

ATTACHMENT 1



STAFF REPORT PLOT PLAN NO. 988

TO: Planning Commission
FROM: Public Works & Development Services
DATE: December 27, 2017
CASE NO: Plot Plan No. 988

APPLICATION REQUEST: Approval of a Plot Plan to allow the construction of a warehouse building measuring approximately 170,440 square feet in the City's M-2 (Heavy Industrial) zoning district. Pursuant to Chapter 19.39 Division 10 (Site Plan Review) of the Commerce Municipal Code (CMC), a Plot Plan Review is required for any new building or structure in excess of 25,000 square feet in area.

PROPERTY LOCATION: 7140 Bandini Boulevard
Commerce, CA 90040
(APN: 6356-005-004)

APPLICANT: Gene Cipparone
on behalf of JFC International, Inc.
6494 Weathers Place Suite 170
San Diego, CA 92121

STAFF RECOMMENDATION: Planning Commission approve Plot Plan No. 988 with the Specific Findings, Conditions of Approval, and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

PUBLIC HEARING NOTICE: Notice was published in the Commerce Comet on December 14, 2017 and mailed out to property owners within 500 feet of the subject property.

ATTACHMENTS:

- A) Specific Findings for Plot Plan
- B) Conditions of Approval
- C) Initial Study and Mitigated Negative Declaration
- D) Mitigation Monitoring and Reporting Program

LAND USE, ZONING AND APPLICABLE REGULATIONS:

Project Site – 7140 Bandini Boulevard	
General Plan Designation:	Industrial
Zoning:	M-2 (Heavy Industrial)
Applicable Zoning Regulations:	Commerce Municipal Code Chapter 19.11, Manufacturing Zones; CMC Chapter 19.19, Development Standards; CMC Chapter 19.21, Off-Street Parking; CMC Chapter 19.23, Landscaping; CMC Chapter 19.39 Division 10, Site Plan Review; CMC Section 19.39.680 Basis for Approval.

SURROUNDING ZONING AND LAND USES:

Direction	Zoning	Land Use
North	Caltrans Property	Interstate 5
South	M-2	Industrial
East	M-2	Industrial
West	M-2	Industrial

ENVIRONMENTAL ASSESSMENT:

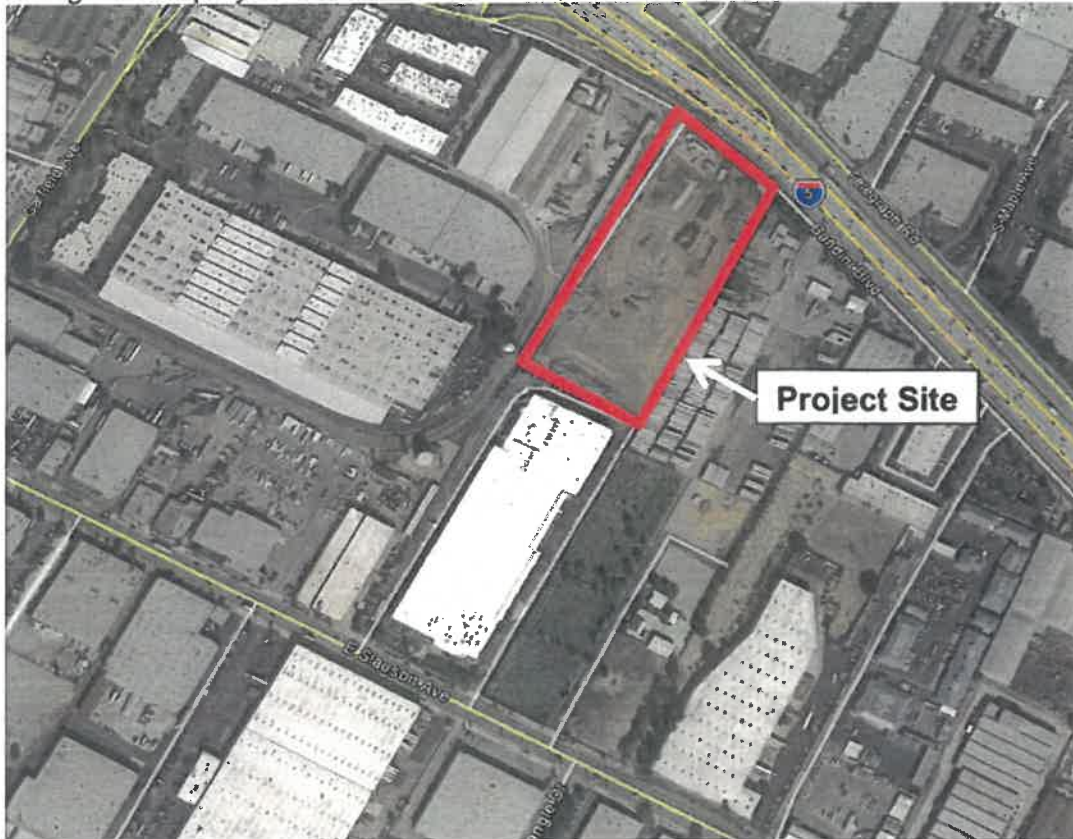
An Initial Environmental Study was prepared for the project in compliance with the California Environmental Quality Act (CEQA) and was made available for public review and comment from December 5, 2017 through December 27, 2017. The Study determined there could be impacts related to Cultural Resources and Hazards and Hazardous Materials, but through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels. Impacts to all other study areas were found to be less than significant. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have therefore been prepared for the project.

