Categorically Exempt pursuant to the California Environmental Quality Act (CEQA) Section 15301, Class 1 (Existing Facilities),

and to approve Conditional Use Permit Case No. 802 to allow upgrades to existing equipment for an existing 50'-tall monopole wireless telecommunications facility located at 8739 Millergrove Drive in the M-2, Heavy Manufacturing Zone, subject to conditions attached hereto as Exhibit A.

ADOPTED and APPROVED this 9th day of September, 2019 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Frank Ybarra, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

EXHIBIT A
CUP 802 CONDITIONS OF APPROVAL

POLICE SERVICES DEPARTMENT:

(Contact: Luis Collazo 562-868-0511 x3320)

1. Verizon Wireless shall test the telecommunications system to ensure it does not interfere with the Police, Fire and City communication system. This testing process shall be repeated for every proposed frequency addition and/or change. Verizon Wireless shall be strictly liable for interference caused by their facility. Verizon Wireless shall be responsible for all labor and equipment costs for determining the source of the interference, all costs associated with eliminating the interference (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference.
2. Verizon Wireless shall provide a 24-hour phone number to which interference problems may be reported to the Director of Police Services, Director of Planning, and the Fire Chief. Said phone number shall be provided no later than 60 days from the date of approval by the Planning Commission. This condition will also apply to all existing Verizon Wireless facilities in the City of Santa Fe Springs.
3. Verizon Wireless shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all maintenance and interference issues. The name, telephone number and e-mail address of that person shall be provided to the Director of Police Services, Director of Planning, and the Fire Chief no later than 60 days from the date of approval by the Planning Commission.
4. The wireless telecommunications facility, including lighting, fences, walls, cabinets, and poles, shall be maintained by Verizon Wireless 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 adjacent surfaces.

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Andrew S. Gonzales 562-868-0511 x7519)

5. The facility shall comply with the requirements pursuant to Chapter 157 of the Santa Fe Springs Municipal Ordinance.
6. The existing lease area for the 50' wireless telecommunications facility shall remain unobstructed at all times. No outdoor storage may occur within these areas.

7. The antennas, RRHs, junction boxes and all other existing tower-mounted equipment shall be painted to match the monopole.
8. Pipe mounts shall be shortened to match the length of the equipment mounted upon them.
9. No signs, advertisements, logos, messages, banners, clocks or similar identification improvements, except FCC required signage, shall be permitted on the antenna structure or equipment shelter.
10. The applicant/operator shall be responsible for maintaining the wireless telecommunications facility in good condition and shall agree to the repair and replacement of equipment, stealth and structural components, due to damage caused by outdoor exposure and/or inclement weather. The applicant shall replace such components within 90 days of written notice by the Planning Director.
11. Insofar as is feasible, Verizon Wireless shall cooperate with any subsequent applicants for possible co-location. Said subsequent applicants shall be subject to the regulations in effect at the time of co-location.
12. Upon any transfer or lease of the wireless telecommunications facility during the term of Conditional Use Permit Case No. 802, Sprint and/or the property owner shall promptly provide a copy of the conditional use permit to the transferee or lessee and shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit. The Department of Planning and Development shall also be notified in writing of any such transfer or lease.
13. Verizon Wireless and/or the property owner shall promptly notify the Director of Planning, in writing, in the event that the use of the subject telecommunications facility is discontinued or abandoned. Verizon Wireless and/or property owner shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises to its pre-telecommunications condition so as to be in conformance with all applicable zoning codes at Verizon Wireless and/or owner's expense. All such removal, repair and restoration shall be completed within six (6) months after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety code requirements.
14. If applicable, Verizon Wireless shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 1054.
15. 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, MuniEnvironmental, at (562) 432-3700 or info@MuniEnvironmental.com.
16. The owner/applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa

Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact the Finance Department at (562) 868-0511, extension 7520 for additional information and application or one can be downloaded at www.santafesprings.org.

17. All other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
18. Verizon Wireless 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. 802, 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.
19. Conditional Use Permit Case No. 802 shall be valid for a period of ten (10) years, until September 9, 2029. Approximately three (3) months before September 9, 2029, Verizon Wireless and/or the current operator or 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.
20. It is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse.
21. The wireless telecommunications facility shall be substantially in accordance with the site plan and antenna layout plan submitted by the applicant and on file with the case.
22. If emergency generator(s) are required, the generators shall be located within the leased area, and only be operated during power outages and for testing and maintenance purposed only. The installation of emergency generator(s) shall require prior approval from the Director of Planning and Development, the Department of Fire-Rescue, and the building Division of the City of Santa Fe Springs.
23. The wireless telecommunications facility shall be continually operated in accordance with all applicable Federal regulations governing such operation, and

all other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, and City Fire Code.

24. The facility operator(s) shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the City, including cleanup, and injury or damage to persons or property. Additionally, operators shall be responsible any sanction s, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. "Pollutants" means any solid, liquid, gaseous, or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, electromagnetic waves, and waste. "Waste" includes materials to be recycled, reconditioned or reclaimed.



PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Conditional Use Permit Case No. 690-1

A request for a ten-year permit approval and equipment upgrades of the existing monopalm wireless telecommunications facility located at 9810 Painter Avenue, (APN: 8167-028-028) within the M-1-PD, Light Manufacturing – Planned Development Zone. (SBA Monarch Towers I, LLC on behalf of T-Mobile)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 690-1 and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request meets the criteria set forth in §155.716 of the Zoning Regulations for the granting of a Conditional Use Permit; and
- Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Approve Conditional Use Permit Case No. 690-1, subject to the conditions of approval as contained with Resolution No.136-2019; and
- Adopt Resolution No. 136-2019, which incorporates the Planning Commission's findings and actions regarding this matter.

GENERAL INFORMATION

- A. Applicant: SBA Monarch Towers I, LLC
Attn: Nicole Comach
1533 SE 33rd Avenue
Portland, OR 97214
(541) 228-4823
nicole@virtualsitewalk.com
- B. Facility Owner: SBA Monarch Towers I, LLC
Attn: Ashley Masuda
8051 Congress Avenue
Boca Raton, FL 33487
(561) 322-7817

- C. Property Owner: Attn: Stephen J. Rimel
190 Monarch Bay Dr.
Monarch Beach, CA 92629
(949) 499-2773
- D. Subject Property: 9810 Painter Avenue
Santa Fe Springs, CA 90670
APN: 8167-028-028
- E. Existing Zone: M-1-PD (Light Manufacturing-Planned Development Zone)
- F. General Plan: Industrial
- G. CEQA Status: Categorically Exempt (Class 1)
- H. Hearing Date: September 9, 2019
- I. Staff Contact: Claudia Jimenez, Planning Intern
claudiajimenez@santafesprings.org
(562) 868-0511 x7356

LOCATION AND BACKGROUND

On May 11, 2009, the Planning Commission took action to approve Conditional Use Permit Case No. 690, which allowed the establishment, operation, and maintenance of a new telecommunications facility stealth as a 50'-0" high monopalm at 9810 Painter Avenue, in the M-1-PD (Light Manufacturing-Planned Development) Zone. Ordinance 1090, passed September 28, 2017, added Chapter 157 (Wireless Telecommunications Facilities) to the city's Code of Ordinances, which established a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas within the city. Per §157.04(A), all wireless telecommunications facilities are required to have an individual, unique Conditional Use Permit.

The wireless carrier on this facility is T-Mobile and SBA Monarch Towers I, LLC is the facility owner. SBA Monarch Towers I, LLC has requested a 10-year extension of the conditional use permit. The purpose of this project is solely to renew the exiting Conditional Use Permit. No Modifications are being proposed at the existing monopalm located at 9810 Painter Avenue (APN 8167-028-028), in the M1- PD (Light Manufacturing- Plan Development).

Staff conducted a site visit on May 20, 2019 to determine if the facility was in compliance with all conditions of approval. Following the inspection, staff directed the

applicant to comply with the following:

- All palm fronds to be replaced and lease area to be cleared of debris

Staff conducted a follow-up inspection on September 3, 2019 and confirmed all work had been completed.

STREETS AND HIGHWAYS

The subject property has frontages on Painter Avenue to the west and Carmenita Road to the east. Painter Avenue is designate as a Secondary Highway and Carmenita Road is designated as a Major Arterial within the Circulation Element of the City's General Plan.

ZONING & GENERAL PLAN LAND USE DESIGNATION

The subject property and the properties to the south are zoned M-1-PD, Light Manufacturing-Planned Development. The properties to the south are developed with industrial/warehouse buildings used for light manufacturing and incidental office uses. The property to the north is a vacant lot within the unincorporated Los Angeles County. The property to the west is also in unincorporated Los Angeles County, but developed with single family residential units. The properties to the east, across Carmenita Road, are zoned R-1, Single-Family Residential, and are developed with single family residential homes; these homes are within the City boundaries.

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing for the proposed project was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on August 29, 2019. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on August 29, 2019, and published in a newspaper of general circulation (Whittier Daily News) on August 29, 2019, as required by the State Zoning and Development Laws and by the City's Zoning Regulations. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

ZONING REQUIREMENTS

The procedures set forth in Section 155.711 of the Zoning Regulations state that the purpose of the conditional use permit is to allow proper integration of uses into the community which may only be suitable in specific locations or only if such uses are designed or constructed in a particular manner on the site, and under certain conditions.

A conditional use permit may be granted only for uses listed as conditional uses in the various zones, and for such other uses as are set forth in other provisions of this chapter as requiring said permit.

