



PLANNING AND PRESERVATION COMMISSION

REGULAR MEETING NOTICE AND AGENDA

JANUARY 3, 2017 AT 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 Lopez
Commissioner Yvonne G. Mejia

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

January 3, 2017

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 the blue 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.

- 1) **Approval of the September 13, 2016 Planning and Preservation Meeting Minutes; and**
- 2) **Approval of the October 4, 2016 Planning and Preservation Meeting Minutes; and**

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3) Approval of the November 1, 2016 Planning and Preservation Meeting Minutes.

NEW BUSINESS

- 4) **SUBJECT:** Conditional Use Permit 2016-008 (CUP 2016-008)
- LOCATION:** 1204 San Fernando Road, San Fernando, CA 91340
- APPLICANT:** Garfield Beach CVS, LLC c/o Boos Development West, LLC.
701 N. Parkcenter Drive, Santa Ana, CA 92705
- PROPOSAL:** The propose project is a request for review and approval of a Conditional Use Permit (CUP) 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road.
- The requested CUP would allow for CVS Pharmacy to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 13,275 square-foot proposed commercial building. The subject property consists of approximately 4.36 acres. The subject property is located at the south side of the 1200 clock of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/San Fernando District-Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone.
- RECOMMENDATION:** Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2016-008, allowing for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a

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retail drug store at 1204 San Fernando Road, pursuant to Planning and Preservation Commission Resolution 2017-001 and the Conditions of Approval attached as Exhibit “A” to the resolution (Attachment No. 1).

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.

CONTINUED BUSINESS

None

STAFF COMMUNICATIONS

Verify availability of the Commissioners for a possible Special Meeting on Wednesday, January 18, 2017.

COMMISSIONER COMMENTS

ADJOURNMENT

February 7, 2017

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.

Federico “Fred” Ramirez

Signed and Posted: December 30, 2016 (12:00 p.m.)

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
SEPTEMBER 13, 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, Anna Lopez, and Yvonne Mejia

ALSO PRESENT

Community Development Director 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 September 13, 2016, meeting. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

CONSENT CALENDAR

No Items on Consent Calendar

UNFINISHED BUSINESS

None

.

PUBLIC HEARING 1:

Conditional Use Permit 2013-005 – 1445 Celis Street, San Fernando, CA 91340 – PUC Schools, 1405 N. San Fernando Blvd., Suite 303, Burbank, CA 91504 – The proposed project is a request

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for the approval of a conditional use permit to amend conditional use permit 1999-03 to allow for a public charter school use to continue to operate and expand its operation via an increased student enrollment from 126 to 150, modify the pick-up and drop-off area and provide additional classroom space within the existing building by deeming said use similar and compatible to a public assembly use conditionally permitted within the Mixed-Use Transition Sub-District. The subject property is located along the east side of the 1400 block of Workman Street; within the Truman/San Fernando District's Mixed-Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) zone.

STAFF PRESENTATION

Associate Planner Humber Quintana gave the staff presentation recommending that the Planning and Preservation Commission approve Conditional Use Permit 2013-005, to allow for the amendment of Conditional Use Permit 1999-03 to allow for a public charter school use to continue to operate and expand its operation via an increased student enrollment from 126 to 150, modify the pick-up and drop-off area and provide additional classroom space within the existing building by deeming said use similar and compatible to a public assembly use conditionally permitted within the Mixed-Use Transition Sub-District located at 1445 Celis Street, pursuant to Planning and Preservation Commission Resolution 2016-008 and the Conditions of Approval attached as Exhibit "A" to the Resolution (Attachment No.1).

F. Ramirez stated that there was an error in the Conditions of Approval #2 that it should read "... 40% of students shall be residents of the City of San Fernando".

PUBLIC COMMENT

Edwin Torres – Director of Operations PUC Schools stated that the school is ready to work with the City to comply with all of the conditions of project approval.

Adriana Abich – PUC School Regional Superintendent - Ms. Abich stated that she is extremely thankful for the partnership that City has created with the school. She stated that 34% of the current students live in San Fernando.

Austin Colbert – PUC School Sixth Grade Coordinator – He stated that PUC schools help serve the needs of the community.

Fidel Ramirez – PUC School Principal – Mr. Ramirez stated that it is a pleasure to petition the commission for their approval to continue to solidify the partnership between the City and the School.

Yanira Villegas – Ms. Villegas stated that she is a parent of two children and she has had only good experiences with PUC Schools. She stated that her daughter was at Triumph and her son is at Inspire (both PUC schools) and that these are good schools. She stated that she will keep supporting the staff and their work.

Edgar Ayala – Mr. Ayala stated that he was looking for a school for his daughter that would be close to home with quality education. He stated that PUC Inspire was one of the top schools and

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that he couldn't be any prouder that his daughter is USC bound and he believes that the school and their staff provided that path.

COMMISSION DISCUSSION

A. Durham asked what the student to teacher ratio was and asked about the credentials of the instructors.

Adriana Abich stated that the student to teacher ratio is 25 to 1 and the maximum is at 29 to 1. Additionally, she indicated that all of the teachers have teaching credentials and are screened at both locations.

A. Durham asked how physical education is accomplished.

Edwin Torres stated that at the Fourth Street school location, they have partnered with the Odd Fellows for staff parking that frees up a larger portion of the playground on-site. He also noted that the school also uses the public facilities at Fernando Recreation Park for group exercise. She stated that at the Celis Street location student are taken to Las Palmas Park.

A. Durham asked if the school provides education for children with "Special Needs".

Adriana Abich indicated that the school does have a very comprehensive instruction for "Special Needs" students.

A. Durham asked about the classroom set and emergency plan.

Edwin Torres stated that the school does not have lockers and the classrooms are set up to have students travel in a group from classroom to classroom allowing the students to leave their textbooks in the class. Mr. Torres explained that in the event of an emergency the school has an emergency operation plan that includes amongst other things enough supplies to accommodate the students with food and water for up to five days. He also noted that all of the teachers are first aide trained.

