



# SAN FERNANDO

## CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

### APPROVED MINUTES OF THE JANUARY 13, 2020 MEETING CITY HALL COUNCIL CHAMBER

**THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING AND PRESERVATION COMMISSION. AUDIO OF THE ACTUAL MEETINGS ARE AVAILABLE HERE: <http://ci.san-fernando.ca.us/commissions-boards/#1477946968325-c2faf7a0-5a49>**

#### **CALL TO ORDER**

The meeting was called to order at 6:35 p.m. by Chairperson A. Durham

#### **ROLL CALL**

The following persons were recorded as present:

#### **PRESENT:**

Chairperson Alvin Durham, Vice-chair Hector Pacheco, Commissioners Aida Montes and Marvin Perez

#### **ABSENT:**

Commissioner Ivan Gonzalez

#### **ALSO PRESENT**

Community Development Director Timothy Hou, City Attorney Richard Padilla, Associate Planner Gerardo Marquez, and Community Development Secretary Michelle De Santiago

#### **APPROVAL OF AGENDA**

Commissioner A. Montes moved to approve the agenda of January 13, 2020, meeting. Seconded by Commissioner H. Pacheco, the motion carried with the following vote:

AYES:	A. Montes, H. Pacheco, A. Durham, and M. Perez
NOES:	None
ABSENT:	I. Gonzalez
ABSTAIN:	None

## **REORGANIZATION OF THE PLANNING AND PRESERVATION COMMISSION**

#### **Calls for nominations of Chairperson:**

A. Montes moved to nominate Hector Pacheco as Chairperson, seconded by M. Perez, the motion carried with the following vote:

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AYES: A. Montes, M. Perez, A. Durham, and H. Pacheco  
NOES: None  
ABSENT: I. Gonzalez  
ABSTAIN: None

A. Montes moved to reconsider the action of nomination of Chairperson, Seconded by H. Pacheco, the motion carried with the following vote:

AYES: A. Montes, M. Perez, A. Durham, and H. Pacheco  
NOES: None  
ABSENT: I. Gonzalez  
ABSTAIN: None

A. Montes moved to nominate Alvin Durham as Chairperson, seconded by H. Pacheco, the motion carried with following vote:

AYES: A. Montes, H. Pacheco, M. Perez, and A. Durham  
NOES: None  
ABSENT: I. Gonzalez  
ABSTAIN: None

### **Calls for nomination of Vice-chair:**

A. Montes moved to nominate Hector Pacheco as Vice-chair, Seconded by A. Durham, the motion carried with the following vote:

AYES: A. Montes, A. Durham, M. Perez, and H. Pacheco  
NOES: None  
ABSENT: I. Gonzalez  
ABSTAIN: None

### **PUBLIC STATEMENTS**

None

### **CONSENT CALENDAR**

A. Montes moved to approve the minutes of the December 9, 2019, Planning and Preservation Commission Meeting. Seconded by H. Pacheco, the motion carried with the following vote:

AYES: A. Montes, H. Pacheco, A. Durham, and M. Perez  
NOES: None  
ABSENT: I. Gonzalez  
ABSTAIN: None

### **UNFINISHED BUSINESS**

None

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### **PUBLIC HEARING**

**General Plan Amendment 2018-001 (GPA 2018-001), Zone Change 2018-001 (ZC 2018-001), Variance 2018-001 (VAR 2018-001) and Site Plan Review 2018-018 (SPR 2018-018) – 649-655 Fourth Street, San Fernando, CA 91340 – The proposed “Project” is a request for review of a General Plan Amendment and Zone Change to change the current zone of R-1 (Single Family Residential) zone to M-1 (Limited Industrial) zone, and approval of a Setback Variance and a Site Plan Review for the development of an approximately 12,300 sq. ft. industrial building which would include approximately 524 sq. ft. of office area within the M-1 (Limited Industrial) zone. The project site is approximately a 30,555 sq. ft. lot located on the northwestern corner of Jessie Street and Fourth Street.**

### **STAFF PRESENTATION**

T. Hou introduced the item and explained the items being proposed and the steps needed for approval.

G. Marquez gave the staff presentation recommending that the Planning and Preservation Commission recommend to the City Council approval of the General Plan Amendment and Zone Change via Planning and Preservation Commission Resolution 2019-010 and the Conditions of Approval in order to change the current R-1 zone to an M-1 zone, and that the Commission approve Variance 2018-001 and Site Plan Review 2018-018 pursuant to Planning and Preservation Commission Resolution 2019-011 and the Conditions of Approval for the development of a 12,300 sq. ft. industrial building with a reduced setback of 6 inches along the western setback.

### **PUBLIC COMMENT**

Stephen Klenk – 663 Fourth Street, San Fernando, CA 91340 – Mr. Klenk indicated that he has submitted written comments (Attachment “H” to the report) and trusts that the Commission members received them but because of time limits he wanted to voice his concerns with the project. He stated that there are various homeowners in the neighborhood that oppose the project also and would like to request that consideration of the project proposal be continued to allow those homeowners an opportunity to voice their concerns as well. He expressed that with the recent Assembly bills that allow for additional housing units on a Single Family Residential property and what is being proposed, that the industrial building has the potential of being a better neighbor than a multi-family residential development. He stated that there are some mitigating measures that he would like for the Commission to consider which include no window be allowed on the west side of the building, an 8 foot slump stone wall to shield the adjacent property from elements that will be caused by the construction, restriction of start times and end times for construction activities and well as installation of parking stops that abut Mr Escajeda’s property to safeguard the wall.