PROPERTY DESCRIPTION:

The project site is currently undeveloped land and located in the southeastern portion of the City, measuring approximately 7.495 acres (326,482 square feet). It is generally flat in nature and is situated in the City's Heavy Industrial Zoning District (M-2), surrounded by industrial uses. Previously, multiple warehouse/storage

buildings occupied the site and were demolished in 2016 in preparation of this project.

An image of the project site is shown below, outlined in red:



BACKGROUND AND ANALYSIS:

The applicant is requesting approval of a plot plan to allow the construction of a new warehouse building measuring approximately 170,440 square feet within the City's M-2 zone. Pursuant to Chapter 19.39 Division 10 (Site Plan Review) of the Commerce Municipal Code, approval by the Planning Commission is required for new buildings in excess of 25,000 square feet.

JFC International, Inc. is an international wholesale distribution business of high-quality Asian food products, serving the United States, Mexico and Canada. The proposed warehouse facility will be developed on a site that is located adjacent to their existing corporate headquarters which fronts East Slauson Avenue.

The proposed use will operate Monday through Friday with a shift from 6:00 am to 3:00 pm and a shift from 5:00 pm to 3:00 am. There will be 15 employees during the 6:00 am to 3:00 pm shift and 40 employees during the 5:00 pm to 3:00 am shift.

<p style="text-align: center;">ATTACHMENT B CONDITIONS OF APPROVAL FOR PLOT PLAN NO. 988</p>
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1. A Site Plan Review approval that is valid and in effect and granted pursuant to the provisions of Title 19 of the Commerce Municipal Code shall be valid only on the property for which it was granted and only for the improvements for which it is granted and further, shall continue to be valid upon change of ownership of the property or any lawfully existing building or structure on the property.
2. All conditions shall be binding upon the applicants, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy; and shall restrict and limit the construction, location, and use and maintenance of all land and structures within the development.
3. This permit and all rights hereunder shall terminate within twelve months of the effective date of the permit unless operations are commenced or a written time extension is granted, based on a written request submitted prior to the expiration of the one-year period as provided in Section 19.39.720 of the Commerce Municipal Code.
4. The abandonment or non-use of this approval for a period of one year shall terminate the approval without further action of the Planning Commission or City Council, and any privileges granted thereunder shall become null and void.
5. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. All parking areas shall be clearly identified. The surface parking area must be striped to clearly indicate the location and extent of vehicle parking, maneuvering areas, and drive aisles.
7. All loading must occur on-site. No short-term on-street parking will be permitted.
8. During construction, all roadways shall be kept open to traffic.
9. Equipment used for construction activities shall be properly tuned to reduce exhaust emissions.

