



PLANNING AND PRESERVATION COMMISSION

REGULAR MEETING NOTICE AND AGENDA

NOVEMBER 1, 2016 – 6:30 P.M.

COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340

CALL TO ORDER/ROLL CALL

Chair Theale E. Haupt
Vice-Chair Alvin Durham, Jr.
Commissioner Kevin Beaulieu
Commissioner Anna M. Lopez
Commissioner Yvonne G. Mejia

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

NOVEMBER 1, 2016

PUBLIC STATEMENTS – WRITTEN/ORAL

There will be a three (3) minute limitation per each member of the audience who wishes to make comments relating to City Business. Anyone wishing to speak, please fill out a form located at the Council Chambers entrance and submit it to the Commission Chair. When addressing the Planning and Preservation Commission please speak into the microphone and voluntarily state your name and address.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the Planning and Preservation Commission wishes to discuss any item, it should first be removed from the Consent Calendar.

REQUEST TO APPROVE THE MINUTES OF AUGUST 2, 2016 PLANNING AND PRESERVATION COMMISSION MEETING.

NEW BUSINESS

1) SUBJECT: LARGE FAMILY DAY CARE HOME (LFDC PERMIT 2016-001)

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – NOVEMBER 1, 2016

- APPLICANT:** STARR CARVER, 1402 HEWITT STREET, SAN FERNANDO, CA 91340
- PROPOSAL:** A REQUEST TO OPERATE A “LARGE FAMILY DAY CARE HOME” AT 1402 HEWITT STREET. THE LICENSED OPERATOR OF AN APPROVED LARGE FAMILY DAY CARE HOME IS PERMITTED TO PROVIDE SUPERVISION FOR UP TO A MAXIMUM OF FOURTEEN (14) CHILDREN, PURSUANT TO PROVISION OF DIVISION 10 OF CHAPTER 106 (ZONING) OF THE SAN FERNANDO CITY CODE.
- RECOMMENDATION:** CITY PLANNING STAFF RECOMMENDS THAT THE PLANNING AND PRESERVATION COMMISSION APPROVE THE REQUEST TO OPERATE A LARGE FAMILY DAY CARE HOME WITHIN THE R-2 (MULTIPLE FAMILY DWELLING) ZONE, PURSUANT TO PLANNING AND PRESERVATION COMMISSION RESOLUTION 2016-012 (ATTACHMENT 1), INCLUDING THE CONDITIONS OF APPROVAL NOTED THEREIN AS EXHIBIT “A”.

If, in the future, you wish to challenge the items listed above 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 Planning and Preservation Commission at, or prior to, the Public Hearing. Decisions of Planning and Preservation Commission may be appealed to the City Council within 10 days following the final action.

STAFF COMMUNICATION

Lopez Villegas House Update – Special Meeting, November 22, 2016

COMMISSIONER COMMENTS

ADJOURNMENT

DECEMBER 6, 2016

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Fred Ramirez

Signed and Posted: (October 26, 2016)

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department at (818) 898-1227 at least 48 hours prior to the meeting.



**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

**DRAFT MINUTES OF THE
AUGUST 2, 2016 MEETING
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING AT: www.ci.san-fernando.ca.us/commissionandboardmeetings/#ppc

CALL TO ORDER

The meeting was called to order by at 6:30 p.m. by Theale Haupt

ROLL CALL

The following persons were recorded as present:

PRESENT:

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners Kevin Beaulieu and Anna Lopez

ABSENT:

Commissioner Yvonne Mejia

ALSO PRESENT

Community Development Director Federico "Fred" Ramirez, City Attorney Joaquin Vazquez, Associate Planner Humberto Quintana, and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

Vice-chair A. Durham moved to approve the agenda of August 2, 2016, meeting. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

AYES:	A. Durham, K. Beaulieu, T. Haupt, and Anna Lopez
NOES:	None
ABSENT:	Y. Mejia
ABSTAIN:	None

***Commissioner Yvonne Mejia arrived at 6:32 p.m.**

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CONSENT CALENDAR

Vice-chair A. Durham moved to approve the minutes of the June 7, 2016, Planning and Preservation Commission Meeting. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

AYES:	A. Durham, K. Beaulieu, T. Haupt, A. Lopez, and Y. Mejia
NOES:	None
ABSENT:	None
ABSTAIN:	None

UNFINISHED BUSINESS

None

PUBLIC HEARING ITEM:

Zone Text Amendment 2016-001; Amending city parking rates for dental and medical clinics citywide – city of San Fernando, San Fernando, ca 91340 – amendment of the San Fernando City Code and the Parking Development Standards in the San Fernando Corridors Specific Plan (SP-4 zone) in order to adopt a uniform set of parking regulations that apply to all new proposed medical and dental clinics.

STAFF PRESENTATION

Fred Ramirez Community Development Director gave the staff presentation recommending that the Planning and Preservation Commission consider any public comments and adopt Planning and Preservation Resolution 2016-006 recommending to the City Council:

1. Adoption of the proposed ordinance (Attachment No. 2), “an ordinance of the City Council of the City of San Fernando, California amending Section 106-822 of Division 3 (vehicular parking) of Article V (General Development Standards) of Chapter 106 (zoning) of the San Fernando City Code and amending the San Fernando Corridors Specific Plan, both regarding parking rates for dental and medical clinics”; and
2. Affirm the City’s determination that the proposed ordinance establishing a uniform parking regulation for dental and medical clinics citywide that results in a parking ratio of one (1) on-site parking space required for every 150 square feet of gross floor in a new medical or dental clinic/facility in the city is exempt under the California Environmental Quality Act (CEQA) guidelines pursuant to title 14, Section 1506(b)(3) and 15305 of the California code of regulations and therefore no further environmental review is required.

PUBLIC COMMENT

None

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COMMISSION DISCUSSION

F. Ramirez explained that without any action or a recommendation to the City Council to extend or adopt an Ordinance, the moratorium was set to expire in October 2016.