K. Beaulieu stated that he has only heard good things about the school. He asked if the school would be hiring more teachers because of the increase in students.

Edwin Torres indicated that the increase in staff would be in the form of Campus Aides.

K. Beaulieu asked if all of the school day end at the same time or are there staggered start and end times. He stated that the pick-up of students needs more work and possibly require another crossing guard in uniform. The pick-up requires more organization.

Edwin Torres indicated that school starts at 8:00 a.m., which is just a little later than the surrounding schools. Mr. Torres indicated that there is an after-school program so the school needs to make sure that these students are not blocking vehicular traffic during pick-ups. He indicated that it is early in the school year and so there has not yet been a visit from the

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Department of Transportation and School Police in order to help provide the school staff and assistants with the traffic training. Therefore, he noted that the staff and volunteer training is pending and that he expects the public to see a noticeable improvement in pick up and drop offs. Additionally, there is a Traffic Management Plan that we have drafted with the City and as well as a Traffic Contract which we asked our parent to sign.

H. Quintana stated that Condition of Approval #3a indicates that the school parent's failure to obey the school's traffic management plan could result in their student's dismissal of the school.

Y. Mejia asked about the allowed 10 percent above maximum enrollment at the Celis location would this new enrollment number change the student to teacher ratio.

Edwin Torres stated that the current enrollment at Celis Street campus is at 111 students and the maximum enrollment would not change the ratio.

F. Ramirez clarified that the reason for the case before you is because of the CUP from 1999 and it does not allow for any overages that are allowed by the School District.

Y. Mejia asked about the lunch hours and how much room is available to accommodate the students.

Edwin Torres stated that approximately three years ago a lunch shelter was installed to accommodate all of the students during the 45 minute break.

T. Haupt stated that he likes the idea of the curb restriction on both sides of the street. He stated that he is glad that the school reached out to the Odd Fellows.

Y. Mejia asked about student who walk home and if they are released at a different time.

Edwin Torres indicated that at the time of enrollment it is determined if a student would be picked-up or walk home and students who walk home have a 15 minute earlier dismissal time than the rest of the student population. He stated that he will revisit with San Fernando Police Department to discuss Safe Routes to School and what participation the school could have in that process.

K. Beaulieu stated that the pick-up and drop-off at the Glenoaks campus (i.e., larger campus outside of the City of San Fernando) works really well.

F. Ramirez informed the commission that he will talk to the City Engineer and the Police Department to possibly participate in the upcoming October training.

T. Haupt asked if a both projects can be decided with one vote.

F. Ramirez explained that both projects are independent of one another and each requires a separate assessment and vote by the commission. He recommended that a motion for a vote be

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made on the 1445 Celis Street location and that staff would provide a brief presentation of the second project at 1218 Fourth Street. He noted that the second school site would have the benefit of an open the public hearing for comments just in case there is an audience member or anyone walking in who wants to comment on the proposal and then call for a motion and vote each site and the associated CUP application.

Subsequent to discussion Commissioner K. Beaulieu moved to approved Conditional Use Permit 2013-005 to allow for the amendment of Conditional Use Permit 1999-03 and allow for a public charter school use to continue to operate and expand its operation via an increase student enrollment from 126 to 150, modify the pick-up and drop-off area and provide additional classroom space within the existing building by deeming said use similar and compatible to a public assembly use conditionally permitted within the mixed use transition sub-district located at 1445 Celis Street, pursuant to Planning and Preservation Commission Resolution 2016-008 and the “Conditions of Approval” attached as Exhibit “A” to the resolution (Attachment No.1). As part of the motion Condition of Approval was also be modified to correctly note to the change to the enrollment requirement from 50% to 40% of students to be from the City of San Fernando. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

PUBLIC HEARING 2:

Conditional Use Permit 2013-006 – 1218 Fourth Street, San Fernando, CA – PUC Schools, 1405 N. San Fernando Blvd., Suite 303, Burbank, CA 91504 – The proposed project is a request for the approval of a Conditional Use Permit 2013-006 to amend Conditional Use Permit 2008-02 allowing for the increased enrollment from 300 to 360 students for an existing public charter middle school. The subject property is located along the west side of the 1200 block of Fourth Street, between Alexander Street and Hagar Street; within the R-3 (Multiple Family) zone.

STAFF PRESENTATION

Associate Planner Humberto Quintana gave the staff presentation recommending that the Planning and Preservation Commission approve Conditional Use Permit 2013-006 amending the Conditional Use Permit 2008-002 allowing for the increased enrollment from 300 to 360 students for an existing public charter middle school located at 1218 Fourth Street, pursuant to Planning and Preservation Commission Resolution 2016-009 and the “Conditions of Approval” attached as Exhibit “A” to the Resolution (Attachment No. 1).

PUBLIC COMMENT

None.

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COMMISSION COMMENTS

T. Haupt asked if the school has a written agreement with the Odd Fellows for the parking on their site.

Edwin Torres stated that they do have a written agreement to use the parking facilities for the life of the school project at the subject site.

T. Haupt asked if staff can impose a condition to provide a written parking agreement with the Odd Fellows.

F. Ramirez indicated that if those parking spaces were ever eliminated they would have to provide off-site parking or submit a Variance application for commission consideration, but by keeping the required on-site parking spaces noted in the playground on their site plan they are in compliance with the parking requirements under their existing entitlement for the current school use.

A. Lopez asked how many classrooms currently exist on the Fourth Street campus and if there are any plans to add more classrooms to accommodate the increase in enrollment size.

Edwin Torres stated that there are currently 12 classrooms at the Fourth Street campus and that those 12 classrooms will accommodate the proposed enrollment increase. Because this building was repurposed from a previous use current classroom size are 866 square feet, which is larger than the average classroom size of 680 to 720 square feet. Mr. Torres also informed the commission that the school and an annual first inspection of the classrooms to inspection furniture position and escape routes from the classrooms.