10. Construction activities shall be stopped during first and second stage smog alerts.
11. During construction, trucks and equipment that are not in use shall shut off their engines instead of idling.
12. Construction equipment shall be kept in proper tune and mufflers shall be used on all construction equipment to reduce equipment noise.
13. Roads adjacent to the project site shall be swept as needed to reduce fugitive dust from the proposed project site.
14. All grading operations will be suspended when wind speeds (as instantaneous gusts) exceed 35 miles per hour.
15. Construction activities shall be permitted between the hours of 7:00 a.m. to 10:00 p.m. Once operational, the proposed project must conform to the City's Noise Ordinance.
16. Storage of building materials related to construction activities shall be contained within the project site.
17. The project site shall be cleared of all debris prior to the issuance of a building department final inspection.
18. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
19. Contractors and subcontractors engaged in the construction activities of the project shall obtain a business license and all required permits from the City of Commerce.
20. The contractor under the observation of the soil engineer shall conduct all clearing, site preparation, or earthwork performed on the project.
21. The soils engineer shall provide inspection for site clearing and grading in order to certify that the grading was done in accordance with approved plans and grading specifications.
22. Soils binders shall be utilized on construction sites for unpaved roads and/or parking areas.
23. The project will be required to comply with all programs adopted by the City for the reduction of solid waste.

24. Where feasible, the applicant shall use recycled materials during construction and recycle construction waste. A report shall be provided to the City of Commerce.
25. Ultra-low flow water fixtures must be installed to reduce the volume of sewage to the system.
26. The project applicant shall install energy-efficient electrical appliances and equipment in accordance with the State of California's Energy Efficiency Standards (Title 24).
27. Prior to the issuance of any occupancy permits, three (3) sets of landscaping and irrigation plans shall be prepared by a landscape architect and submitted to the City for review and approval. All designated landscaping areas shall be fully planted prior to the issuance of building permit final inspection and maintained at all times.
28. Site development shall conform to the site plan reviewed by the Planning Commission when approval of the subject project was granted.
29. Violation of any of the conditions of this approval shall be cause for revocation and termination of all rights thereunder.
30. The Public Works and Development Services Director or her designee shall have the authority to initiate proceedings to suspend or revoke a Site Plan Review approval pursuant to provisions set forth in Sections 19.39.240 through 19.39.250, inclusive, of the Commerce Municipal Code, Chapter 19.39.
31. The applicant and the contractors involved in demolition and/or construction activities must comply with all pertinent South Coast Air Quality Management District (SCAQMD) regulations and requirements governing Particulate Matter (PM10) generation (Rule 401, 403, etc.). PM10 pollution consists of very small liquid and solid particles floating in the air. These particles are less than 10 microns in diameter – about 1/7th the thickness of the human – and are known as PM10.
32. The applicant shall comply with all mitigation measures contained in the Mitigation Monitoring and Reporting Program for Plot Plan No. 988.
33. The applicant shall work with staff on the design, layout and treatment of the proposed warehouse building. The final design of the structure shall be subject to the review and approval of the City's Director of Public Works and Development Services or her designee.