Commissioner Y. Mejia moved to recommend to the City Council adoption of an Ordinance establishing a uniform parking regulation for dental and medical clinics citywide. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

AYES:	Y. Mejia, K. Beaulieu, A. Durham, T. Haupt and A. Lopez
NOES:	None
ABSENT:	None
ABSTAIN:	None

PUBLIC HEARING ITEM:

Conditional Use Permit 2016-005 – 614 and 620 Celis Street, San Fernando, CA 91340 – the proposed project is a request for the approval of a conditional use permit to allow for an existing wholesale food manufacturing use to continue to operate and expand its operation via a 3,723 square foot addition by deeming said use similar and compatible to other retail sales and service commercial uses conditionally permitted within the auto-commercial sub-district. The request of a Conditional Use Permit would allow the merger of two commercial buildings (3,204 sq. ft. and 41,172 sq. ft. each) into one building and the construction of a 3,273 sq. ft. addition. The additional square footage will accommodate new offices, storage, freezer and cooler space. The project site consists of two properties made up of seven (7), 25' x 100' lots, totaling approximately 17,500 square feet. The project site is located at the south side of the 600 block of Celis Street between Wolfskill Street and Fox Street, within the Truman/San Fernando district's Auto Commercial Sub-district of the San Fernando Corridors Specific Plan (SP-4) zone.

STAFF COMMUNICATIONS

Humberto Quintana Associate Planner gave the staff presentation recommending that the Planning and Preservation Commission approve Conditional Use Permit 2016-005, to allow for an existing wholesale food manufacturing use to continue to operate and expand its operation via a 3,723 square foot addition by deeming said use similar and compatible to other retail sales and service commercial uses conditionally permitted within the Auto-Commercial Sub-District for the property located at 614 and 620 Celis Street, pursuant to Planning and Preservation Commission Resolution 2016-007 and the "Conditions of Approval" attached as exhibit "A" to the resolution (Attachment No. 1).

COMMISSION DISCUSSION

K. Beaulieu asked if the hours of operation would change and his concern is with the exterior lighting. Is the project meeting the turning radius and the building setbacks.

F. Ramirez indicated that the project is meeting the minimum requirements and actually exceeding the building setback.

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H. Quintana indicated that the exterior lighting is identified in the conditions of approval.

Y. Mejia stated that she appreciates the façade improvements and she indicated that she applauds all small businesses.

T. Haupt asked how a large truck would be able to get in and out of the location because he doesn't want the trucks to take up the street parking.

Kevin Lubuff – the applicant indicated that the project will maintain one of the roll-up door and another one will be installed and that is 40-feet in depth and the trucks that pickup products that are 20' to 24' will be easily accommodated.

T. Haupt asked K. Lubuff for an explanation of the floor plan. He stated that his line of questions and the commission's intention is to keep Cucina Della Cucina in business and keep you at the location.

K. Lubuff stated that he and his wife will be purchasing the building and that when he first started he had three staff members and now has 25 employees and anticipates once the construction is complete, he will need to hire more personnel.

Y Mejia asked if they planned on installing a back-up generator to protect the inventory during a power outage.

K. Lubuff indicated that it is part of the proposal.

T. Haupt asked how long he anticipated the construction would take and if they would continue to operate during the construction.

K. Lubuff indicated that the construction company who will be doing the renovations actually did a previous addition for them and they were able to operate during that construction. He noted that the contractor had informed him that they would accommodate them for this renovation. He indicated that he anticipates the construction will take a total of six months to complete.

PUBLIC COMMENTS

T. Haupt opened the Public Hearing for comments, questions, and concerns at 7:14 p.m.

T. Haupt closed the Public Hearing at 7:15 p.m.

Subsequent to discussion Commissioner K. Beaulieu moved to approve CUP 2016-005. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

AYES: K. Beaulieu, Y. Mejia, A. Durham, T. Haupt and
A. Lopez

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NOES: None
ABSENT: None
ABSTAIN: None

STAFF COMMUNICATIONS

None

COMMISSIONER COMMENTS

None

ADJOURNMENT

Vice-chair A. Durham moved to adjourn to a Special Meeting of Tuesday, September 13, 2016. Second by Commissioner K. Beaulieu, the motion carried with the following vote:

AYES: A. Durham, K. Beaulieu, T. Haupt, A. Lopez, and
Y. Mejia
NOES: None
ABSENT: None
ABSTAIN: None

7:40 P.M.
Fred Ramirez
Planning Commission Secretary

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MEETING DATE: November 1, 2016

PUBLIC HEARING:

1. CHAIRPERSON TO OPEN THE ITEM AND REQUEST STAFF REPORT
2. STAFF PRESENTS REPORT
3. COMMISSION QUESTIONS ON STAFF REPORT
4. OPEN THE PUBLIC HEARING
5. CLOSE THE PUBLIC HEARING
6. PLANNING AND PRESERVATION COMMISSION DISCUSSION
7. RECOMMENDED ACTION:
 - a. To Approve:

“I move to approve the request for the operation of a Large Family Day Care Home (LFDC Permit 2016-001) at 1402 Hewitt Street, pursuant to Planning and Preservation Commission Resolution 2016-012 (Attachment 1), including the Conditions of Approval noted therein as Exhibit “A”....(Roll Call Vote)
 - b. To Deny:

“I move to Deny a request to operate a Large Family Day Care Home (LFDC Permit 2016-001) at 1402 Hewitt Street, based on the following...” (Roll Call Vote)
 - c. To Continue:

“I move to continue consideration of a Large Family Day Care Home (LFDC Permit 2016-001), to a date specific date...” (Roll Call Vote)

Moved:_____ Seconded:_____

Roll Call:_____

ITEM 1:
LARGE FAMILY DAY CARE HOME PERMIT
2016-001

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AGENDA REPORT

To: Planning and Preservation Commission Chairperson Haupt and Commissioners

From: Fred Ramirez, Community Development Director
Prepared By: Braulio Moreno, Assistant Planner
Humberto Quintana, Associate Planner

Date: November 1, 2016

Subject: **Large Family Day Care Home (LFDC Permit No. 2016-001)**
1402 Hewitt Street, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No. APN 2521-008-016)

Proposal: A request to operate a "large family day care home" at 1402 Hewitt Street. The licensed operator of an approved large family day care home is permitted to provide supervision for up to a maximum of fourteen (14) children, pursuant to the provision of Division 10 of Chapter 106 (Zoning) of the San Fernando City Code.