ENVIRONMENTAL DOCUMENT

Staff finds that the wireless telecommunications facility conditional use permit meets the criteria for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities) because the facility is existing and there will be no expansion of the site. Consequently, no further environmental documents are required.

AUTHORITY OF PLANNING COMMISSION

The Planning Commission has the authority, subject to the procedures set forth in the City's Zoning Regulations, to grant a conditional use permit when it has been found that said approval is consistent with the requirements, intent and purpose of the City's Zoning Regulations. The Commission may grant, conditionally grant or deny a conditional use permit based on the evidence submitted and its own study and knowledge of the circumstances. All conditions of approval shall: be binding upon the applicants, their successors and assigns; run with the land; limit and control the issuance and validity of certificates of occupancy; and restrict and limit the construction, location, use and maintenance of all land and structures within the development.

STAFF CONSIDERATIONS

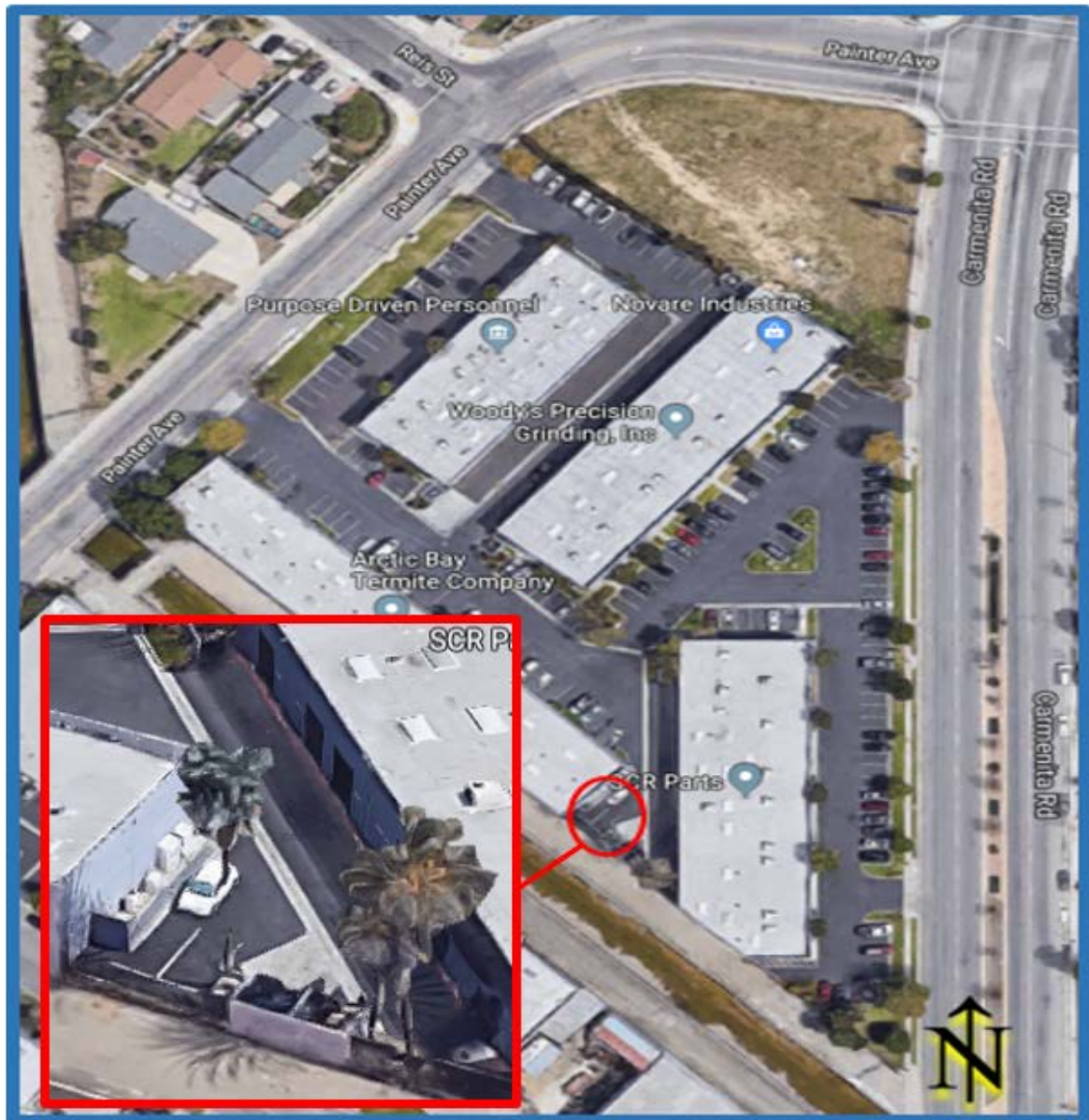
Based on the findings set forth within Resolution 136-2019 (see attachment 6), staff finds that the applicant's request meets the criteria set forth in §155.716 for the granting of a Conditional Use Permit. Staff is, therefore, recommending approval of Conditional Use Permit Case No. 690-1, subject to the conditions of approval as provided within Exhibit A of Resolution 136-2019.


Wayne M. Morrell
Director of Planning

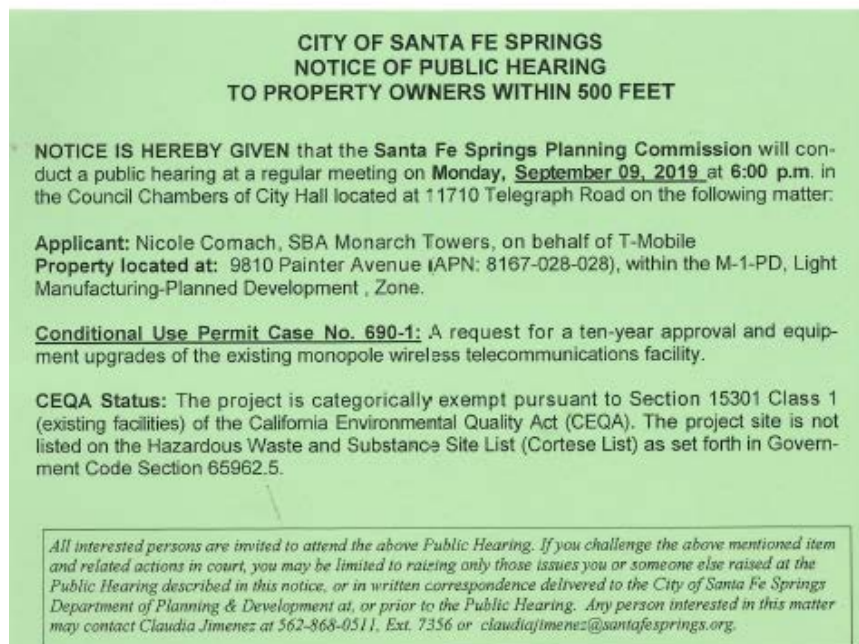
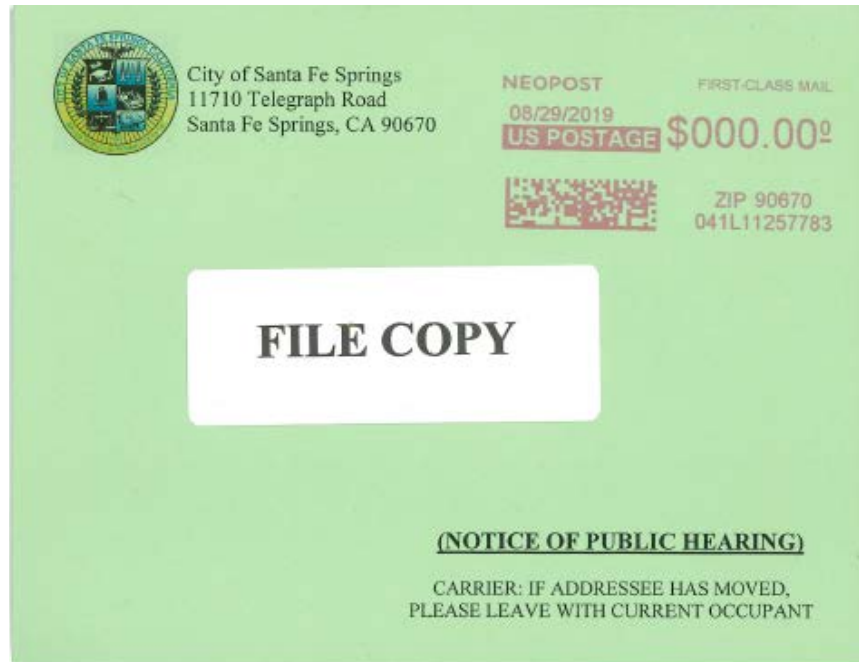
Attachments:

1. Aerial Photograph
2. Public Hearing Notice
3. Photo Simulations
4. Site Photos
5. Project Plans
6. Resolution 136-2019
 - Exhibit A – Conditions of Approval