34. The project shall comply with the Section 19.19.220 of the CMC (General Development Standards and Design Guidelines) as well as all other applicable sections of the CMC.
35. The applicant and future tenants will be required to obtain all pertinent operating permits from the SCAQMD for any equipment requiring such permits.
36. The proposed project shall conform to Fire, Building, and Public Works Code requirements. Notwithstanding this review, all required permits from the County Department of Building and Safety must be secured.
37. The Applicant or General Contractor shall keep the construction area sufficiently damped to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
38. All materials transported off-site shall either be sufficiently watered or securely covered to prevent excessive amounts of dust and spillage.
39. The Applicant shall ensure that the contractors adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.
40. The Applicant shall ensure that the grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing any pertinent best available control measures.
41. During construction, disposal of refuse and other materials should occur in a specified and controlled temporary area on-site physically separated from potential storm water runoff, with ultimate disposal in accordance with local, State and Federal requirements.
42. Sediment from areas disturbed by construction shall be retained on-site using structural controls to the maximum extent practicable.
43. The project shall comply with the City's Low Impact Development Standards and Green Street Policy.
44. All required permits by all permitting agencies shall be obtained for operation of said use and any construction associated with the subject request.

45. Violation of any of the conditions of the approval shall be cause for revocation and termination of all rights thereunder.
46. The Director of Public Works and Development Services or her designee is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
47. The Applicant shall sign, notarize, and return to the Public Works and Development Services Department an affidavit accepting all Conditions of Approval within 15 days from the date of the approval, unless appealed. The Applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render this Condition Use Permit non-binding as against the City and shall confer Applicant no legal rights under the law.

DEPARTMENT OF PUBLIC WORKS CONDITIONS:

GENERAL FEES REQUIREMENTS


48. Prior to issuance of grading, building or other permits as appropriate, the applicant shall pay all necessary fees to the City.
49. Sewer fee will be required in addition to the fees paid to the Los Angeles County Sanitation District, and shall be paid prior to building permit issuance.
50. Separate public encroachment permit and fee payment are required for all work in the public rights-of-way in the city.

PUBLIC WORKS REQUIREMENTS

51. The owner/developer shall be required to design and construct off-site improvements to the satisfaction and approval of the Public Works & Development Services Department.
52. Street, drainage improvements and traffic control plans shall be prepared by a registered civil engineer and shall be submitted to the Public Works & Development Services Department.
53. All work shall be done in accordance with Standard Plans for Public Works Construction (SPPWC) or as directed by the Public Works Engineer and/or the Public Works Inspector.

54. Bench Marks, Center Line Ties, and any other Survey Monumentation, shall be established and/or replaced accordingly at the completion of the project. A survey showing existing conditions, property lines, easements, utilities, etc. is required to be submitted to the Public Works & Development Services Department.
55. The required *California Environmental Quality Act* (CEQA) Study shall include a Traffic & Parking Impact Study. The Public Works & Development Services Department shall review and approve the study.
56. A geotechnical or soils report is required for the structural section of Bandini Boulevard. Said report must be prepared by a California licensed or registered civil or geotechnical engineer.

The following are required for the off-site improvements:

57. New full-width (at least 4 feet) Portland Cement Concrete (PCC) sidewalk is to be constructed along the frontage of 7140 Bandini Boulevard with the proper transitions at both ends to meet existing conditions.
58. The frontage is to be re-graded to at-grade and allow for parkway vegetation, such as grass or trees, as prescribed by the Public Works & Development Services Department. Parkway width shall be no less than 5 feet.
-  59. If the proposed installation of the full-width sidewalk (minimum 4 feet width) and parkway area encroaches onto private property, then an easement for sidewalk and parkway purposes shall be granted to the City of Commerce for future maintenance purposes. The length and width of the proposed easement shall be determined by the Public Works & Development Services Department.
60. New curb & gutter (including gutter plate) per SPPWC standards shall be installed along the frontage of 7140 Bandini Boulevard. Existing curb & gutter may be saved if they are in good condition during construction.
61. Along the proposed parkway area, install street trees at 25-foot intervals with root-barriers and install separate water meter(s) for irrigation to the satisfaction and approval of the Public Works & Development Services Department. Tree species and exact number of trees shall be determined by the Public Works & Development Services Department at a later date.
62. Fronting the property, the existing damaged street pavement of Bandini Boulevard shall be reconstructed to the street centerline. The minimum structural section(s) shall be determined by the Public Works & Development

Services Department per the recommendations in the required geotechnical or soils report. All street striping and markings shall be replaced.