Applicant: Starr Carver, 1402 Hewitt Street, San Fernando, CA 91340

RECOMMENDATION:

City Planning Staff recommends that the Planning and Preservation Commission approve the request to operate a large family day care home within the R-2 (Multiple Family Dwelling) Zone, pursuant to Planning and Preservation Commission Resolution 2016-012 (Attachment 1), including the Conditions of Approval noted therein as Exhibit "A".

PROJECT OVERVIEW:

On June 5, 2016, the State of California Department of Social Services issued the applicant, Starr Carver, a license to operate and maintain a small family day care home at the current residence located at 1402 Hewitt Street, under the name of Rosales Family Child Care. The applicant's State license permits the day care supervision of up to eight (8) children.

The applicant is planning to increase the number of children that are provided day care supervision in this home. Specifically, the applicant plans to provide licensed day care supervision for up to a maximum of 14 children in the residence for twenty-four hours per day, seven days per week.

BACKGROUND:

1. Zoning Designation and General Plan: The subject site is located within the R-2 (Multiple Family Dwelling) Zone and has a Medium Density Residential (MDR) General Plan Land Use designation.
2. Site Location and Description: The subject corner property located at the northwest corner of Workman Street and Hewitt Street. It is located east of South Huntington Street and north of South Workman Street on Hewitt Street. The site is located in a neighborhood that contains single-family and multiple family dwellings in an R-2 zone.

According to the Los Angeles County Assessor's Office, the 4,810 square foot subject site is currently improved with an approximate 1,804 square foot single family dwelling with an attached 657 square foot patio cover. The subject site is a reverse corner lot and is accessible by two (2) driveway approaches allowing for two (2) off-street surface parking areas. In addition, four (4) on-street parking spaces that are adjacent to the subject site are available to facilitate the pick-up and drop off of children using the day care facility at the subject site. The applicant has informed City Planning Staff that the pick-up and drop-off times for children attending the day care are staggered to ensure an unobstructed vehicular circulation pattern associated with the operation of the subject site.

3. Environmental Review: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, it has been determined that this proposal is Statutorily Exempt under CEQA, pursuant to Section 15274(a): Family Day Care Home of the CEQA Guidelines and no further environmental assessment is necessary.
4. Legal Notification: On October 21, 2016, a notice of the application for operation of a Large Family Day Care Home Permit was posted at two (2) City Hall bulletin boards and the County Public Library bulletin board. In addition, notices of this application were mailed to all property owners of record within 100 feet of the subject site on October 20, 2016, pursuant to City Code Section 106-1276(a) and California Government Code requirements and a notice was posted at the subject site. The notice identifies the applicant, describes the project and its location, and gives the earliest possible decision date.
5. Public Comments: As of the date of preparation of this staff report, no comments were received from the public regarding the subject request. Any comments received after the distribution of this report shall be read into the record at the public hearing.

ANALYSIS:

Regulatory Framework. Per City Code Section 106-352, Subsection (4), large family day care homes are allowed as permitted uses in the R-1 (Single Family Residential) Zone in accordance with Division 10 of Article VI of Chapter 106 (Zoning). In addition, Code Section 106-387(1) notes that all uses permitted in the R-1 (Single Family Residential) Zone are permitted uses in the R-2 (Multiple Family Dwelling) Zone.

California Health and Safety Code Section 1597.46 regulates the operation and permitting of large family day care homes in California. Specifically, this State statute specifies that a city shall not prohibit large family day care homes on lots zoned for single-family dwellings, but shall do one of the following:

1. Classify these homes as a permitted use of residential property for zoning purposes;
2. Grant a nondiscretionary permit to use a lot zoned for a single-family dwelling to any large family day care home that complies with local ordinances prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control relating to such homes; or,
3. Require any large family day care home to apply for a permit to use a lot zoned for single-family dwellings. The permit shall be granted if the large family day care home complies with local ordinances, if any, prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, noise control relating to such homes, and complies with the fire and life safety standards imposed upon such homes by State law and regulations adopted by the State Fire Marshal. Any noise standards shall be consistent with local noise ordinances and shall take into consideration the noise levels generated by children.

The City's Zoning Code has implemented the use of option three listed above in providing for issuance of large family day care home permits. Pursuant to City Code Section 106-1275, the Planning and Preservation Commission has the authority to review and approve a large family day care home permit application. However, a large family day care home permit is not subject to discretionary denial by the Planning and Preservation Commission if the home complies with all City ordinances and with fire and life safety standards provided by State law.

In issuing a large family day care home permit, the Planning and Preservation Commission may apply generally applicable conditions pertaining to health and safety, building standards, environmental impact standards, or any other area within the City's jurisdiction. Nuisance abatement, also within the purview of the City, can be applied provided such condition to abate a nuisance does not differentiate large family day care homes from other single-family

dwellings unless specifically allowed by State law. These conditions may include standards for spacing and concentration, traffic control, parking and noise control.

Staff Assessment. It is City Planning Staff's assessment that the operation of a large family day care home at this location will not have any adverse effect on neighboring properties or the neighborhood. Moreover, Conditions of Approval applicable to the operation of the facility (as noted in Exhibit "A" of Attachment No. 1) shall be consistent with current standards applicable to operation of such facilities.

The applicant's compliance with all the noted Conditions of Approval (Attachment 1, Exhibit "A") and additional State requirements, will ensure that the increase in number of children present on-site will not impede or cause significant effects on the surrounding neighborhood.