Y. Mejia recommending that staff impose a “Lockdown Procedure” condition.

Edwin Torres stated that “Lockdown” drills are one of the first procedures that staff and students are trained in. He stated the school has fire rated walls and doors in place, student safety features that are always locked in order to try and prevent school incidents such as the school shooting in Columbine, Colorado.

Commissioner K. Beaulieu moved to approve Conditional Use Permit 2013-006 amending Conditional Use Permit 2008-002 allowing for the increased enrollment from 300 to 360 students for an existing public charter middle school located at 1218 Fourth Street, pursuant to Planning and Preservation Commission Resolution 2016-009 and the “Conditions of Approval” attached as Exhibit “A” to the resolution (Attachment No. 1). Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

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STAFF COMMUNICATIONS

F. Ramirez indicated that included in the package for this evening was a staff report regarding an update to the various types of housing applicable local and state regulations and staff anticipates a joint presentation with staff and the City Attorney in the coming month.

COMMISSION COMMENTS

T. Haupt asked about 650 Glenoaks Blvd., and First Street locations.

A. Durham asked about 1101 N. Maclay Avenue and 1661 Truman Street.

F. Ramirez provided the commission with updates regarding the on-going construction and status of these projects.

K. Beaulieu asked about the left hand turning lane from Smart and Final onto Hubbard Street. He stated that there should only be two lanes one in and one out, he said the driveway was too narrow for all three lanes.

F. Ramirez stated that he would visit the location with the City Engineer.

PUBLIC STATEMENTS

None

ADJOURNMENT

Vice Chairperson A. Durham moved to adjourn to October 4, 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

8:04 P.M.

Fred Ramirez

Planning Commission Secretary



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

**DRAFT MINUTES OF THE
OCTOBER 4, 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 6:31 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 Yvonne Mejia

ABSENT:

Commissioner Anna Lopez

ALSO PRESENT

Community Development Director 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 October 4, 2016, meeting. Seconded by Commissioner Mejia, the motion carried with the following vote:

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

CONSENT CALENDAR

No Item

UNFINISHED BUSINESS

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None

PUBLIC HEARING 1:

Conditional Use Permit 2016-004 – 421 and 425 Park Avenue, San Fernando, CA 91340 – Street Sign Brewery Company, 425 Park Avenue, San Fernando, CA 91340 – The proposed project is a request for review and approval of Conditional Use Permit (CUP) 2016-004 (amending previously approved CUP 2013-011) in order to allow an existing beer manufacturer/micro-brewery use to be located at 425 Park Avenue, expand its manufacturing , production, wholesale/distribution, and on-site sale of craft beer.

STAFF PRESENTATION:

Associate Planner Humberto Quintana gave the staff presentation recommending that the Planning and Preservation Commission approve Conditional use Permit 2016-004, allowing an existing beer manufacturer/micro-brewery use located at 425 Park Avenue, to expand its manufacturing, production, wholesale/distribution, and on-site sale of craft beer activities, pursuant to Planning and Preservation Commission Resolution 2016-010 and the conditions of approval attached as Exhibit “A” to the resolution (Attachment No. 1).

F. Ramirez read a letter for the County of Los Angeles Department of Parks and Recreation, and provided responses to questions in the letter regarding Parking, Traffic, Hours of Operation, Minors, and Police Contract.

PUBLIC COMMENT:

Steven Klenk 663 Fourth Street, San Fernando, CA 91340 – Mr. Klenk expressed concerns that some of the current amendments being asked for are actually taking place (he submitted photos to support his statement). He indicated that the photographs submitted were obtained on the internet which depicts the brewery’s activities that include food trucks selling food items in the parking lot, retail sales in the location, beer leagues meet on the premises, and that pets are already allowed at the brewery. He stated that any reasonable person would assume that all of the other requested amendments to the conditions are already de facto practices at the brewery including allowing minors into the location. He submitted a list of signatures from his neighbors who support that the conditions of approval remain the same as when they were imposed in 2013.

David Bernal - 702 Fourth Street, San Fernando, CA 91340 – Mr. Bernal voiced his support for the conditional use permit request by Street Sign Brewing Company.

Elizabeth Ruvalcaba – 451 S. Brand Blvd, San Fernando, CA 91340 – Ms. Ruvalcaba stated that she supports the brewery’s permit request. She stated that she is a local business owner and resident, she stated that they are great to have in the community but that they close too early.

Pierre Ivan Arreola – 13708 Filmore Street, Pacoima, CA 91331 – Mr. Arreola stated that even though he is a Pacoima resident he supports the brewery; he stated that there are no other local businesses that cater to his age group. He also stated that he knows the city will hold the business accountable if they do not comply with all of the city requirements.

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Scott McAfee - 15012 San Jose Street, Mission Hills, CA 91345 – Mr. McAfee is a 35 year resident of Granada Hills, he stated that he recently traveled to Ventura and he was amazed to see the bell on tap. He stated that the commission should consider that other establishments such as that of Denny's serve beer and wine and minors are allowed in the restaurant. He stated that if the commission does not approve the amendments it could limit the clientele.

Tom Ross – President of the Chambers of Commerce – He stated that the brewery is a customer of his and that the business provides a product that keeps residents in town. Mr. Ross stated that it is difficult to attract positive businesses to our city.

Jose Luis Rodriguez – 308 N. Macneil Street, San Fernando, CA 91340 – Mr. Rodriguez stated that he is a resident of San Fernando and a brewery employee. He stated that the brewery has won "Best Brewery" and that the owners are the most responsible people that he knows.

Pete Ontiveros – 1109 Harding Avenue, San Fernando, CA 91340 – Mr. Ontiveros stated that he was amazed at such a turn out for a conditional use permit. He asked the commission to approve the modification of the CUP and reminded the commission that children are also allowed at Denny's and Chuck E. Cheese where beer and wine are being served.