David Bernal – 702 Fourth Street, San Fernando, CA 91340 – He indicated that the vacant lot is not the place to construct an industrial building. He stated that he is opposed to the zone change and that it should be maintained as a residential lot. He indicated that there are multiple industrial buildings in the Sylmar and Pacoima area that can accommodate this type of business

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activity. He stated that this type of business activity usually come with diesel trucks loading and leaving in the early morning hours. He stated that this would be a nuisance to the neighborhood.

Victor Peña – the applicant – Mr. Peña indicated that he doesn't have diesel vehicles, he explained that he is a small operation with small commercial trucks and that their hours of operation are from 7:00 a.m. to 4:00 p.m and the parking lot being proposed is for the employees only.

Gretchen Guerrero – 671 Fourth Street, San Fernando, CA 91340 – Ms. Guerrero expressed her concern with the metal box design for the Historic and Visionary City. She stated that if the choice is between on industrial abuilding or 9 houses she would prefer the single industrial building. She indicated that Fourth Street is already a busy thorough street that is used by the Fire Department as well.

Roberto Escajeda – 659 Fourth Street, San Fernando, CA 91340 – Mr. Escajeda stated he has worked really hard to keep his property. He stated that he would prefer the industrial building versus multiple residential properties which would bring more people, cars and no place to park. He asked if staff could consider a “Left Turn Only” from Jessie Street onto Fourth Street.

Mario Rodriguez – submitted a written correspondence which was read by Michelle De Santiago.

### **COMMISSION DISCUSSION**

H. Pacheco asked staff if the proposed dedication would result in a two way street.

G Marquez indicated that it would allow for both a North bound and a South bound two lane through street.

M. Perez asked about the setback being proposed.

T. Hou explained that the setback is that is being proposed is based on the orientation of the building.

G. Marquez informed the Commission about the adopted Negative Declaration and the Notice of Intent on the project.

T. Hou pointed out that Marc Blodgett from Blodgett Baylosis was in the audience and that this is the consultant who performed the environmental assessment of the project.

M. Perez asked if the approval of the project would set a precedent for others.

T. Hou indicated that each project proposal is assessed on a case by case basis.

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R. Padilla explained that each project is evaluated by facts presented to you. The proposal is assessed by the Municipal Code and neither staff nor the Commission can create additional criteria which would be a violation of due process.

M. Perez asked about the potential traffic congestion and if traffic counts were for all hours of the day or only the hours of the proposed project's hours of operation.

M. Blodgett stated that the standard trip generation rates were calculated. He indicated that this is a small project that would generate less than 50 peak hour trip so a traffic study was not conducted.

A. Durham asked where the 10 unit calculation is coming from if the proposal is for two lots.

T. Hou stated that recent changes to the laws with regards to Accessory Dwelling Units and Junior Accessory Dwelling Units each residential property can legally build 3 units on a lot.

M. Perez asked Mr. Peña if he was married to the size and look of the building design.

H. Pacheco asked if Mr. Pena considered Mission Style design.

V. Peña stated he is a builder so if the design is changed he can build it.

A. Durham stated that he drove by the location and a 20 foot setback would create an unwanted nuisance.

S. Klenk asked to approach the dais again and asked about the window and an 8 foot slump stone wall between the proposed location and Mr. Escajeda's home.

J. Marquez indicated that Condition Number 11 refers to fencing materials and approval requirements.

D. Bernal asked that if about the M-1 zone and if any of the other uses can operate at this location.

H. Pacheco asked if the zoning runs with the land.

T. Hou indicated that if the zone is changed it will apply from that point forward and only those identified allowed uses can operate by right or by Conditional Use Permit that will require the Planning and Preservation Commission's approval.

M. Perez asked if the Conditions of Approval were public information.

T. Hou confirmed that the Conditions of Approval were public information.

M. Perez asked for clarification on what the Commission was voting for.

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T. Hou informed Commissioner Perez of the Motion Sheet with the various recommendations.

A. Durham stated that if a project is being proposed is a complete project, that more than likely he would approve it, he stated that it isn't perfect but it is complete.

M. Perez motion to continue the proposed project to the February 10, 2020 meeting date. No second received for the motion, hence the motion failed.

A. Montes stated that she wants what is best for the City.

Subsequent to discussion Commissioner A. Montes made a motion to recommend to the City Council approval of General Plan Amendment and Zone Change including the adoption of a Mitigated Negative Declaration pursuant to Planning and Preservation Commission Resolution 2019-010. Commissioner A. Montes moved to approval Variance 2018-001 and site Plan Review 2018-018 pursuant to Planning and Preservation Commission 2019-011 and the attached Conditions of Approval for the development of a 12,300 square foot industrial building with a reduced setback of 6 inches along the western setback. Seconded by Chairperson A. Durham, the motion carried with the following vote:

AYES:	A. Montes, A. Durham, and H. Pacheco
NOES:	M. Perez
ABSENT:	I. Gonzalez
ABSTAIN:	None

### STAFF COMMUNICATIONS

T. Hou asked that the Commission review the Bylaws and Rules of Procedures which will be discussed at a future meeting for review and approval. Mr. Hou also invited the Commission to the ground breaking ceremony at 510 Park Avenue and informed them of a second Starbuck location in the North side of the City.

### COMMISSION COMMENTS

None

### ADJOURNMENT

Vice-chair H. Pacheco moved to adjourn February 10, 2020. Second by Commissioner A. Montes, the motion carried with the following vote:

AYES:	H. Pacheco, A. Montes, A. Durham, M. Perez
NOES:	None
ABSENT:	I. Gonzalez
ABSTAIN:	None

8:16 P.M.

Planning Commission Secretary