Attachment 1: Aerial View



**Conditional Use Permit Case No, 690-1
9810 Painter Avenue
SBA Monarch Tower I, LLC**

Attachment 2: Public Hearing Notice

Attachment 3: Photo Simulations

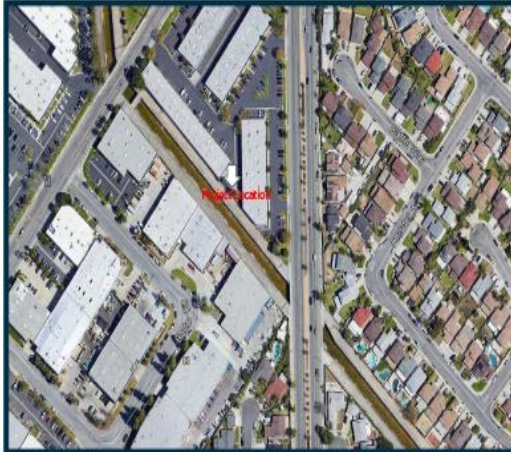
Carmenita Painter

CA40810

9810 Painter Ave - Whittier, CA 90605



View 1



Location Map



Proposed

Notes: Looking North West at Proposed Project



Existing

Applicant

Contact

8051 Congress Ave
Boca Raton, FL 334878051 Congress Ave
Boca Raton, FL 33487

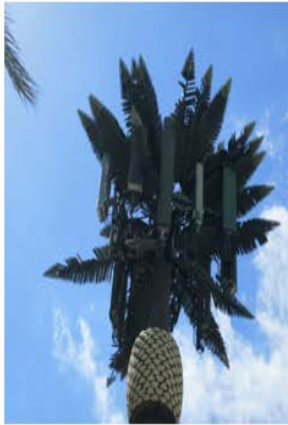
Photographic Visualizations Provided By:

Acom
CONSULTING, INC.5300 SW Meadows Rd, Suite 150
Lake Oswego, OR 97035
(503) 708-5382

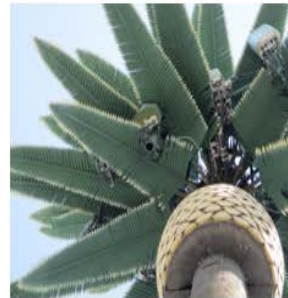
This photo simulation is being provided as a conceptual representation of the proposed wireless facility.
For exact dimensions and design, please refer to the submitted plans.

Attachment 4: Site Photos

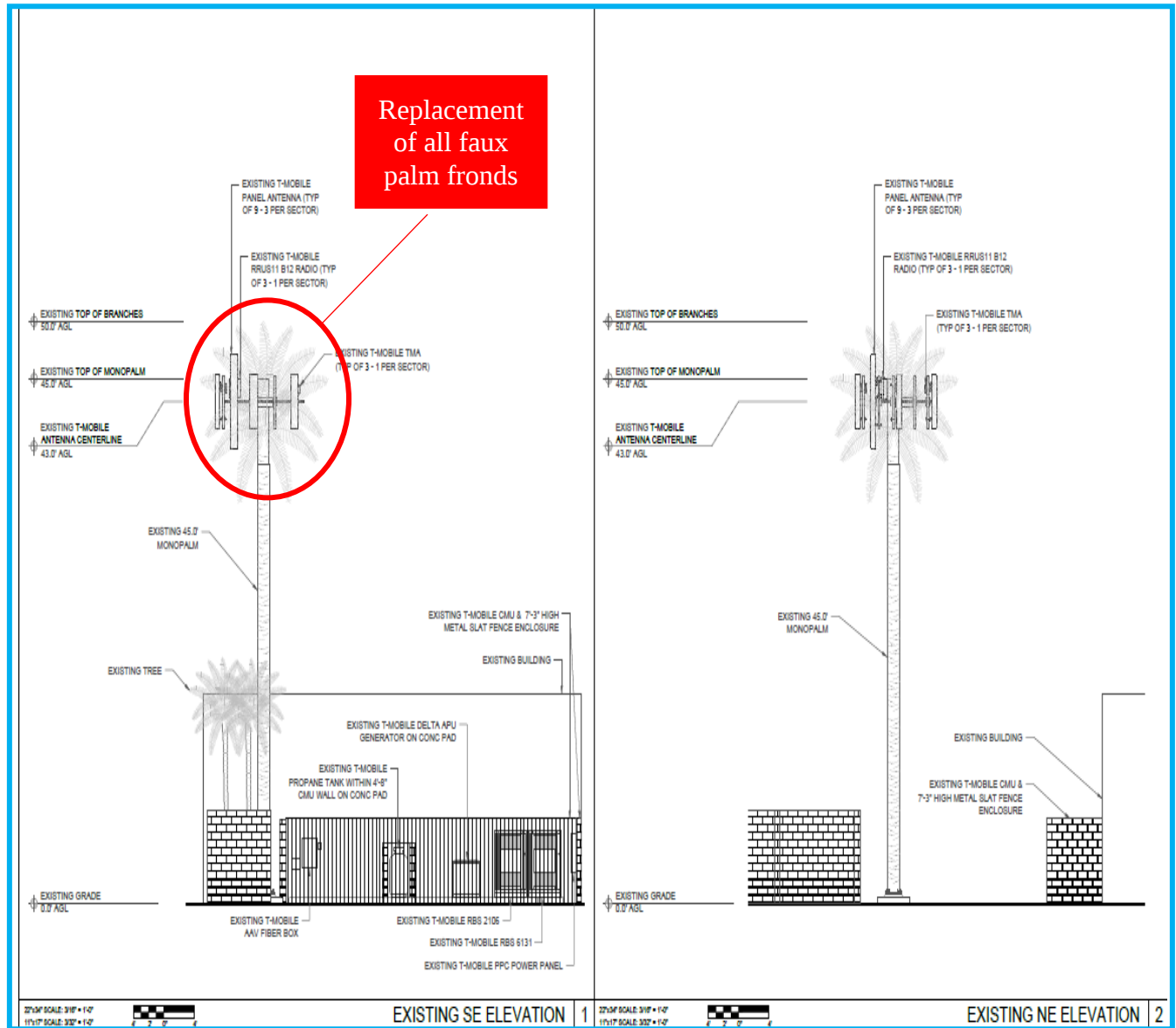
Before



After



Attachment 5: Project Plans



**Attachment 6: Resolution 136-2019
Exhibit A – Conditions of Approval**

CITY OF SANTA FE SPRINGS
RESOLUTION NO. 136-2019

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA FE SPRINGS REGARDING
CONDITIONAL USE PERMIT CASE NO. 690-1**

WHEREAS, a request was filed for Conditional Use Permit Case No. 690-1 to allow a ten-year extension of an existing monopalm wireless telecommunications facility located at 9810 Painter Avenue in the M-1-PD, Light Manufacturing-Planned Development, Zone; and

WHEREAS, the subject property is located east of Painter Avenue with an Accessor's Parcel Number of 8167-028-028, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is Stephen J. Rimel, 190 Monarch Bay Drive, Monarch Beach, CA 92629; and

WHEREAS, the wireless telecommunications facility owner is SBC Monarch Towers I, LLC, 8051 Congress Avenue, Boca Raton, FL 33487; and

WHEREAS, the proposed Conditional Use Permit Case No. 690-1 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, based on the information received from the applicant and staff's assessment, the Planning Commission has found and determined that the proposed project meets the criteria for a Categorical Exemption, pursuant to the California Environmental Quality Act (CEQA), Section 15301 – Class 1; and

WHEREAS, the City of Santa Fe Springs Planning and Development Department on August 29, 2019 published a legal notice in the *Whitter Daily News*, a local paper of general circulation, indicating the date and time of the public hearing, and also mailed said public hearing notice on August 29, 2019 to each property owner within a 500-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Santa Fe Springs Planning Commission has considered the application, the written and oral staff report, the General Plan and zoning of the subject property, the testimony, written comments, or other materials presented at the Planning Commission meeting on September 9, 2019 concerning Conditional Use Permit Case No. 690-1.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

Pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), the Planning Commission hereby finds and determines that the project is categorically exempt, in that the project involves extending the permit term of an existing facility and no additional square footage is proposed. Therefore, it has been determined that additional environmental analysis is not necessary to meet the requirements of CEQA.

SECTION II. CONDITIONAL USE PERMIT FINDINGS

Pursuant to Section 155.716 of the Zoning Regulations, in studying any application for a Conditional Use Permit, the Commission shall give consideration to the following:

- A) *Satisfy itself that the proposed use will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.*

The monopalm wireless telecommunications facility was constructed in 2009 and the Conditional Use Permit request is to extend the permit of this existing wireless facility for an additional ten (10) years. The wireless telecommunications facility is unmanned and does not adversely affect the health, peace, comfort or welfare of persons working or residing in the surrounding area. The facility does not add to the ambient noise level, generate any obnoxious odors or solid waste, nor generate additional vehicular traffic. The radio frequency emissions produced by the facility fall within the Federal Communications Commission limits.

If the applicant operates in strict compliance with the conditions of approval, the wireless telecommunications facility will be harmonious with adjoining properties and surrounding land uses. Therefore, the Planning Commission finds that the wireless telecommunications facility will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.

- B) *Give due consideration to the appearance of any proposed structure and may require revised architectural treatment if deemed necessary to preserve the general appearance and welfare of the community.*

The conditional use permit request is to extend the permit of an existing wireless telecommunications facility. The facility is designed to look like a palm tree and there are two (2) live palm trees planted adjacent to the palm to help shield it from view. Therefore, the Planning Commission finds that the proposed use will preserve the general appearance and welfare of the community.