Gilbert Berriozabal – 606 Hollister Street, San Fernando, CA 91340 – Mr. Berriozabal stated that the applicant is one of the "Jewels of San Fernando". He stated that the brewery has facilitated friendships. He also indicated that Joe and Vic (brewery owners) are amazing and responsible owners.

Adriana Serrano - 1408 Phillippi Street, San Fernando, CA 91340 – Ms. Serrano stated that she supports the brewery and that its existence will continue to bring friends and organizations to the city.

Carole Klenk – 663 Fourth Street, San Fernando, CA 91340 – Ms. Klenk stated that her husband was successful in obtaining 30 signatures of neighbors who do not want any outdoor activities at the brewery.

Jessica Medina – 420 N. Meyer Street, San Fernando, CA 91340 – Ms. Medina was born and raised in San Fernando. She stated that the brewery is a successful business that made a decision to invest in our city. She stated that she doesn't see a parking problem because she rides her bike throughout the city and to the brewery. She indicated that the staff at the brewery are honest and hard working.

Allen Giragosian – 22038 Vanowen Street, Woodland Hills, CA 91303 – Mr. Giragosian stated that he is looking at San Fernando for a potential location of a future Nano Brewery. He stated that the people of San Fernando are always welcoming and supportive.

Monica Castillejos – 464 Griswold Avenue, San Fernando, CA 91340 – Ms. Castillejos stated that she is a 10 year resident of San Fernando. She agreed that the City of San Fernando needs

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more businesses and she is not asking for business to be shut down but asking the commission to consider the signatures collected of the surrounding neighbors to have all brewery activity to be kept indoors.

Noe Lopez – (No address given) – Mr. Lopez indicated that he is a 20 year resident and he stated that his only concern is with the surrounding neighbors and how this will affect them. He stated that he agrees that the brewery should be allowed to have food trucks.

Adriana Ticas – 1018 N. Brand Blvd., San Fernando, CA 91340 – Ms. Ticas stated that she supports the brewery and their application for the modifications to the existing conditions. Ms. Ticas stated that she visits the brewery and when she visits they treat her like family. She also noted that she has not experienced any problems at the location.

John Solorzano – (No address given) – Mr. Solorzano stated that he is a 29 year resident on Hagar Street who walks to the brewery, which he considers a great business and he is speaking to show his support.

Jose Salcedo – 13639 Berg Street, Sylmar, CA 91342 – Mr. Salcedo stated that he frequents the brewery and when he does, he is dropped off and picked up. He stated that it is a great place to go hang out.

Jonathan Guzman – 1201 Harding Avenue, San Fernando, CA 91340 – Mr. Guzman said that the general public does not stay or come to San Fernando since there are not many evening options. He stated that he has never had an issue at the brewery and he supports the local business.

Esteban Barajas – 212 Harps Street, San Fernando, CA 91340 – Mr. Barajas stated that he does not have an issue with the request to extend the hours of operation. He stated that at times the City has too many rules and he does not find it fair and we should encourage businesses to grow and add revenues.

Edgar – (No address given), Sylmar, CA – He stated that he came to show support for the CUP request.

Christine Bernal – 702 Fourth Street, San Fernando, CA 91340 – Ms. Bernal could not attend the commission meeting, she wrote an electronic correspondence in support of the applicant that was read for the record.

COMMISSION DISCUSSION

A. Durham stated that it is a big responsibility to allow minors and if it is not done correctly it can have a negative effect on a business.

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K. Beaulieu stated that he has only heard positive feedback regarding this business. He stated that he believes that the extended hours can take place without impacting the neighbors on Griswold Avenue.

Vic Chouchanian – applicant – Mr. Chouchanian thanked everyone who came out to support the business. He stated that the doors to the establishment face Park Avenue and that all of the noise is within the confines of the building. He noted that he will call and Uber or Lyft services if a customer needs assistance getting home. He explained that he does not plan on serving until 12:00 a.m. he indicated that last call will be at 11:15 p.m. to allow patrons to prepare for their departure.

F. Ramirez stated that it is within the purview of the commission to impose conditions of approval that require the applicant to advertise where and who to call with on-site signage if there is an issue with the property or the business operation or even consider a mass mailer to notify the local community regarding the recent approved expanded hours of operation.

T. Haupt asked about the music and the sound levels.

F. Ramirez informed the commission regarding the noise ordinance already in place that would allow either Code Preservation or the Police Department to monitor and enforce as needed. He stated that all of the music would be within the building with the exception of music associated with a future “Special Event” request.

Y. Mejia asked if city personnel had decibel readers. She stated that she is in support of the business and wants to the business to have continued success.

T. Haupt asked about the Special Events and how staff would monitor the outside activity.

F. Ramirez indicated that a Special Event Permit requires 45 day submittal which is reviewed by all of the departments. He noted that during this internal review of the application, the city make sure that it does not conflict with any of the County pool activities.

V. Chouchanian stated that this expansion will allow his business to grow. He stated that currently they can be found in 65 stores and 75 restaurants from San Diego to Santa Barbara. He indicated that this expansion will only be for production, which he projects will allow the brewery to produce an additional 120,000 gallons a year.

K. Beaulieu asked what happens when the brewery is producing more than 60,000 barrels of beer a year.

V. Chouchanian stated that at that point they would have to obtain a different license from ABC.

K. Beaulieu indicated that he expects that the brewery will continue to be good neighbors and provide a place where the community can gather.

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Subsequent to discussion, Commissioner K. Beaulieu moved to approve Conditional Use Permit 2016-004 to allow the existing beer manufacturer/micro-brewery use located at 425 Park Avenue, to expand its manufacturing, production, wholesale/distribution, and on-site sale of craft beer activities, pursuant to Planning and Preservation Commission Resolution 2016-010 and the Conditions of Approval attached as Exhibit “A” to the resolution (Attachment No. 1). Seconded by Vice-chair A. Durham; the motion carried with the following vote:

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

Chairperson T. Haupt asked for a five minute recess to allow the Council Chambers to empty.