Pursuant to the recommended Conditions of Approval (Attachment 1, Exhibit "A"), the applicant is required to use the driveway along Hewitt Street as the designated drop-off and pick-up area for the Large Family Day Care home ("LFDC"). Also, as listed in the Conditions of Approval, the applicant/day care operator shall reside on the single-family residence and comply with all State, Federal and local regulations, applicable to similar LFDC facilities.

In light of the above analysis, it is City Planning Staff's assessment that the proposed operation, subject to the Conditions of Approval recommended by staff (Attachment 1, Exhibit "A"), will maintain use of a large family day care home facility at the subject site in a manner that is compatible with surrounding residential land uses.

Findings. As noted above, City Planning Staff has reviewed the proposed operation of a large family day care home, subject to conditions of approval at this location with respect to the findings that are currently required for issuance of large family day care home permits. It is staff's assessment that the findings for approval of the proposed operation of a large family day care home permit can be made in this instance based on the aforementioned discussion, and as explained below.

- **The proposed use is properly designed and complies with the requirements of the zone in which it is proposed.**

According to the Los Angeles County Assessor's Office, the subject property is developed with an approximate 1,804 square foot single family dwelling with an attached 657 square foot patio cover in the R-2 (Multiple Family Dwelling) Zone. The existing residence will continue to be the primary use of the property and the Large Family Day Care (LFDC) facility will be an accessory permitted use as allowed under the City's Zoning Ordinance. An existing small family day care currently exists on the subject site and the current proposal is to increase the number of children taken care at the subject site from a maximum of eight (8) allowed under the small family day care facility to fourteen (14).

Pursuant to the California Health and Safety Code, the LFDC home shall be considered as an accessory use within a single-family residence and site and shall not be differentiated from other similar single-family residences located within the R-2 Zone. Furthermore, the recommended conditions of approval require continued compliance with applicable City Zoning Ordinance development standards for similarly zoned residential properties. In addition, as a condition of approval, outdoor activity is permitted to begin no earlier than 8:00 AM each day, in conformance with Division 1, Article II of Chapter 34 (noise regulations) of the San Fernando City Code. It is staff's assessment that the proposed operation of the LFDC facility is properly designated and is a permitted accessory use at the subject site within the R-2 (Multiple Family Dwelling) Zone and therefore this finding can be made in this case. Thus, it is City Planning Staff's assessment that this finding can be made in this case.

- **The proposed use, with any conditions to be imposed, is in harmony with the various elements or objectives of the general plan and is not economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area.**

The proposed operation of an LFDC home at the subject site is an approved accessory use to the single-family residential land use that is principally permitted within the R-2 (Multiple Family Dwelling) Zone. The proposed change from a small day care facility to the operation of a LFDC facility at the subject site resulting in an increase in children served by the LFDC by six more children will continue to be in conformance with the various elements and objectives of the General Plan Land Use, Housing and Circulation Element by ongoing compliance by the applicant with the recommended Conditions of Approval. Therefore, it is City Planning Staff's assessment that this finding can be made in this case.

- **The proposed use is compatible with other uses and structures in the surrounding area.**

The subject property 1402 Hewitt Street and the surrounding neighborhood are developed and occupied as single-family residential and multiple family dwelling land uses. The single-family residence located on an R-2 (Multiple Family Dwelling) zoned parcel will continue to be the primary use of the subject property and the LFDC facility will be an accessory use. There will be no physical changes to the residential dwelling or site as part of the proposed operation pursuant to the Conditions of Approval. The LFDC home will continue to use the existing residence and designated play area without any physical alterations based on City Building and Safety and State Fire Marshall inspections, which noted the building and open spaces sufficient to support the proposed use.

The existing and proposed uses of the subject site comply with the requirements for similarly zoned R-2 (Multiple Family Dwelling) properties. In addition, ongoing compliance

with the recommended Conditions of Approval will provide continued compatibility of the existing and proposed uses with surrounding residential land uses through implementation of reasonable standards, restrictions, and requirements regarding traffic control, parking, noise control and fire and life safety. Thus, it is City Planning Staff's assessment that this finding can be made in this case.

- **The proposed use shall be conducted only by the residents of the proposed location.**

The LFDC home will be operated and maintained by Starr Carver (doing business as "Jay.J.Kidz") who is the owner of the residence. Thus, it is City Planning Staff's assessment that this finding can be made in this case.

- **There are no other operations within 500 feet of the existing facility.**

Review of City and State records have identified no other permitted large family day care home within a 500- foot radius of the subject site. Thus, it is City Planning Staff's assessment that this finding can be made in this case.

CONCLUSION:

In light of the foregoing analysis and findings, it is City Planning Staff's assessment that the proposed operation of an LFDC home permit at 1402 Hewitt Street is consistent with General Plan and the applicable City zoning regulations. It is City Planning Staff's determination that approval is warranted for the operation of an LFDC home at 1402 Hewitt Street in order to allow a suitable alternative for parents with children seeking day care in the community. Therefore, City Planning Staff recommends that based on the aforementioned findings of fact that the Planning and Preservation Commission approve the request to allow the operation and maintenance of a LFDC home permit within the R-2 (Multiple Family Dwelling) zone at 1402 Hewitt Street. Planning and Preservation Commission approval is pursuant to Commission Resolution 2016-012 and the attached Conditions of Approval included therein as Exhibit "A".