SECTION III. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 136-2019 to determine that the proposed Conditional Use Permit is Categorical Exempt pursuant to the California Environmental Quality Act (CEQA) Section 15301, Class 1 (Existing Facilities), and to approve Conditional Use Permit Case No. 801 to allow a ten-year approval of an

existing monopalm wireless telecommunications facility located at 9810 Painter Avenue in the M-1-PD, Light Manufacturing-Planned Development Zone, subject to conditions attached hereto as Exhibit A.

ADOPTED and APPROVED this 9th day of September, 2019 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Ralph Aranda, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

EXHIBIT A
CUP 690-1 CONDITIONS OF APPROVAL

POLICE SERVICES DEPARTMENT:

(Contact: Luis Collazo 562-868-0511 x3320)

1. T-Mobile is the wireless carrier on this facility and SBA Monarch Towers I, LLC is the owner of the facility.
2. SBA Monarch Towers I, LLC shall test the telecommunications system to ensure it does not interfere with the Police, Fire and City communication system. This testing process shall be repeated for every proposed frequency addition and/or change. SBA Monarch Towers I, LLC shall be strictly liable for interference caused by their facility. SBA Monarch Towers I, LLC shall be responsible for all labor and equipment costs for determining the source of the interference, all costs associated with eliminating the interference (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference.
3. SBA Monarch Towers I, LLC shall provide a 24-hour phone number to which interference problems may be reported to the Director of Police Services, Director of Planning, and the Fire Chief. Said phone number shall be provided no later than 60 days from the date of approval by the Planning Commission. This condition will also apply to all existing Sprint facilities in the City of Santa Fe Springs.
4. SBA Monarch Towers I, LLC shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all maintenance and interference issues. The name, telephone number and e-mail address of that person shall be provided to the Director of Police Services, Director of Planning, and the Fire Chief no later than 60 days from the date of approval by the Planning Commission.
5. The wireless telecommunications facility, including any trees, lighting, fences, walls, cabinets, and poles, shall be maintained by Sprint 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 adjacent surfaces.

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Claudia Jimenez 562-868-0511 x7356)

6. The facility shall comply with the requirements pursuant to Chapter 157 of the Santa Fe Springs Municipal Ordinance.

7. The existing lease area for the 50'-tall wireless telecommunications facility shall remain unobstructed at all times. No outdoor storage may occur within these areas
8. The monopalm shall be similar in shape and color to an actual 50'-tall palm tree. The monopalm shall appear healthy, full and vigorous.
9. All tower-mounted equipment shall be located completely within the length of the palm fronds. The palm fronds shall extend above, between, and below the antennas at all times. Additional palm fronds shall be installed if it is determined that the antennas and tower-mounted equipment are not sufficiently camouflaged.
10. The antennas, RRUs, raycaps and all other tower-mounted equipment shall be painted to match the palm fronds.
11. The lease area shall be kept free from debris.
12. No signs, advertisements, logos, messages, banners, clocks or similar identification improvements, except FCC required signage, shall be permitted on the antenna structure or equipment shelter.
13. The applicant/operator shall be responsible for maintaining the wireless telecommunications facility in good condition and shall agree to the repair and replacement of equipment, stealth and structural components, due to damage caused by outdoor exposure and/or inclement weather. The applicant shall replace such components within 90 days of written notice by the Planning Director.
14. Insofar as is feasible, SBA Monarch Towers I, LLC shall cooperate with any subsequent applicants for possible co-location. Said subsequent applicants shall be subject to the regulations in effect at the time of co-location.
15. Upon any transfer or lease of the wireless telecommunications facility during the term of Conditional Use Permit Case No. 690-1, SBA Monarch Towers I, LLC and/or the property owner shall promptly provide a copy of the conditional use permit to the transferee or lessee and shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit. The Department of Planning and Development shall also be notified in writing of any such transfer or lease.
16. SBA Monarch Towers I, LLC and/or the property owner shall promptly notify the Director of Planning, in writing, in the event that the use of the telecommunications facility is discontinued or abandoned. SBA Monarch Towers I, LLC and/or property owner shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises to its pre-telecommunications condition so as to be in conformance with all applicable zoning codes at SBA

Monarch Towers I, LLC and/or owner's expense. All such removal, repair and restoration shall be completed within six (6) months after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety code requirements.

17. If applicable, SBA Monarch Towers I, LLC shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 1054.
18. 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, MuniEnvironmental, at (562) 432-3700 or info@MuniEnvironmental.com.
19. The owner/applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact the Finance Department at (562) 868-0511, extension 7520 for additional information and application or one can be downloaded at www.santafesprings.org.
20. All other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
21. SBA Monarch Towers I, LLC agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Conditional Use Permit Case No. 690-1, 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.
22. Conditional Use Permit Case No. 690-1 shall be valid for a period of ten (10) years, until September 09, 2029. Approximately three (3) months before September 09, 2029, SBA Monarch Towers I, LLC and/or the current operator or 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.
23. It is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse.



PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Trucking Use Time Extension No. 4

A request to allow the continued operation and maintenance of an existing nonconforming cross-dock freight transfer facility located at 12250 Clark Street within the M-2, Heavy Manufacturing Zone. (Crown Enterprises, Inc.)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Open the Public Hearing and receive any comments from the public regarding Trucking Use Time Extension No. 4, and thereafter close the Public Hearing; and
- Find and determine that pursuant to Section 15301, Class 1 (existing facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Adopt Resolution 137-2019 to recommend that the City Council grant a six (6) year extension of Trucking Use Time Extension No. 4, subject to the conditions of approval set forth in the Memorandum of Understanding.

GENERAL INFORMATION

- A. Applicant: Crown Enterprises, Inc.
Attn: Michael Samhat
12225 Stephens Road
Warren, MI 48089
(586) 467-1711
- B. Property Owner: SFS Properties, LLC
12225 Stephens Road
Warren, MI 48089
- C. Subject Property: 12250 Clark Street
APN: 8009-020-024
- D. Existing Zone: M-2 (Heavy Manufacturing)
- E. General Plan: Industrial
- F. CEQA Status: Categorically Exempt (Class 1)

- G. Hearing Date: September 9, 2019
- H. Staff Contact: Laurel Reimer, Planning Consultant
laurelreimer@santafesprings.org
(562) 868-0511 x7354

LOCATION AND BACKGROUND

On July 24, 1969, the City Council adopted Ordinance No. 358 which prohibited trucking uses on sites fronting major or secondary highways, established a two-acre size limitation on trucking uses, and set a twenty-year amortization period for nonconforming trucking uses. Recognizing the importance of trucking services for the City's industrial base, the City Council passed Resolution 5325 on March 23, 1989 to adopt Development Standards for Trucking Uses. The resolution set forth required site improvements to upgrade the appearance of nonconforming trucking operations in exchange for the granting of a time extension to allow their continued operation.

The subject 6.3-acre property is located on the south side of Clark Street, between Norwalk Boulevard and Springdale Avenue. Its primary frontage is on Clark Street with an approximately 60 ft. wide strip of frontage along Norwalk Boulevard. Because the site exceeds two acres in size, the trucking facility was in violation of the lot size limitation set forth by Ordinance 358 and was considered a nonconforming use subject to termination. As a result, the operator was required to obtain a Trucking Use Time Extension to allow the continued use of the subject cross-dock freight transfer facility.

On September 28, 1989 the City Council approved Trucking Use Time Extension (TUTE) No. 4 to Yellow Freight System, Inc. ("Yellow Freight") to allow the operation and maintenance of a nonconforming truck facility at 12250 Clark Street. The Trucking Use Time Extension allowed the continued use of an existing cross-dock freight transfer facility subject to conditions of approval set forth in a Memorandum of Understanding ("MOU"). Such conditions included rehabilitating the facility with an upgraded office building, installing new landscape setback areas, and providing an eight-foot-high decorative masonry block wall along both the Norwalk Boulevard and Clark Avenue street frontages. The MOU granted the use to continue for a period of thirty (30) years, until September 28, 2019 (see attachment 5).

In addition to requiring substantial site improvements, the MOU stated that, "The entitlement granted herein may not be transferred without the City's written consent." Yellow Freight discontinued operations from the site in 2009 and sold the property to Crown Enterprises, Inc. ("Crown"). In accordance with the MOU, Yellow Freight requested the City's written consent to transfer the TUTE entitlement to Crown for the remainder of the MOU term. On November 9, 2009, the City Council approved the TUTE transfer from Yellow Freight to Crown, subject to the same terms and conditions set forth in the original MOU.

DESCRIPTION OF REQUEST

Crown, through its wholly owned subsidiary Central Transport, has been the site's sole operator since 2009. Central Transport's operation consists of Less Than Truckload freight movement, meaning trucks come in from multiple locations after picking up less than a full truck of freight at each stop. The freight is then brought to the terminal where it is cross-docked, i.e. unloaded, consolidated and immediately placed on outgoing trailers. Very little, if any, freight is stored on the premises. The facility at 12250 Clark Street is Crown's flagship company-owned terminal in the Los Angeles Area and is used to distribute commodities for customers throughout the greater Los Angeles region.

In 2014, Crown purchased an adjacent parcel of land located at 10622 Norwalk Boulevard. This property measures 0.74 acres in size and has been utilized as a truck repair shop. Per Section 155.241(S) of the Municipal Code, truck service or repair is a principal permitted use in the M-2 zone, provided that the site does not exceed one acre in size.