8:25 Recess:

8:35 Meeting Reconvened.

PUBLIC HEARING 2:

Update regarding various housing types and applicable local, state and federal regulations – City of San Fernando, 117 Macneil Street, San Fernando, CA 91340 – Review of existing City zoning regulations related to various housing types currently permitted and conditionally permitted in the City’s Zoning Code and review applicable Local, State, and Federal regulations that affect the City’s review and permitting of said housing types.

STAFF PRESENTATION:

Fred Ramirez gave the staff report recommending that the Planning and Preservation Commission:

- A. Review the update regarding various housing types and applicable Local, State, and Federal regulations and provide City Planning Staff and the City Attorney with direction on any further analysis and/or preparation of a possible City Zoning Text Amendment; and .
- B. If determined that a zone Text Amendment is needed, then adopt the attached Resolution of intention (Attachment No. 1) directing City Planning Staff and the City Attorney to begin the preparation of a draft ordinance amending the City Zoning Ordinance related to housing types and applicable developed standards.

COMMISSION DISCUSSION:

The Commission has agreed as a group that the item should be continued for a later date.

F. Ramirez clarified that since the item was advertised for discussion that it would be best to

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open the Public Hearing for anyone who wants to speak about the item for the record before it is rescheduled.

Public Hearing opened at 8:53 p.m. – no comments

Public Hearing closed at 8:54 p.m.

Vice-chair A. Durham moved to continue the discussion of the Update Regarding Various Housing Types to a date not specific. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

STAFF COMMUNICATIONS

F. Ramirez gave a brief description of the upcoming planning cases which included;

- MP Auto on First Street
- Lopez Villegas House –
- Large Family Day Care Home
- Jessie Street – Moving Company

COMMISSION COMMENTS

T. Haupt stated that he is concerned that the County responded at 1:00 p.m. this afternoon regarding the public hearing item.

PUBLIC STATEMENTS

None.

ADJOURNMENT

Vice-chair A. Durham moved to adjourn to November 1, 2016. Second by Commissioner K. Beaulieu, the motion carried with the following vote:

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

8:58 P.M.

Fred Ramirez

Planning Commission Secretary



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

**DRAFT MINUTES OF THE
NOVEMBER 1, 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 Chairperson Theale Haupt

ROLL CALL

The following persons were recorded as present:

PRESENT:

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

ALSO PRESENT

Community Development Director Fred Ramirez, City Attorney Lloyd Pilchen, Associate Planner Humberto Quintana, Contract Planner Braulio Moreno and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

Commissioner Y. Mejia moved to approve the agenda of November 1, 2016, meeting. 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

CONSENT CALENDAR

Y. Mejia moved to approve the minutes of the August 2, 2016, Planning and Preservation Commission Meeting. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

UNFINISHED BUSINESS

None

PUBLIC HEARING 1:

Large Family Day Care Home (LFDCH Permit 2016-001) – Starr Carver, 1402 Hewitt Street, San Fernando, CA 91340 – 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.

STAFF PRESENTATION

Contract Planner Braulio Moreno gave the staff presentation recommending 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”.

PUBLIC COMMENT

COMMISSION DISCUSSION

K. Beaulieu asked if all of the structures on the property were legal.

B. Moreno stated that the existing structures were legal non-conforming.

K. Beaulieu asked if there were any complaints about the existing operations.

H. Quintana stated that as a Small Family Day Care it has been in operation for quite some time now and no complaints have been received but as notified the surrounding neighborhood staff received a telephone call from Norma Lara who owns property near the proposed Large Family Day Care. Her concerns were with the parking, consistency with the single family neighborhood, as well as the outside play times allowed at the location. All of these concerns have been addressed through the conditions of approval.

K. Beaulieu asked if the applicant has always offered 24 hours care and what are the ages she currently provide services for.

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H. Quintana stated that the applicant does have the approval under her current license to offer 24 hour care but does not care for anyone overnight. If the Large Family Day Care Home application is approved then she will consider that option in the future but is not considering anything past 11:00 p.m. by choice.

Starr Carver – the applicant – Ms. Carver indicated that the children left in her care are usually 12 years of age and younger because legally in the State of California a minor who is 13 years of age can be left without supervision. She indicated that there are some periods where a parent may still want their 13-14 year old child to be supervised.

Y. Mejia asked for clarification on the outside play area.

H. Quintana stated that the outdoor play area is contained within a five foot perimeter fence just beyond the driveway area.

Y. Mejia expressed concern with the parking in the driveway and the fact that a child exiting a vehicle as another vehicle approaches.

S. Carver indicated that all children must be signed in and out which requires them to be accompanied by an adult and the drop off and pick up times are staggered to prevent any potential backup in the driveway.

T. Haupt asked if we could request that there be some sort of physical barrier in the form of posts, bollards and/or similar structures to prevent a vehicle from driving directly into the play area by accident.

Y. Mejia asked if the driveway was fenced or open to access the parking area.

S. Carver indicated that the house does have chain link perimeter fencing, which remains open during the day care hours for access to the driveway.

Y. Mejia asked how many employees current work at the location.

S. Carver stated that currently it is her, her husband, and an assistant, if the application gets approved for a large family day care she stated that she would hire an additional assistant.

K. Beaulieu asked how long can one child stay continuously or long term.

S. Carver stated that by State licensing standards you cannot care for a child more than 24 hours and currently she does not have anyone child stay longer than 12 hours. She indicated that she did not want to commit to caring for a child on a long term basis.