ATTACHMENTS (5):

1. Planning and Preservation Commission Resolution 2016-012
2. Project Application and Business Description
3. Public Notice and Radius Map
4. California State License
5. Vicinity Map
6. Project Site Photos
7. Site Plan and Floor Plan

RESOLUTION NO. 2016-012

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO APPROVING LARGE FAMILY DAY CARE HOME PERMIT 2016-001, ALLOWING THE OPERATION AND MAINTENANCE OF A LARGE FAMILY DAY CARE HOME (UP TO 14 CHILDREN) AT A SINGLE-FAMILY RESIDENCE

WHEREAS, an application has been filed by Starr Carver with the City to allow the operation and maintenance of a large family day care home (as defined in California Health and Safety Code 1596.78) within the single-family residence and attached patio cover on an approximate 4,810 square foot lot at 1402 Hewitt Street within the R-2 (Multiple Family Residential) zone; and

WHEREAS, California Health and Safety Code Section 1597.46 sets forth certain procedures and limitations for local government review of applications for large family day care homes as defined in Section 1596.78 of said code; and

WHEREAS, California Health and Safety Code Section 1597.46(a)(3) requires that no hearing be held on such applications unless requested by the applicant or other affected person; and

WHEREAS, it is expressly set forth in City Code Sections 106-1275 through 106-1277 that in those instances where a hearing is requested, the acting body shall be the San Fernando Planning and Preservation Commission; and

WHEREAS, the proposed large family day care home has been reviewed for compliance with the California Environmental Quality Act (CEQA), and based on that assessment, it has been determined that this proposal is Statutorily Exempt under CEQA, pursuant to Section 15274(a) of the CEQA Guidelines and no further environmental assessment is necessary; and

WHEREAS, the Planning and Preservation Commission has considered all of the evidence presented in connection with the large family day care home permit application, written and oral at the scheduled Planning Commission meeting held on the 1st day of November 2016.

NOW, THEREFORE, BE IT RESOLVED that the Planning and Preservation Commission finds as follows:

SECTION 1: Pursuant to the provisions of Division 10 of Chapter 106 (Zoning) of the San Fernando Municipal Code and California Health and Safety Code Section 1597.46, the Planning and Preservation Commission finds that the following findings for Large Family Day Care Home Permit 2016-001 have been justified and upheld in the affirmative along with the conditions of approval, attached as Exhibit "A" and incorporated herein by reference, regarding operating procedures and on-site and off-site safety measures. The Planning and Preservation Commission (the "Commission") findings are as follows:

1) The proposed use is properly designed and complies with the requirements of the zone in which it is proposed.

According to the Los Angeles County Assessor's Office, the subject property is developed with an approximate 1,804 square foot single family dwelling with an attached 657 square foot patio cover in the R-2 (Multiple Family Dwelling) Zone. The existing residence will continue to be the primary use of the property and the Large Family Day Care (LFDC) facility will be an accessory permitted use as allowed under the City's Zoning Ordinance. An existing small family day care currently exists on the subject site and the current proposal is to increase the number of children taken care at the subject site from a maximum of eight (8) allowed under the small family day care facility to fourteen (14).

Pursuant to the California Health and Safety Code, the LFDC home shall be considered as an accessory use within a single-family residence and site and shall not be differentiated from other similar single-family residences located within the R-2 Zone. Furthermore, the recommended conditions of approval require continued compliance with applicable City Zoning Ordinance development standards for similarly zoned residential properties. In addition, as a condition of approval, outdoor activity is permitted to begin no earlier than 8:00 AM each day, in conformance with Division 1, Article II of Chapter 34 (noise regulations) of the San Fernando City Code. It is staff's assessment that the proposed operation of the LFDC facility is properly designated and is a permitted accessory use at the subject site within the R-2 (Multiple Family Dwelling) Zone and therefore this finding can be made in this case. Thus, it is the Commission's assessment that this finding can be made in this case.

2) The proposed use, with any conditions to be imposed, is in harmony with the various elements or objectives of the general plan and is not economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area.

The proposed operation of an LFDC home at the subject site is an approved accessory use to the single-family residential land use that is principally permitted within the R-2 (Multiple Family Dwelling) Zone. The proposed change from a small day care facility to the operation of a LFDC facility at the subject site resulting in an increase in children served by the LFDC by six more children will continue to be in conformance with the various elements and objectives of the General Plan Land Use, Housing and Circulation Element by ongoing compliance by the applicant with the recommended Conditions of Approval. Thus, it is the Commission's assessment that this finding can be made in this case.

3) The proposed use is compatible with other uses and structures in the surrounding area.

The subject property 1402 Hewitt Street and the surrounding neighborhood are developed and occupied as single-family residential and multiple family dwelling land uses. The single-family residence located on an R-2 (Multiple Family Dwelling) zoned parcel will continue to be the primary use of the subject property and the LFDC facility will be an accessory use. There will be no physical changes to the residential dwelling or site as part of the proposed operation pursuant to the Conditions of Approval. The LFDC home will continue to use the existing residence and designated play area without any physical alterations based on City Building and Safety and State Fire Marshall inspections, which noted the building and open spaces sufficient to support the proposed use.

The existing and proposed uses of the subject site comply with the requirements for similarly zoned R-2 (Multiple Family Dwelling) properties. In addition, ongoing compliance with the recommended Conditions of Approval will provide continued compatibility of the existing and proposed uses with surrounding residential land uses through implementation of reasonable standards, restrictions, and requirements regarding traffic control, parking, noise control and fire and life safety. Thus, it is the Commission's assessment that this finding can be made in this case.

4) The proposed use shall be conducted only by the residents of the proposed location.

The LFDC home will be operated and maintained by Starr Carver (doing business as "Jay.J.Kidz") who is the owner of the residence. Thus, it is the Commission's assessment that this finding can be made in this case.

5) There are no other operations within 500 feet of the proposed structure.

Review of City and State records have identified no other permitted large family day care home within a 500- foot radius of the subject site. Thus, it is Commission's assessment that this finding can be made in this case.

SECTION 2: Based on the aforementioned evidence, the Planning and Preservation Commission approves Large Family Day Care Home Permit 2016-001, allowing the operation and maintenance of a large family day care home (as defined in California Health and Safety Code 1596.78) within the single-family residence and attached patio cover located on an approximate 4,810 square foot lot at 1402 Hewitt Street within the R-2 (Multiple Family Residential) zone.