Crown first approached the City to extend the term of the MOU in 2013. At that time, the City determined it was too early to entertain an extension. Crown re-initiated conversations with the City in late 2016 and submitted a TUTE application on March 8, 2017. The city requested additional application materials, which were submitted on August 29, 2017. Several discussions have occurred between the City and Applicant over the past two years regarding the length of the extension period. Less Than Truckload contracts are negotiated for several years at a time, with an average contract length of 36 months. Given the rapid growth of e-commerce and demand for faster delivery times, trucking will remain a vital part of the economy. As such, a six (6) year extension will allow Crown Enterprises to complete two additional contract cycles.

Staff conducted an inspection of the property in August 2018 to determine if the conditions of approval listed in the MOU were being complied with. Following the inspection, the applicant was directed to comply with the following:

- Remove all fencing constructed within the front yard setback area along the Norwalk Boulevard frontage.
- Obtain permits for the electrical fence constructed around the entire perimeter of both properties.
- Condition of Approval C in the original MOU required a minimum 8'-tall decorative masonry block wall set back 30' from Norwalk Boulevard. Extend the existing block wall to include the 10622 Norwalk Boulevard frontage to shield the truck repair use from view.
- Remove paved areas in front of the new masonry block wall and replace with landscaping.

- Remove the two freestanding pole signs and unpermitted flagpole from the Norwalk Boulevard frontage.
- Condition of Approval P of the MOU restricts truck access from the Norwalk Boulevard frontage. Create an access route between 10622 Norwalk Boulevard and 12250 Clark Street to provide an access route from the main property to the repair shop.

Staff has verified that the applicant has completed the aforementioned items; consequently, the applicant is now in compliance with the conditions of approval as outlined in the MOU.

NOTICE OF PUBLIC HEARING

While not required, a notice of public hearing for the proposed extension of a nonconforming use was sent by first class mail on August 29, 2019 to all property owners within 500 feet of the exterior boundaries of the subject property. The notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on August 29, 2019, and published in a newspaper of general circulation (Whittier Daily News) on August 29, 2019. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

ENVIRONMENTAL DOCUMENT

Staff finds that the continued operation and maintenance of an existing cross-dock freight transfer facility meets the criteria for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities). The subject property has been operating as a trucking facility for over thirty years and the use will remain unchanged. Consequently, no further environmental documents are required.

STAFF CONSIDERATIONS

The attached Memorandum of Understanding sets forth the conditions of approval for the requested Trucking Use Time Extension. Staff finds that if the use operates in strict compliance with the required conditions of approval as outlined in the MOU, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Therefore, staff recommends that the Planning Commission adopt Resolution 137-2019 to recommend that the City Council grant a six (6) year extension of Trucking Use Time Extension No. 4, to continue the operation and maintenance of a cross-dock freight transfer facility use on the 6.3-acre site, subject to the conditions of approval set forth in the revised Memorandum of Understanding.



Wayne M. Morrell
Director of Planning

Attachments:

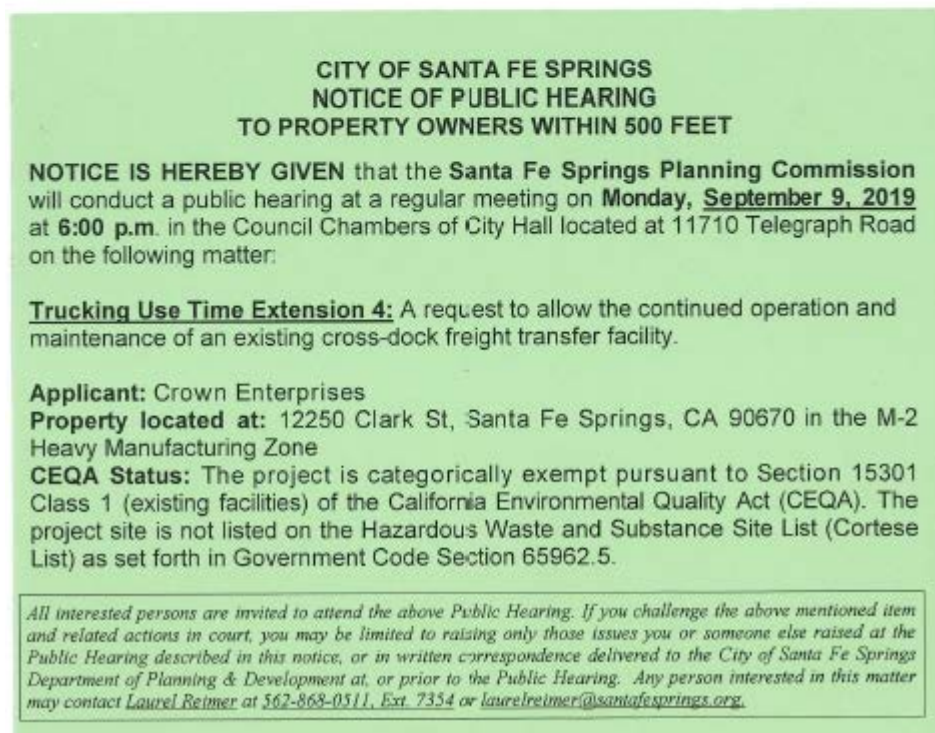
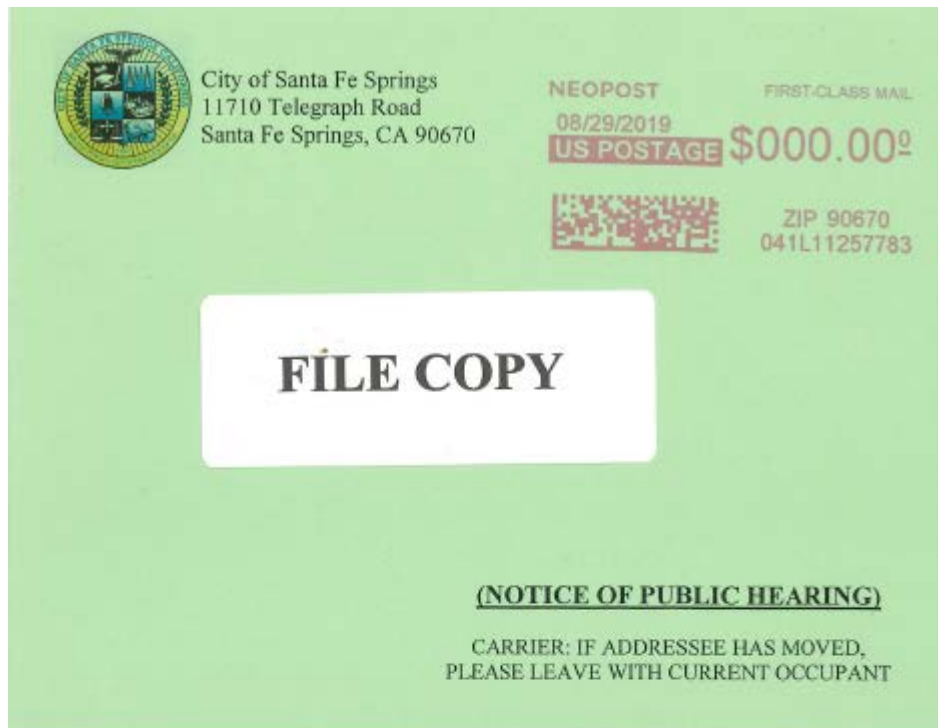
1. Location Aerial
2. Public Hearing Notice
3. Site Photos
4. March 23, 1989 Staff Report with Resolution 5325
5. Memorandum of Understanding (1989)
6. Resolution 137-2019
 - a. Memorandum of Understanding (2019)

Attachment 1: Location Aerial



**Trucking Use Time Extension 4
12250 Clark Street
Crown Enterprises, Inc.**



Attachment 2: Public Hearing Notice

Attachment 3: Site Photos

BEFORE



Figure 1: Fence within Setback



Figure 2: Fence within Setback, Pole Sign



Figure 3: Pole Sign



Figure 4: Electric Fence, Unpermitted Flagpole

AFTER



Figure 5: Fencing removed, 8' block wall constructed, landscaping installed



Figure 6: Pole signs and flagpole removed, 8' wall and landscaping installed



Figure 7: Pole sign removed, landscaping installed

Attachment 4: March 23, 1989 Staff Report with Resolution 5325

March 16, 1989

MEMORANDUM TO THE HONORABLE CITY COUNCIL

COUNCIL MEETING - MARCH 23, 1989

NEW BUSINESS

DEVELOPMENT STANDARDS - TRUCKING, TRANSIT, AND
TRANSPORTATION FACILITIES

Consideration of policy statement regarding development standards for extending non-conforming trucking facilities; adoption of Resolution No. 5325.

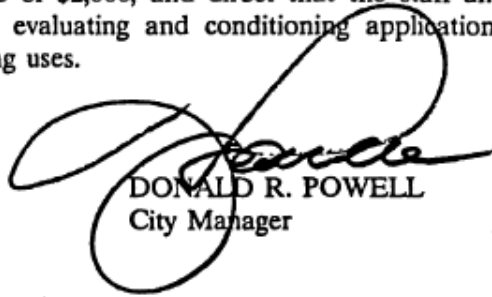
The City's Zoning Ordinance provides that when a legal non-conforming use becomes illegal due to the passage of time, application may be made to the Planning Commission for a time extension for termination of the use. The Planning Commission recommends an appropriate extension, if any, to the City Council, which makes the final determination.