Y. Mejia asked about the older children and if they are allowed to play outside unsupervised.

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S. Carver indicated that there are two playtimes one in the morning from 8:00 a.m.-9:00 a.m. and one in the afternoon from 4:00 p.m.-5:00 p.m., if the weather permits. She also noted that these times may vary a bit. She explained that the license is for certain areas of the property. The license only includes services to be provided for in the play area and the designated day care area. The areas of the front yard, rear yard including the trampoline and the personal space of the home are off limits.

A. Lopez asked about the bathroom accommodations.

S. Carver indicated that it is a full size standard bathroom with one toilet, sink, and bathtub.

Y. Mejia asked if currently she has anyone who stays overnight.

S. Carver indicated that she does have a couple children whose parent work the swing shift but these children are picked up at 8:00 p.m.

6:56 p.m. Public Hearing opened – No comments

6:57 p.m. Public Hearing closed

Subsequent to discussion Vice-chair A. Durham moved to approve the request for the operation of a Large Family Day Care Home Permit 2016-001 at 1402 Hewitt Street, pursuant to the Planning and Preservation Commission Resolution 2016-012, including the Conditions of Approval noted therein as Exhibit “A”. Seconded the Commissioner Y. Mejia, the motion carried with the following vote:

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

STAFF COMMUNICATIONS

F. Ramirez asked everyone availability for a Special Meeting on November 22, 2016 to bring the Lopez Villegas Certificate of Appropriateness before the Commission.

Y. Mejia stated that she will not be available.

F. Ramirez provided the Commission with an update regarding MP Auto on First Street and the Marble Cutting businesses along First Street.

COMMISSION COMMENTS

Y. Mejia asked that staff follow up on the loitering at Smart and Final parking lot.

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PUBLIC STATEMENTS

None.

ADJOURNMENT

Vice-chair A. Durham moved to adjourn to the Special Meeting of November 22, 2016. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

7:14 P.M.

Fred Ramirez

Planning Commission Secretary



MEETING DATE: January 3, 2017

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 Conditional Use Permit 2016-008, allowing for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road, pursuant to Planning and Preservation Commission Resolution 2017-001 and the Conditions of Approval attached as Exhibit “A” to the resolution (Attachment No. 1).(Roll Call Vote)

b. To Deny:

“I move to deny Conditional Use Permit 2016-008, based on the following...” (Roll Call Vote)

c. To Continue:

“I move to continue consideration Conditional Use Permit 2016-008 to a date specific date...” (Roll Call Vote)

Moved:_____

Seconded:_____

Roll Call:_____

ITEM 4:
Conditional Use Permit 2016-008



AGENDA REPORT

To: Planning and Preservation Commission Chairperson Haupt and Commissioners

From: Fred Ramirez, Community Development Director
By: Humberto Quintana, Associate Planner

Date: January 3, 2017

Subject: **Conditional Use Permit 2016-008**
1204 San Fernando Road, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No: 2521-019-032)

Proposal: The proposed project is a request for review and approval of a Conditional Use Permit (CUP) 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road.

The requested CUP would allow for CVS Pharmacy to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 13,275 square-foot proposed commercial building. The subject property consists of approximately 4.36 acres. The subject property is located at the south side of the 1200 block of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone.

APPLICANT: Garfield Beach CVS, LLC c/o Boos Development West, LLC.
701 N Parkcenter Drive, Santa Ana, CA 92705

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2016-008, allowing for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road, pursuant to Planning and Preservation Commission Resolution 2017-001 and the Conditions of Approval attached as Exhibit "A" to the resolution (Attachment No. 1).

The Planning and Preservation Commission's approval of the CUP amendment would allow CVS Pharmacy, a retail drug store, to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. In addition, approval of the CUP would permit the operation of a pharmacy drive-up window in conjunction with the proposed retail drug store at the subject site (1204 San Fernando Road).

PROJECT OVERVIEW:

On December 20, 2016, Garfield Beach CVS, LLC c/o Boos Development West, LLC (the "Applicant"), submitted a Conditional Use Permit (CUP) application to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road. The requested CUP would allow for CVS Pharmacy ("CVS") to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control.

The proposed retail drug store would occupy an approximate 13,275 square-foot commercial building. The new CVS building will include a pharmacy drive-thru window that would be built along the easterly side elevation facing the interior parking area of the larger shopping center complex. The "Project Site" consists of approximately 4.36 acres and is part of a larger existing shopping center complex. The Project Site including the entire shopping center complex is currently developed with an approximately 1,154 sq. ft. abandoned freestanding commercial building (former drive-thru fast food restaurant to be demolished in order to make way for the new CVS), an approximately 50,500 sq. ft. grocery store, an approximately 14,449 sq. ft. multi-tenant commercial building and an approximately 2,267 sq. ft. freestanding fast-food restaurant building (Yoshinoya). The Project Site is located at the south side of the 1200 block of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone.

Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. Based on the City's parking calculation, the development as proposed will be deficient 15 on-site parking spaces. Pursuant to the Truman/San Fernando District Development Standards Section 8 (Parking), the required parking for a project may be satisfied by either providing parking on-site, on-street along adjacent public streets frontages, by constructing or purchasing spaces in off-site parking structures, and /or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the fee in lieu of parking is currently \$8,192.50 per parking space. As allowed, per the San Fernando Corridors Specific Plan, the Applicant has opted to pay the parking in-lieu fee for a total of \$122,887.50 in order to address the 15 parking space deficiency and satisfy the City parking requirement for the proposed development.

The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store, would be established with the requested CUP, pursuant City Code Sections 106-145 and 106-176, et al. City Code Section 106-177 notes that a drug store is a business establishment that is characterized primarily by the filing of prescription drugs and the sale of drugs, medical devices and supplies and non-prescriptive medicine, but where non-medical products such as cards, candy and cosmetics are also sold. In addition, drug stores like the proposed CVS are allowed to sell alcoholic beverages, consisting of beer, wine, and distilled spirits, but are limited to a sale and display area of no greater than 10-percent of the tenant space. Furthermore, pursuant to City Code Section 106-179(c)(2), drug stores, along with grocery stores, supermarkets, or specialty food stores, are exempt from distance separation requirements from other outlets that have permits to sell alcohol. These types of establishments are provided the exemption provided that they do not exceed the maximum floor area allowed for the sale and display of alcoholic beverages.