BE IT FURTHER RESOLVED that, based upon the foregoing, the Planning and Preservation Commission approves Large Family Day Care Home Permit 2016-001, subject to the conditions of approval attached as Exhibit "A".

(SIGNATURE PAGE TO FOLLOW)

PASSED, APPROVED AND ADOPTED this 1st day of November 2016.

THEALE E. HAUPT, CHAIRPERSON

ATTEST:

FEDERICO RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SAN FERNANDO)

I, FEDERICO RAMIREZ, Secretary to the Planning and Preservation Commission of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Preservation Commission and signed by the Chairperson of said City at a meeting held on the 1st day of November 2016; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

FEDERICO RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

EXHIBIT “A”
CONDITIONS OF APPROVAL

PROJECT NO. : **Large Family Day Care Home Permit No. 2016-001**
PROJECT ADDRESS : 1402 Hewitt Street (APN 2521-008-016)
PROJECT DESCRIPTION : The proposed project is a request to operate a “large family day care home” at 1402 Hewitt Street. The licensed operator of an approved large family day care home is permitted to provide supervision for up to a maximum of fourteen (14) children, pursuant to the provision of Division 10 of Chapter 106 (Zoning) of the San Fernando City Code.

The following conditions shall be made a part of the approval of the project, and shall be complied within their entirety, as determined by the Community Development Department:

1. Large Family Day Care Home Entitlement. The large family day care home permit is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on November 1, 2016, except as herein modified to comply with these Conditions of Approval.

2. Indemnification. The property owner and developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the property owner and developer of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. The property owner and developer shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report or related environmental assessment) if made necessary through the initiation of the project.

3. General Conditions. In addition to those conditions of approval, which the Planning and Preservation Commission may otherwise impose, the large family day care home shall be subject to the following general conditions:
 - a. The applicant/operator of the large family day care home and any future operator shall reside on the property, and the subject property shall be maintained as a single-family dwelling. The operator shall be validly licensed, and shall comply with all requirements of applicable federal, State and local law, ordinances, or regulations (i.e., California Health and Safety Code, State Fire Marshall, City of Los Angeles Fire

Department, San Fernando City Code, etc.) for operation of a large family day care home at this location.

- b. Pursuant to Division 10 of Article VI (Large Family Day Care Home Permit) of the San Fernando City Code (Chapter 106) and the Conditions of approval, the operator is allowed to provide the licensed care for up to 14 children at the project address in conformance with California Health and Safety Code Section 1597.46.
 - c. The applicant/operator is permitted to operate 24 hours per day, seven days per week. Outdoor activity is permitted to begin no earlier than 8:00 a.m. each day (in conformance with Division 1, Article II of Chapter 34: Noise of San Fernando Municipal Code.
 - d. The applicant/operator shall provide all patrons with written notification of the parking limitations on adjacent streets and encourage the compliance with all parking, speed and traffic regulations.
 - e. There shall be no signage on site other than that permitted by the City Code.
 - f. The applicant/operator shall provide all patrons with written notification that patrons dropping-off or picking-up children are not permitted to double park on the street at any time and that the driveways for the large family day care home shall be used as the primary means for dropping-off or picking-up of children.
 - g. Driveways shall be maintained unobstructed and paved surface shall be maintained in good condition.
 - h. The existing 5'-01" metal fence shall be relocated to provide a minimum clearance of 30 feet from the front property line along Hewitt Street in order to allow for pedestrian circulation around the patrons dropping-off or picking-up children who are parked on the driveway.
4. Property Maintenance. The subject site and its immediate surrounding area shall be maintained in a clean, neat and orderly manner at all times and shall comply with the property maintenance standards as set forth in the San Fernando City Code.
 5. Site Inspections. The Community Development Department shall have the authority to inspect the site to assure compliance with these conditions of approval. The applicant and all successors shall grant the right of access to authorized agents of the City of San Fernando to conduct periodic inspections of the property.
 6. Revocation. Violation of, or noncompliance with, any of these conditions of approval may constitute grounds for revocation this large family day care home permit, subject to City Code Section 106-1279 (Revocation). If at any time the operation of large family day care home becomes a nuisance, is detrimental to the public health, safety, or welfare, or results in undesirable activities, the Planning and Preservation Commission, after a public hearing,

as hereinafter provided, may revoke the large family day care home permit herein granted or may modify and amend the same in such manner as it may determine necessary to abate the nuisance or preclude the undesirable activities or behaviors.

7. Acceptance. Within thirty (30) days of approval of this large family day care home permit, the applicant shall certify the acceptance of the conditions of approval by signing a statement using an acceptance affidavit form provided by the City of San Fernando that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.

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LARGE FAMILY DAY CARE HOME PERMIT APPLICATION

APPLICANT INFORMATION		
APPLICANT NAME <i>Starr Carver</i>	TELEPHONE NO. <i>818-339-3867</i>	
APPLICANT MAILING ADDRESS <i>1402 Hewitt St. San Fernando CA 91340</i>	FAX NO.	
APPLICANT EMAIL ADDRESS <i>childcare@jayjKidz.com</i>		
SITE INFORMATION		
SITE ADDRESS <i>1402 Hewitt St. San Fernando CA 91340</i>		
LARGE DAY CARE FACILITY DESCRIPTION <i>Please see operation Plan that is attached.</i>		
NUMBER OF CHILDREN (INCLUDING THE APPLICANT'S OWN) <i>14</i>		
HOURS OF OPERATION <i>24</i>		
ASSESSOR'S PARCEL NUMBER (APN)		
PROPERTY SIZE (IN SQUARE FEET)		
BUILDING SIZE		
PARKING AVAILABLE (NUMBER)		
PROPERTY OWNER INFORMATION		
PROPERTY OWNER NAME <i>Starr Carver</i>	PROPERTY OWNER TELEPHONE NO. <i>818-339-3867</i>	
PROPERTY OWNER MAILING ADDRESS <i>1402 Hewitt St. San Fernando CA 91340</i>		
SIGNATURES		
APPLICANT SIGNATURE <i>[Signature]</i>	PROPERTY OWNER SIGNATURE <i>[Signature]</i>	
FOR OFFICE USE ONLY		
DATE FILED <i>8/22/16</i>	ACCEPTED BY <i>Humberto Quintana</i>	
CASE NO. <i>LFDC-2016-001</i>	ZONING <i>R-1</i>	GPA