63. Re-construct the two (2) driveways. These driveways shall be commercial, Type "C" & W=40' with the corresponding radius returns per SPPWC standards and as directed by the Public Works & Development Services Department.
64. New curb markings (especially red curbs) shall be installed per the direction of the Public Works & Development Services Department.
65. New or replacement parking restriction signs shall be installed per the direction of the Public Works & Development Services Department.
66. Existing parkway drains shall be replaced or repaired.
67. Coordination required with California Water Company (CalWater) for the installation of proposed water services, water meters, valves, backflow preventers, and any fire hydrants. All water-related structures, with the exception of backflow preventers, shall be installed within the public right-of-way. The backflow preventers shall be installed within private property. Approval from the Los Angeles County Fire Department required.
68. Existing fire connection and vault shall be re-located. New locations shall be determined at a later date by the Public Works & Development Service Department. Approval from the Los Angeles County Fire Department required.
69. All existing and proposed utilities shall be underground. Street lights shall be installed, if necessary, in coordination with Southern California Edison (SCE).
70. Existing power poles shall be determined if undergrounding is possible. If so, existing power poles shall be removed. Coordination with SCE required.
71. Drainage within the subject property shall be collected and required to comply with the National Pollutant Discharge Elimination System (NPDES) prior to discharge. If a storm drain system or a detention basin is required (depending on its location), additional conditions may apply.
72. There is no County maintained storm drain system along Bandini Boulevard. Serious consideration shall be given to connecting storm water drainage to Slauson Avenue, where a storm drain system does exist. County permits and plancheck review will be required in that instance.

73. Current status of existing dual advertisement billboards on-site to be determined at a later date. In the event of re-location, review required by the Public Works & Development Services Department and also from the responsible advertising agency.

The following are general requirements for off-site improvements:

74. Any existing improvements in the public right of way that are damaged, made off-grade during construction, including but not limited to the following: traffic signals, light standards, aprons, sidewalk, curb ramps, curb, and/or gutter, shall be removed and replaced with the appropriated SPPWC Standard or as directed by the Public Works & Development Services Department.
75. All site drainage shall be collected and deposited in the adjacent gutter, alley, storm drain or similar structure or device, and if necessary, filtered per NPDES regulations. Site storm and/or nuisance water shall not flow across the city sidewalk.
76. All new and existing, non-complying driveway aprons shall be constructed in accordance with SPPWC standards and shall provide a minimum 4 feet wide path of travel at no more than 2% cross-slope at the top of apron. Where limited parkway width occurs, the sidewalk shall be depressed at the back of apron to provide a disable access complying path of travel across the driveway apron. Top of driveway apron X shall be 5 feet minimum from any trees, power poles, traffic signal controllers, electric services or similar improvements in the public right-of-way.
77. All existing driveways aprons to be closed shall be removed and replaced with new curb, gutter, and sidewalk constructed in accordance with SPPWC standards.
78. All damaged or off-grade curb, gutter, and sidewalk shall be removed and replaced in accordance with SPPWC standards.
79. All existing street trees off-site and on-site shall be protected in place. Street trees shall be replaced in kind, 60" box minimum, if damaged or killed.

TITLE REPORT REQUIREMENT

80. The applicant is proposing to let remain two (2) lots. A Title Report not older than 6 months, a map showing the existing lots with the proper legal descriptions, and any recorded easements, are required for review and approval.

81. The package shall be prepared by a registered California civil engineer or land surveyor and additional pertaining information about the legal requirements, will be provided by the Public Works & Development Services Department.
82. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the applicant, the city and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the applicant's obligation to indemnify the city for all the city's costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The city shall have the right to choose its own legal counsel to represent the city's interest in the proceedings.