As currently proposed, the area dedicated to display and sale of alcoholic beverages would occupy an approximate 39.3 square-foot area within the 13,275 square-foot tenant space, or 0.29 percent of the overall floor area of the tenant space. As provided by City Code Section 106-177, the maximum floor area that can be dedicated to the sale and display of alcoholic beverages is 10-percent, or a total of 1,327.5 square feet, as it pertains to the proposed tenant space. The new retail drug store would provide an area for alcohol sale and display significantly less than the maximum allowed, in compliance with city code requirements. However, if at a later date the tenant desires to increase the area for alcohol beverage sale and display above what is currently proposed, the tenant may do so without exceeding the maximum 10-percent floor area requirement and subject to initial review and approval by the City of San Fernando (the “City”).

Based on the review of the requested CUP, it is City Planning Staff’s assessment that the applicant’s request would qualify for the Commission’s consideration of a CUP to allow for approval of Conditional Use Permit (CUP 2016-008) in order to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with the planned occupancy and operation of CVS, a retail drug store and to facilitate the inclusion of a pharmacy drive-up window. Additional discussion regarding the requested CUP and the required findings for approval of the project is provided in the analysis section of this report.

BACKGROUND:

1. General Plan Land Use and Zoning Designation: The Project Site at 1204 San Fernando Road is located within the Truman/ San Fernando District – Mixed Use Transition Sub-District of

the San Fernando Corridors Specific Plan (SP-4) Zone and maintains a San Fernando Corridors Specific Plan (SP-4) land use designation in the General Plan Land Use Element.

2. Site Location and Description: The Project Site is an approximately 4.36 acres (Los Angeles County Assessor Parcel No.: 2521-019-032) along the 1200 block of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. The Project Site abuts similarly zoned property within the SP-4 zone to the north, east, and west, and is within the vicinity of the C-1 (Limited Commercial) zone to the south. Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. Parking for the subject site is accessible off of Pico Street, San Fernando Mission Boulevard and off of San Fernando Road. However, based on the City Planning Staff's parking calculation the development as proposed; is deficient 15 parking spaces.
3. Environmental Review: This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). Based on the City's environmental assessment, it is the City Planning Staff's assessment that the Project proposal qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects) of San Fernando's CEQA Guidelines in that the proposed conditional use permit is limited to allowing for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS, a retail drug store and to facilitate the inclusion of a drive-up window will involve the development of a 13,275 sq. ft. commercial building. Therefore, the proposed CUP and associated physical improvements to the Project Site will not have a significantly adverse impact on the environment.

The approximately 4.36 acre Project Site is less than five acres and is located within an urbanized area of the City along San Fernando Road and has no value as a habitat for endangered, rare or threatened species. The proposed development of a 13,275 square foot building and associated physical improvements to the Project Site and re-designed on-site parking facility will not have any significant adverse environmental impacts related to traffic, noise, air quality, or water quality. The Project Site will continue to have adequate ingress and egress for pedestrian and vehicular access from the Project Site onto Pico Street, San Fernando Road and San Fernando Mission Boulevard, which is a major arterial within the City.

The development of a 13,275 square foot commercial building is less than 75,000 sq. ft. of non-residential use surrounded by similarly zoned and developed commercial sites and therefore will not have the potential to create adverse environmental impacts related to city code permitted noise levels, the existing air quality levels, and/or the quality of the City's water system. Furthermore, the proposed development of a 13,275 sq. ft. commercial

building and parking lot redesign will be redeveloped in a manner that will not adversely impact existing utilities and public services already available to the Project Site.

4. Legal Notification: On December 22, 2016, a public hearing notice was published in the print and online versions of the legal advertisement section of the *Los Angeles Daily News*. On December 23, 2016, a public hearing notice was posted at the Project Site, at the two City Hall bulletins, and at the local branch of the Los Angeles County Library (217 N. Maclay Avenue). In addition, on December 23, 2016 notices of the public hearing for this CUP request were mailed to all property owners of record within 500 feet of the Project Site.
5. Public Comments: As of the date of preparation of this staff report, no comments were received from the public regarding this conditional use permit request. Any comments received after the distribution of this report shall be read into the record at the public hearing.

ANALYSIS:

1. General Plan Consistency. The requested CUP to allow for the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (off-sale alcohol permit), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of a CVS Pharmacy, a retail drug store at 1204 San Fernando Road is consistent with the following goals and objectives of the San Fernando General Plan Land Use Element by:

- ✓ Attracting new commercial activities;
- ✓ Promoting economic viability of commercial areas;
- ✓ Maintaining an identity that is distinct from surrounding communities; and,
(San Fernando General Plan Land Use Element Goals I-IV, Pg. IV-6)

The requested CUP to allow for the ancillary sale of alcoholic beverages for consumption off the premises, in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS at the Project Site, would allow for a new building and site improvements that would upgrade the aesthetic character of the commercial shopping complex located on a major intersection within the downtown area at San Fernando Road and San Fernando Mission Boulevard.

The planned new tenant in CVS achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities into the City's San Fernando Corridors Specific Plan (SP-4) Zone. Additionally, the planned development of the proposed commercial building and site improvement will facilitate new investment within the downtown area resulting in the redevelopment of a dated high-

visibility/high-traffic intersection while still encouraging additional investment within the surrounding commercial corridor.

2. Zoning Consistency. Pursuant to Section 2.5(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, the operation of a pharmacy is a by-right use within the sub-district. Pursuant to City Code Section 106-176 et seq., the off-site sale of alcoholic beverages is a use that is conditionally permitted in the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone, subject to the review and approval by the Planning and Preservation Commission. Additionally, pursuant to the San Fernando Corridors Specific Plan Section 2.6(A) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District, drive-up windows are permitted in conjunction with permitted uses in the sub-district, subject to the review and approval of a conditional use permit by the Planning and Preservation Commission (the “Commission”).