Jay J. Kidz Operation Plan

Child care services will be provided for children 0-13 years of age 24 hours 7 days a week. Services include childcare, preschool curriculum program, and after-school homework club. All meals will be prepared and provided on site. Parents may park in the existing driveway and will use the pick-up/drop off door located east of the infant room as identified in the attached floor plan to enter and exit the facility. As a safety precaution the parents are required to accompany their child into the facility to sign them in and out daily.

Starr Carver

818-339-3867

1402 Hewitt St. San Fernando CA 91340



NOTICE OF A
PUBLIC HEARING

THE CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

A public hearing on this matter and associated potential environmental impacts, if any, will be conducted by the City of San Fernando Planning and Preservation Commission on:

DATE: Tuesday, November 1, 2016

TIME: 6:30 p.m.

LOCATION: Council Chambers, 117 Macneil Street, San Fernando, CA 91340

PROJECT LOCATION: 1402 Hewitt Street (APN 2521-008-016)

APPLICATION: Large Family Day Care Home Permit (LFDC 2016-001)

APPLICANT: Starr Carver, 1402 Hewitt Street, San Fernando, CA 91340

PROJECT DESCRIPTION:

An application to operate and maintain a “Large Family Day Care Home” has been submitted to the Community Development Department, pursuant to the provisions of Division 10 of Article VI of Chapter 106 (Zoning) of the San Fernando City Code, to be considered by the Planning and Preservation Commission. If approved, conditions of approval would apply for the use of an existing single-family residence and covered patio area located at 1402 Hewitt Street to be used as a “Large Family Day Care Home” providing licensed day care during specified hours for up to a maximum of fourteen (14) children. The house would continue to be used as single-family residence of the day care services provider at all times during and after the hours of operation of the “Large Family Day Care Home.”

During the Planning and Preservation Commission meeting on November 1, 2016, there will be an opportunity for members of the public to ask questions and comment on the proposed use.

For further information regarding the proposed use, on the Planning and Preservation Commission meeting you may contact the City of San Fernando Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993; Telephone: (818) 898-1227, Federico Ramirez, Community Development Director.

Para información adicional en Español con respecto a esta aplicación, usted puede llamar al departamento de desarrollo de la ciudad de San Fernando, 117 Macneil, San Fernando, CA 91340-2993; Teléfono: (818) 898-1227, Fred Ramirez, Community Development Director.

FEDERICO RAMIREZ
Community Development Director

Radius Map - 100'

Map Date: 08/01/2016

SUBJECT PROPERTY

ADDRESS: 1402 HEWITT ST., SAN FERNANDO, CA 91340
APN: (LAC) 2521-008-016

Data Source:
Los Angeles County Geographic Information System
Base Parcel Database
August 2016 Extraction Date
City of San Fernando Area



Notes:

Latest equalized assessment rolls obtained from the Los Angeles County Assessor's Office through ParcelQuest, a vendor service.
Extraction Date: 08/01/2016
Map created with ArcGIS 10



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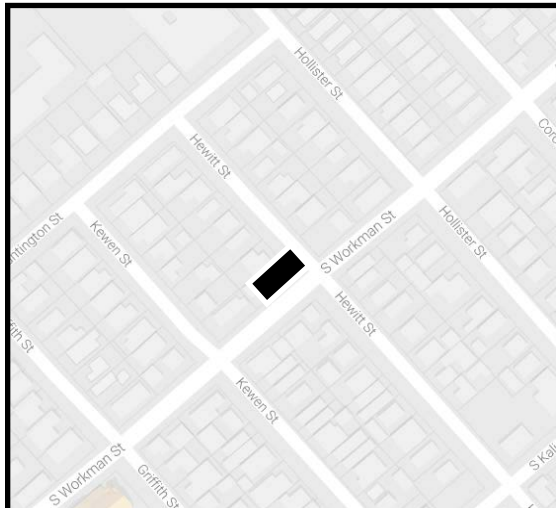