There are approximately 45 trucking uses in the City which are currently illegally non-conforming. These uses include truck terminals, truck storage facilities, and truck service and repair facilities. Although the 20-year amortization period has expired for these uses, the continued availability of such trucking services locally is important to the City's current industrial base as well as its future economic development. Accordingly, the City Council has indicated a willingness to consider, on a case-by-case basis, requests for time extensions of non-conforming trucking uses.

It is recognized, however, that trucking uses, which are conducted primarily out-of-doors, have the potential to be unattractive. In extreme cases they can even be blighting influences on surrounding properties. In light of this, Council has directed staff to draft the attached Development Standards for Trucking Uses. If adopted by the Council, they will be used by staff and the Planning Commission in evaluating and conditioning applications for time extensions. The intention of these Standards is to insure that the physical facilities of any trucking use granted a time extension will conform, at a minimum, to present day development standards required of any new development. Because of the great amount of staff time that will be required to process applications, a filing fee of \$2,000 is being established by the Standards and by the adopting resolution.

RECOMMENDATION

That the City Council approve Resolution No. 5325, adopting Development Standards for Trucking Uses, including a filing fee of \$2,000, and direct that the staff and Planning Commission use these standards in evaluating and conditioning applications for time extensions of non-conforming trucking uses.



DONALD R. POWELL
City Manager

DRP:jc

RESOLUTION NO. 5325

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA FE SPRINGS ADOPTING
DEVELOPMENT STANDARDS FOR TRUCKING USES.**

WHEREAS, due to the passage of time many trucking uses in the City of Santa Fe Springs have become or soon will become illegally non-conforming; and

WHEREAS, the City's Zoning Ordinance provides that such uses may request time extensions from the City's Planning Commission; and

WHEREAS, the Planning Commission is charged with recommending to the City Council an appropriate time extension, if any, with the City Council making the final determination; and

WHEREAS, it is in the public interest for such uses, if extended by the City Council, to be physically up-graded to conform to the site development standards of new development; and

WHEREAS, a great deal of city staff time will be required to evaluate applications received for time extensions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES RESOLVE AND ORDER AS FOLLOWS:

Section 1. The attached "Development Standards for Trucking Uses" are hereby adopted.

Section 2. City staff and the Planning Commission are directed to use these standards in considering and conditioning requests for the extension of non-conforming trucking uses;

Section 3. The application fee for extension requests is set at \$2000.00.

PASSED and ADOPTED this 23 day of March, 1989

MAYOR

ATTEST:

CITY CLERK

DEVELOPMENT STANDARDS FOR TRUCKING USES

1. The minimum building setback along any street frontage shall be thirty feet (30 ft.) from the property line. The entire setback area shall be landscaped, bermed, and provided with an automatic sprinkler system, except for driveway access areas. The landscape and automatic sprinkler plans shall be designed by a State Licensed landscape architect and shall show the type, quantity and location of plant materials. The size of trees used in the landscaping shall be at a minimum 24 inch box.
2. All property boundaries visible from a public street shall be provided with a minimum eight foot (8 ft.) high decorative masonry block screen wall located in accordance with the setback requirements noted above. Gates visible from any public street shall be of solid construction or, if chainlink, provided with redwood slats for screening purposes.
3. Buildings, structures, walls, fences, signs, and parking facilities located within the setback area shall be removed.
4. The exterior walls of buildings and structures visible from any public street shall be continuously maintained in a state of good repair. All metal buildings or structures shall be either removed or completely screened from view of public streets.
5. Onsite parking, loading, maneuvering and access areas shall be improved and maintained in compliance with Division 5, Section 54.00 et.seq. of Ordinance No. 172, the City Zoning Ordinance. In addition, all unpaved areas not in use shall be landscaped or paved. All paving work shall be done to the specifications of a California certified soils engineer and shall be subject to the approval by the City Engineer.
6. All driveways, both existing and proposed, shall be a minimum of thirty feet (30 ft.) in width and developed with alley-type radii.
7. A sufficient number of parking spaces shall be provided onsite to accommodate all employees on the largest shift, plus a minimum of five (5) additional spaces for visitor use.
8. All existing signage shall be brought into compliance with the City's Zoning Ordinance. All nonconforming signs, including freestanding pole signs and roof signs, shall be removed as required by the City Zoning Ordinance.

9. At least one (1) outdoor trash enclosure area shall be provided onsite; however, additional trash enclosure areas may be required if warranted. Trash enclosures shall be constructed to City specifications.
10. The operation(s) conducted on the subject property shall otherwise comply with the requirements of the City Fire Code, Building Code, Property Maintenance Ordinance, City Zoning Ordinance, and all other applicable local, state and federal regulations.
11. An application for time extension will only be considered complete when accompanied by a notarized affidavit from the applicant acknowledging his understanding that trucking uses and operations that do not have a valid Conditional Use Permit are illegal nonconforming uses and, therefore, subject to termination if so ordered by the City. In addition, the applicant shall acknowledge that the City, by accepting an application for time extension, does not in any way imply that a time extension will be granted.
12. The application fee for requesting a time extension shall be two thousand dollars (\$2,000.00).
13. In addition to the above, the Planning Commission and City Council may impose any other conditions of approval they deem necessary.

Attachment 5: Memorandum of Understanding (1989)

RECORDING REQUESTED BY AND MAIL TO **90 438469** **(4)**

NAME Dept. of Planning and Development

STREET City Hall

CITY 11710 Telegraph Road

Santa Fe Springs, Ca 90670-3658

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
31 MIN. 8 A.M. MAR 19 1990

MEMORANDUM OF UNDERSTANDING

FEE \$17.00

This Memorandum of Understanding ("MOU"), dated 10/20/89, is entered into by and between the City of Santa Fe Springs, a body corporate and politic of the State of California ("City"), and Yellow Freight System, Inc., a motor freight shipping company located at 12250 Clark Street, within the City of Santa Fe Springs ("Applicant").

1. Purpose of MOU.

The purpose of this MOU is to set forth the conditions under which the Applicant may continue the operation and maintenance of a nonconforming motor freight shipping and cross-dock commodities transfer facility in the City of Santa Fe Springs. Section 51.17 of the City Zoning Ordinance allows for an extension of time for nonconforming uses if the City Council finds that circumstances so warrant.

On March 23, 1989, the City Council passed Resolution No. 5325 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements which must be complied with in connection with a Trucking Use Time Extension. Recognizing that many trucking uses in the City have already become or will soon become nonconforming uses, it is the intent of the Development Standards to upgrade the appearance and operation of these nonconforming uses in consideration for an extension of the termination date.

2. Responsibility of City.

The City of Santa Fe Springs hereby agrees to grant an extension of the required termination date for the nonconforming motor freight transfer facility, thereby allowing the lawful operation of the Applicant's freight shipping use on the subject site for a period of thirty (30) years, until September 28, 2019.

3. Responsibility of Applicant.

The Applicant agrees to fully comply with all of the conditions of approval as set forth in No. 4 below within the prescribed time periods as set forth below. Failure to comply with any of the conditions of approval will be considered a breach of this MOU.

4. Conditions of Approval.

The City Council hereby grants to Yellow Freight System, Inc. a Trucking Use Time Extension to allow the operation and maintenance of a nonconforming motor freight shipping and commodities transfer facility on property located at 12250 Clark Street subject to the following conditions:

- a. That the Applicant shall submit for approval a detailed landscape and automatic sprinkler system for all onsite and parkway landscape areas located along Norwalk Boulevard and Clark Street. Said landscape plan shall indicate the location and type of all plant materials to be used, and shall include 3 ft berms, 24" box trees, and an automatic sprinkler system to provide full coverage for all landscape areas. Said landscape and irrigation plan shall be submitted for approval within sixty (60) days, by November 28, 1989, and shall be installed by the applicant and approved by the City's Director of Planning and Development prior to occupancy and use of the subject site.
- b. That the subject property shall be continuously maintained in a neat and orderly manner at all times; all trucks, tractors and trailers and related equipment shall, at all times, be parked/stored only within the interior of the subject site.
- c. That the Applicant shall provide a minimum 8 ft high decorative masonry block wall along both the Norwalk Blvd. and Clark Street frontages, exclusive of driveway access, setback from the street facing property lines 20 ft and 30 ft, respectively. In addition, an 8 ft high decorative masonry screen wall shall be provided along the entire 571 ft length of the east side property line. Said masonry block screen walls shall be completely installed, inspected and granted final approval by the City's Building Division prior to occupancy and use of the subject site. At such time as the adjoining properties along Norwalk Boulevard are redeveloped, the applicant shall comply with the 30 ft landscaped setback and 8 ft high block wall requirement along the Norwalk Blvd. frontage.
- d. That the City reserves the right for the term of this MOU to require the applicant to install additional decorative masonry block wall screening should the City's Director of Planning and Development determine that such additional screening is necessary.

- p. That the applicant shall not, for the term of this MOU, allow truck access through the Norwalk Blvd. frontage.
- q. That the applicant shall pay to the City the water trunkline fee of \$2,000.00 per acre of land (\$12,600.00).
- r. That the applicant shall install all street improvements on Norwalk Blvd. required by the City's Director of Public Works.
- s. That the Applicant shall pay the Trucking Use Time Extension application fee in the amount of Two Thousand dollars (\$2,000.00), within 30 days of the effective date of this MOU, by October 14, 1989.
- t. That the motor freight and commodities transfer use conducted on the subject site shall otherwise comply with all applicable requirements of the City Fire Code, Building Code, Property Maintenance Ordinance, City Zoning Ordinance, and any other applicable local, state or federal regulations.