THE CITY OF SAN FERNANDO

Zoning & Vicinity Map

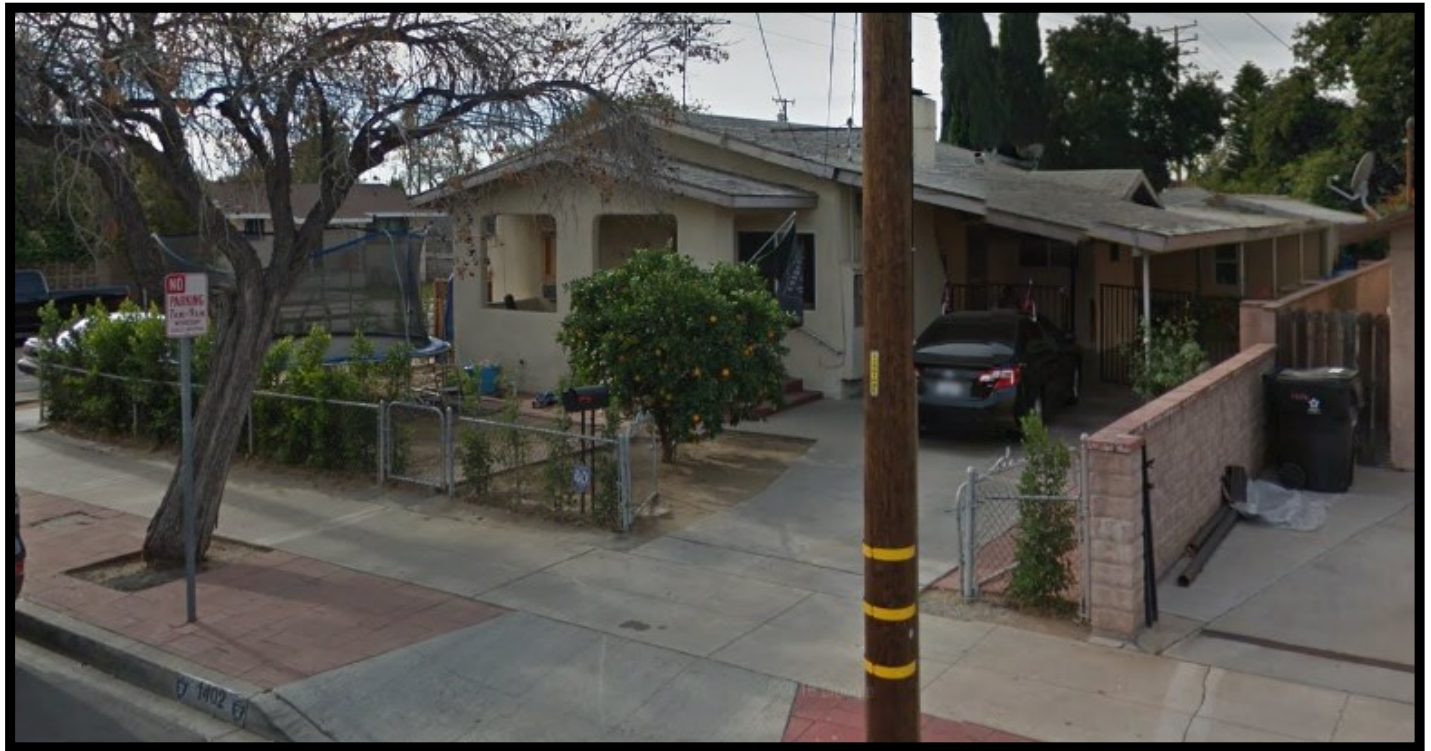
CASE NO: LFDC 2016-001

ADDRESS: 1402 Hewitt Street



Scale: NTS

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View of 1402 Hewitt St. looking South from Hewitt St.



View of 1402 Hewitt St. looking West from S. Workman St.

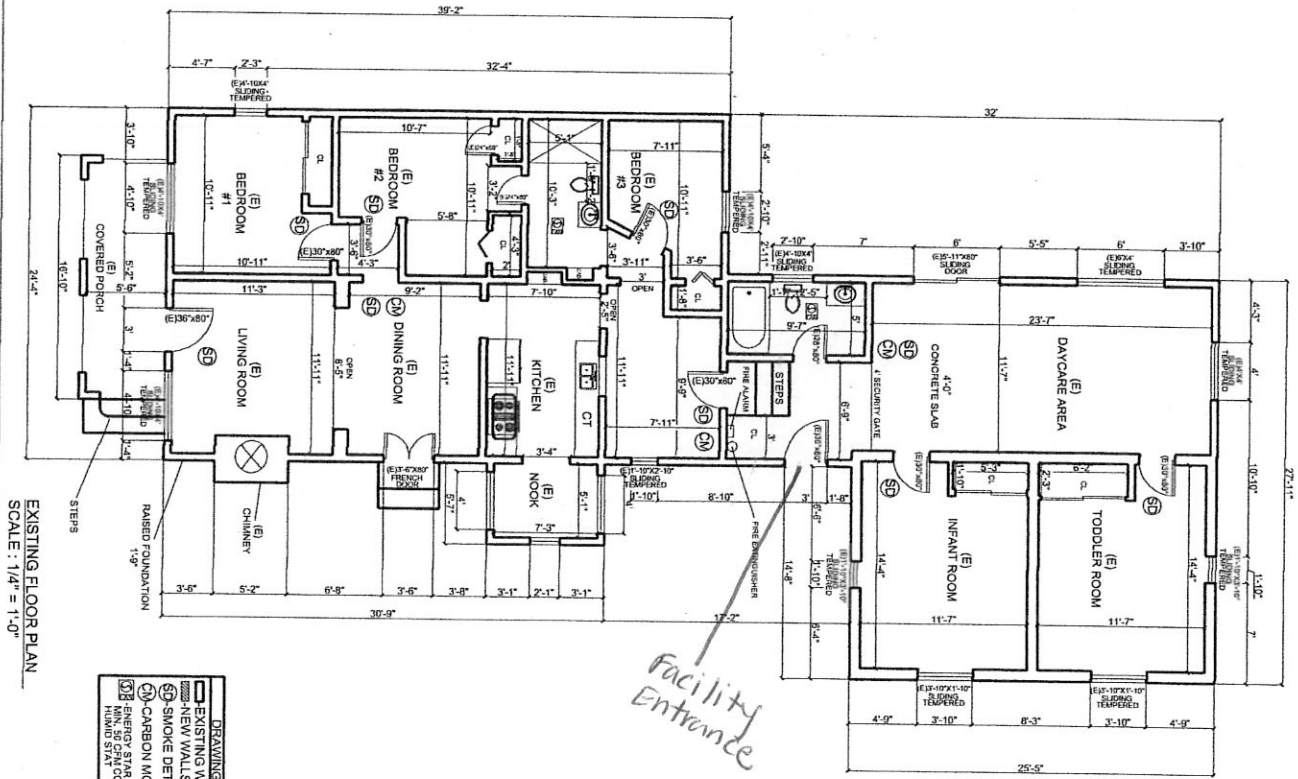


Subject Site Photos

CASE NO: LFDC 2016-001

ADDRESS: 1402 Hewitt Street

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SHEET NO.: 1	DATE: 4/08/16	ADDRESS: 1402 HEWITT ST SAN FERNANDO, CA 91340	SHEET NAME: (E) FLOOR PLAN	OWNER(S):
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