5. Assignment.

The entitlement granted herein may not be transferred without City's written consent.

6. Institution of Legal Actions.

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or obtain any other remedy consistent with the purpose of this MOU. Such legal actions must be instituted in the Superior Court of the County of Los Angeles, State of California.

7. Applicable Law.

The laws of the State of California shall govern the interpretation and enforcement of this MOU.

8. Notices, Demands and Communications Between the Parties.

Formal notices, demands and communications between the City and the Applicant shall be given by personal service or registered or certified mail, postage prepaid, return receipt requested, to the principal offices of City and Applicant, as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses either party may from time to time designate by mail as provided in this MOU.

To City: Director of Planning and Development
City Hall, Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

To Applicant: Mr. Richard Hemphill
c/o Yellow Freight Systems, Inc.,
10990 Roe Avenue
Overland Park, Kansas 66207

9. Conflict of Interest.

- (a) No member, official or employee of the City shall have any personal interest, direct or indirect, in this MOU, nor shall any such member, official or employee participate in any decision relating to the MOU which effects his personal interest or the interests of any corporation, partnership or association in which he is directly or indirectly interested.
- (b) Applicant warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this MOU. Third parties, for the purposes of this clause, shall not include persons to whom fees were paid for professional services if rendered by attorneys, accountants, engineers, architects and the like when such fees are considered necessary by Applicant.

Attachment 6: Resolution 137-2019

CITY OF SANTA FE SPRINGS
RESOLUTION NO. 137-2019

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA FE SPRINGS REGARDING TRUCKING USE
TIME EXTENSION 4**

WHEREAS, the City of Santa Fe Springs has reviewed and considered the proposed Trucking Use Time Extension to allow the continued operation and maintenance of an existing nonconforming cross-dock freight transfer facility located at 12250 Clark Street within the M-2, Heavy Manufacturing Zone; and

WHEREAS, notice of the public hearing was given; and

WHEREAS, the City of Santa Fe Springs Planning Commission conducted a public hearing on September 9, 2019, at which time it received public testimony concerning the proposed Trucking Use Time Extension.

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

SECTION I. The Planning Commission finds that the facts in this matter are as follows:

1. That the facts in this matter are as stated in the September 9, 2019 staff report regarding the Trucking Use Time Extension.
2. That the Planning Commission finds that pursuant to Section 15301, Class 1 (existing facilities) of the California Environmental Quality Act (CEQA), this project is Categorically Exempt.
3. That the Planning Commission recommends that the City Council grant a six (6) year extension of Trucking Use Time Extension No. 4, subject to the conditions of approval set forth in the Memorandum of Understanding attached hereto as Exhibit A.

PASSED and ADOPTED this 9th day of September, 2019.

Frank Ybarra, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

Exhibit A

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU"), dated September ____, 2019 is entered into by and between the City of Santa Fe Springs, a body corporate and politic of the State of California ("City"), and Crown Enterprises, Inc. ("Applicant"), the owners of the property located at 12250 Clark Street, upon which the subject trucking operation is conducted, and supersedes the previous MOU between the above noted parties.

1. Purpose of MOU.

The purpose of this MOU is to set forth the conditions under which the Applicant may continue the operation and maintenance of a nonconforming cross-dock freight transfer facility in the City of Santa Fe Springs. Section 155.401 of the City Zoning Ordinance allows for an extension of time for nonconforming uses if the City Council finds that circumstances so warrant.

On March 23, 1989, the City Council passed Resolution No. 5325 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements which must be complied with in connection with a Trucking Use Time Extension. Recognizing that many trucking uses in the City would become nonconforming uses, it was the intent of the Development Standards to upgrade the appearance and operation of these nonconforming uses in consideration for an extension of the termination date.

2. Responsibility of City.

The City of Santa Fe Springs hereby agrees to grant an extension of the required termination date for the nonconforming cross-dock freight transfer facility, thereby allowing the lawful operation of the Applicant's cross-dock freight transfer use on the subject site for a period of six (6) years, until September 28, 2025.

3. Responsibility of Applicant

The Applicant agrees to fully comply with all of the conditions of approval as set forth in No. 4 below within the prescribed time periods as set forth below. Failure to comply with any of the conditions of approval will be considered a breach of this MOU.

4. Conditions of Approval.

The City Council hereby grants to Crown Enterprises, Inc. a Trucking Use Time Extension to allow the operation and maintenance of a nonconforming cross-dock freight transfer facility on property located at 12250 Clark Street subject to the following conditions:

- a. That the Applicant shall provide landscaping and an automatic sprinkler system for all onsite and parkway landscape areas located along Norwalk Boulevard and Clark Street. Said landscaping shall include 3 ft. berms, 24" box trees, and an automatic sprinkler system to provide full coverage for all landscape areas.
- b. That the subject property shall be continuously maintained in a neat and orderly manner at all times; all trucks, tractors and trailers and related equipment shall, at all times, be parked/stored only within the interior of the subject site. Landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing of lawns, weeding, fertilizing, removal of litter, and replacement of plants when necessary and the regular watering of all plantings.
- c. That the Applicant shall provide a minimum 8 ft. high decorative masonry block wall along both the Norwalk Boulevard and Clark Street frontages, exclusive of driveway access, setback from the street facing property lines 30 ft. and 20 ft., respectively. In addition, an 8 ft. high decorative masonry screen wall shall be provided along the entire 571 ft. length of the east side property line. Said masonry block screen walls shall be completely installed, inspected and granted final approval by the City's Building Division prior to occupancy and use of the subject site. At such time as the adjoining properties along Norwalk Boulevard are redeveloped, the applicant shall comply with the 30 ft. landscaped setback and 8 ft. high block wall requirement along the Norwalk Boulevard frontage.
- d. That the City reserves the right for the term of this MOU to require the applicant to install additional decorative masonry block wall screening should the City's Director of Planning determine that such additional screening is necessary.
- e. That the applicant shall pave the entire site area used for the parking, storage or maneuvering of trucks, tractors, trailers or related equipment in accordance with Sections 155.475 through 155.502 of the City Zoning Ordinance. Said paving shall include a continuous curb or wheel stop around the interior perimeter of the site, or other such method of preventing trucks, tractors or trailers from backing into or otherwise hitting any fence, gate or wall. Said paving and curb or wheel stop shall be completely installed prior to occupancy and use of the subject site.
- f. That no wrecked, salvaged, abandoned or inoperative vehicles of any kind shall be parked or stored on the subject site at any time.

- g. That an approved trash enclosure shall be provided on the subject site.
- h. That all chain link fences and gates shall be provided with redwood slats, or other similar screening material.
- i. That the subject site shall not be used by tanker truck or any other such vehicle used for the bulk transport, shipping or storage of liquid material, except that fuel tankers may enter upon the site only as needed for the periodic refueling of the applicant's 10,000 gallon diesel fuel tank.
- j. That the applicant shall not, for the term of this MOU, allow truck access through the Norwalk Boulevard frontage.
- k. That the applicant shall install all street improvements on Norwalk Boulevard required by the City's Director of Public Works.
- l. That the cross-dock freight transfer facility conducted on the subject site shall otherwise comply with all applicable requirements of the City Fire Code, Building Code, Property Maintenance Ordinance, City Zoning Ordinance, and any other applicable local, state or federal regulations.

5. Assignment

The entitlement granted herein may not be transferred without City's written consent.

6. Institution of Legal Actions.

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or obtain any other remedy consistent with the purpose of this MOU. Such legal actions must be instituted in the Superior Court of the County of Los Angeles, State of California.

7. Applicable Law.

The laws of the State of California shall govern the interpretation and enforcement of this MOU.

8. Notices, Demands and Communications Between the Parties.

Formal notices, demands and communications between the City and the Applicant shall be given by personal service or registered or certified mail, postage prepaid, return receipt requested, to the principal offices of City and Applicant, as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses either party may from time to time designate by mail as provided in this MOU.

To City:

Director of Planning
City Hall, Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 906470

To Applicant:

Crown Enterprises, Inc.
Attn: Michael Samhat
12225 Stephens Road
Warren, MI 48089

9. Conflict of Interest.

- a. No member, official or employee of the City shall have any personal interest, direct or indirect, in this MOU, nor shall any such member, official or employee participate in any decision relating to the MOU which effects his personal interest or the interests of any corporation, partnership or association in which he is directly or indirectly interested.
- b. Applicant warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this MOU. Third parties, for the purposes of this clause, shall not include persons to whom fees were paid for professional services if rendered by attorneys, accountants, engineers, architects and the like when such fees are considered necessary by Applicant.

10. Non-Liability of City or City Officials or Employees.

No member, official or employee of the City of Santa Fe Springs shall be personally liable to Applicant in the event of any default or breach by City or for any amount which may become due to Applicant on any obligations under the terms of this MOU.

IN WITNESS WHEREOF, City and Applicant have signed this Memorandum of Understanding as of the dates set below their signatures.

CITY OF SANTA FE SPRINGS

By: _____
Director of Planning

Date: _____

ATTEST: _____
City Clerk

APPLICANT/PROPERTY OWNER

By: _____

Title: _____

Date: _____



CONSENT ITEM

Conditional Use Permit Case No. 776-2

A compliance review to allow the continuation of storage of lubricants in excess of 100,000-gallons or more and up to 162,000-gallons on property located at 12904 Park Street (APN: 8011-017-025) in the M-2, Heavy Manufacturing, Zone. (Ron Van De Pol, Van De Pol Enterprises, LLC.)

RECOMMENDATION

That the Planning Commission take the following action:

- Take no action.

Staff is requesting that this matter be pulled, allowing a more time for the Applicant to satisfy the Public Works conditions. This matter will be returned to the Planning Commission at a later time.


Wayne Morrell
Director of Planning



City of Santa Fe Springs

Planning Commission Meeting

September 09, 2019

CONSENT ITEM

Conditional Use Permit Case No. 592-3

A compliance review to allow the continuation of a drive-through fast food restaurant on property located at 11344 Telegraph Road (APN: 8007-008-114) in the C-4, Community Development, Zone. (Mike Hansberger, Del Taco Restaurant)

RECOMMENDATIONS

That the Planning Commission take the following actions:

- Find that the continued operation and maintenance of a drive through fast food restaurant, 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. 592-3 be subject to a compliance review in ten (10) years, on or before September 9, 2029, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.153 (K) of the City's Zone regulations, drive-in restaurant uses are required to obtain a Conditional Use Permit prior to commencement of such activities. As its meeting of May 28, 2002, the Planning Commission initially approved CUP Case No 592 to allow the operation and maintenance of a drive-through restaurant.

The subject site, comprised of a single parcel (APN: 8007-008-114) measuring approximately 28,282 sq. feet, is located on the southwest corner of Bartley Avenue and Telegraph Road. The subject site is zoned C-4, Community Commercial, and is developed with a free-standing building containing a drive-through lane, a paved parking lot, a trash enclosure, and a variety of landscaping along the perimeter of the site. The restaurant specializes in offering a variety of American-style Mexican fast food items as well as American foods such as burgers, fries, and shakes.

STAFF CONSIDERATIONS

As is 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. During the recent inspection on July 2, 2019, the applicant was directed to comply with the following:

Report Submitted By: Claudia Jimenez
Planning Department

Date of Report: September 3, 2019

ITEM NO. 11 B

- Graffiti was seen in several areas of site particularly on the back parking lot curb, rear parking light pole, and the trash enclosure wall
- Repair the red led light on building facing parking lot
- Facade of the building requires replacement of broken stone veneers
- Monument sign facing Telegraph Road requires replacement of stone veneers and ground cover
- Landscape to be maintained, landscape areas to contain at least 80% living plant material and no more than
- Replace and Repair the broken "Do Not Enter" sign

Staff, recently verified that the applicant has completed the above-referenced items; consequently, the applicant is in full compliance with existing conditions of approval. Staff therefore finds that if the drive-through restaurant use 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 592-3 be subject to a compliance review in five (5) years 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.

PLANNING AND DEVELOPMENT DEPARTMENT **(Contact: Claudia Jimenez 562-868-0511 x7356)**

1. All new roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet and is visible from adjacent property or a public street at ground level shall be screened by an enclosure which is consistent with the architecture of the building and approved by the Director of Planning and Development. **(Ongoing)**
2. That no portion of the required off-street parking and loading areas shall be used for outdoor storage, manufacturing or similar uses at any time unless approved by the Director of Planning and Development. **(Ongoing)**
3. That any new electrical transformers shall be subject to the approval of the Planning Department and Fire Department. **(Ongoing)**
4. That all new fences, walls, signs and similar improvements for the proposed development shall be subject to the approval of the Fire Department and the Department of Planning and Development. **(Ongoing)**

5. The owner/developer shall agree to participate in a future street maintenance district or other type of benefit assessment district to slurry seal, resurface and reconstruct the street frontage at regular intervals (5-year, 10-year and 20-year intervals, respectively, as determined by the City Engineer). The owner shall retain the right to challenge the costs and method of spreading future assessments. **(Ongoing)**
6. Adequate "on site" parking shall be continually provided per City requirements. **(Ongoing)**
7. No common driveways shall be allowed unless approved by the City Engineer. Proposed driveways shall be located to clear existing fire hydrants, street lights, water meters, etc. All existing driveways not being used shall be removed and replaced with curb and gutter and sidewalk per city standards. **(Ongoing)**
8. That the owner/developer shall continue to maintain a Business Operations Tax Certificate (BOTC) from the Department of Finance and submit an approved Statement of Intended Use Form to the Santa Fe Springs Fire Department. **(Ongoing)**
9. That the owner/developer shall continue to comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs and all other applicable codes and regulations. **(Ongoing)**
10. That any new appurtenant improvements, textures and color schemes shall be subject to the approval of the Director of Planning and Development. **(Ongoing)**
11. That the existing development shall continue to otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the owner/developer and on file with the case. **(Ongoing)**
12. All existing buildings shall be connected to the sanitary sewers. **(Ongoing)**
13. The Department of Planning and Development shall first review and approve all new sign proposals for the development. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size, style and color of the proposed sign. All drawing shall be properly dimensioned and drawn to scale on 24" x 26" maximum size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and related sign guidelines of the City. **(Ongoing)**
14. That window signs, advertisement, posters, window art and other similar signs shall not exceed 25% of the window area and shall be subject to the sign limitations of

the underlying zone. **(Ongoing)**

15. That the owner/developer shall maintain video monitoring cameras in the interior and overlooking the parking lot and each entrance to the site. Video tapes shall be provided to the Department Police Services or the Whittier Police Department upon request. **(Ongoing)**
16. That in the event the owner/developer intends to sell, lease or sublease the subject business operation or transfer the business to another party, the Director of Planning and Development shall be notified in writing of said intentions not less than sixty (60) days prior to the signing of the agreement to transfer. **(Ongoing)**
17. ~~That the applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.~~ **(Satisfied)**
18. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post and maintain, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of vehicles and indicate that vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The applicant shall contact the Police Services Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued. **(Ongoing)**
19. 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 and Development. **(Ongoing)**
20. That the owner/developer shall receive approval from the Director of Planning and Development for the installation of any pay phones and such pay phones shall not be capable of incoming calls. **(Ongoing)**
21. That Conditional Use Permit Case No. 592-2 3 shall be subject to a compliance review in ten (10) years, on or before ~~February 11, 2019~~ September 9, 2029 to ensure the use has been continuously maintained in strict compliance with these conditions of approval. **(Revised)**

22. That the applicant, Del Taco, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject CUP, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(Ongoing)**



Wayne Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. Site Pictures
3. Corrections
4. Contract for "Don Not Enter" Sign Replacement
5. Letter Requesting Reconsideration

Attachment 1: Aerial Photograph



CITY OF SANTA FE SPRINGS



**Conditional Use Permit No. 592-3
11344 Telegraph Road. (APN: 8007-008-114)
(Mike Hansberger, Del Taco Restaurant)**

Attachment 2: Site Pictures



Attachment 3: Corrections



Attachment 4: Replacement Sign Contract**Contract**

8/19/2019

11/17/2019

Number 23732**Sold To:**

SoCalRestaurants
5 1/2 E State St ste 4
Redlands CA 92373
USA

Bill To: Same As Sold To**Ship To:**

Del Taco-Sante Fe Springs, CA_0718
11344 Telegraph Rd

Sante Fe Springs CA 90670

Cust. Contact:**Terms** 50%Dep, Bal Prior to Shipment

Qty	Description	Mfg Unit Price	Disc %	Mfg Net Price	Install	Removal	Crating	Foundation	Total
1	Freight	50.00		50.00	0.00	0.00	0.00	0.00	50.00
1	Do Not Enter Dir Face	245.00		245.00	0.00	0.00	0.00	0.00	245.00
Sub-Total:				295.00	0.00	0.00	0.00	0.00	295.00
				* 10% Estimated Sales Taxes:					29.50
				Grand Total:					324.50

Terms and Conditions:

By signing this agreement, you represent you are an authorized representative for your company and agree to the terms and conditions attached to this agreement and the above information is correct. Your initials are required on all attached pages. Purchase Order Numbers are required and must be obtained prior to shipment. Net credit terms are subject to credit approval & must be approved in writing. Credit application attached if applicable For proposal purposes only, taxes are estimated at 10% of the total amount and will be adjusted at invoicing to reflect the correct tax based on the applicable taxing authority.

Signtech Electrical Advertising, Inc.		Accepted by:	☐ Individual
By: Robert E McCarter	8/19/2019		☐ Partnership
Sales Account Executive (Print Name)	Date:	Buyer/Customer (Please Print)	
Sales Account Executive Signature		Buyer Signature	Date:
By:			
Executive Officer (Print Name)	Date:	Title	
Executive Officer Signature	Title	Email	

Attachment 5: Letter Requesting Reconsideration

**SoCal Restaurants
A Del Taco Franchisee**



June 24, 2019

FILE COPY

City of Santa Fe Springs
Attn: Claudia Jimenez
11710 Telegraph Rd
Santa Fe Springs, CA 90670

Dear Ms Jimenez:

Please accept this letter as my request for the review of Conditional Use Permit Case No. 592-3 11344 Telegraph Rd, Santa Fe Springs, Ca 90670. Since our original permit we have not changed the use of our facility as a fast food drive thru Del Taco restaurant. We have no intentions of changing this use.

Please feel free to contact me directly at 951-323-1453 (cell phone) or by email at mdhansberger@gmail.com or address 5 ½ E. State Street, Suite 4, Redlands, CA 92373. I look forward to your response in this matter and please let me know what in any additional information you might need in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Hansberger".

Mike Hansberger

5 ½ E State St, Suite 4 • Redlands, CA 92373 • (909) 793-2428 • Fax (909) 792-6179