The location of the Project Site within the City’s SP-4 Zone provides the ability for an applicant to request and the Commission to consider approval of a CUP to allow for the sale of alcoholic beverages for consumption off the premises and allow the inclusion of a drive-up window in conjunction with the proposed CVS at the Project Site located at 1204 San Fernando Road. Furthermore, in compliance with City Code Section 106-177, CVS, the planned retail drug store, would provide a sale and display area for alcoholic beverages of less than the 10-percent maximum floor area coverage permitted for these types of establishments. Therefore, it is staff’s assessment that the requested CUP for the sale of alcohol for off-site consumption, with the recommended conditions of approval, is consistent with the City of San Fernando Zoning Ordinance.

3. Distance Separation Requirements. As previously noted, City Code Section 106-179(c)(2) allows for drug stores like the proposed CVS, along with grocery stores, supermarkets, or specialty food stores to be exempt from distance separation requirements that would otherwise apply to liquor stores or similar alcohol retailers establishments. A retail drug store such as the CVS is provided an exception from distance separation requirements provided that the business does not exceed the maximum floor area allowed for the sale and display of alcoholic beverages. As discussed above, the CVS would provide a sale and display area for alcoholic beverages of 0.29 percent of the floor area of the proposed commercial building; a floor area less than the maximum of 10-percent permitted by the City Code for these types of establishments.
4. Type 21 Alcohol License Provisions. The State’s Alcoholic Beverage Control Act, codified as Division 9 of the Business and Professions Code, establishes the provisions for the issuance of licenses for alcoholic beverages, including beer, wine, and distilled spirits. The issuance of

an off-sale general license in the State is administered by the California Department of Alcoholic Beverage Control (ABC).

In California, retailers for the sale of beer, wine and distilled spirits are required to apply for a Type 21 (Off Sale General) license. A Type 21 license allows the sale of beer, wine and distilled spirits for consumption off the premises where sold.

5. State Provisions for Issuance of Alcohol Licenses. Pursuant to Business and Professions Code Section 23958, State law requires the California Department of Alcohol Beverage Control (“ABC”) to deny an alcohol license application if the project site is located within a United States Census Tract that has an “undue concentration” of licenses, unless certain exceptions apply. Undue concentration exists when:

- a) The site is located in a crime reporting district that has a 20% greater number of reported crimes than the average number of reported crimes as compiled by the local Police Department during the most recent year;
- b) As to “on-sale” retail license applications (for on-site consumption of alcoholic beverages): when the ratio of on-sale retail licenses to population in the census tract in which the proposed site is located exceeds the ratio of on-sale retail licenses to population in Los Angeles County; or
- c) As to “off-sale” retail license applications (for off-site consumption of alcoholic beverages): when the ratio of off-sale retail licenses to population in the census tract in which the proposed site is located exceeds the ratio of off-sale retail licenses to population in Los Angeles County. (Business and Professions Code Section 23958.4(a)(1)-(3)).

Notwithstanding the existence of an undue concentration of alcohol licenses, ABC may issue an alcohol license in the following instances:

- a) For a retail on-sale bona fide public eating place license (or a retail license issued for a hotel, motel, or other lodging establishment, or a nonretail license): if the applicant shows that public convenience or necessity would be served by the issuance of the license.
- b) For any other license: if the City Council or its designated subordinate officer or body determines that public convenience or necessity would be served by the issuance of the license. (Business and Professions Code Section 23958.4(b)(1)-(2)).

In evaluating whether undue concentration exists within the reporting area of the Project Site, City Planning Staff has assessed crime statistics received from the San Fernando Police

Department (the “Police Department”), as well as evaluated the concentration of alcohol licenses in relation to county and local population available from the United States Census Bureau.

Data from the Police Department groups the information available for United States Census Tract 3203 (the tract in which the Project Site is located) as one complete reporting area, referred to as Police Department “Track 3”. Track 3 encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south. Based on the reporting data available from the Police Department, since December 1, 2013, 35 percent of all incidents reported were generated from Track 3.

This rate is proportional with the rest of the City, as this reporting track covers approximately 0.65 square miles area of land. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.96 square miles, respectively. Additionally, the subject property is not within a reporting district that has a 20-percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracts, with the percentage of crime being relatively proportional throughout the City.

It is anticipated that approval of the requested CUP to allow for establishment of a retail drug store (CVS) at the Project Site with the ancillary sale of alcoholic beverages for off-site consumption, would not have the effect of increasing incident reporting percentages for this reporting track.

Furthermore, the Project Site at 1204 San Fernando Road is located within Census Tract No. 3203 and has a published total population of 6,948 residents as of the 2010 United States Census. There are a total of twenty five (25) on-sale and off-sale alcohol licenses within the census tract.

A review of the City and ABC records indicates that there are thirteen (13) existing off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 534 residents) within Census Tract No. 3203. If the CUP for the CVS were to be granted, then there would be a total of fourteen (14) off-sale alcohol outlets (one (1) off-alcohol outlet for every 496 residents) within the Census Tract No. 3203. The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 6,383 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one (1) license for every 1,538 residents. Since the ratio of off-sale licenses within Census Tract No. 3203 is higher than the ratio for Los Angeles County, then Census Tract No. 3203 does have an undue concentration of off-sale licenses. Therefore, findings of public convenience and necessity are required in this case.

6. Conditional Use Permit Findings. As the name implies, a Conditional Use Permit (CUP) allows the City of San Fernando the ability to consider specified uses that might not otherwise be allowed as a principally permitted use, provided the landowner or applicant meets certain conditions of approval. The basic goal of the CUP is to allow the full range of land uses required for the community to function, while still giving the community some control over individual situations that could result in land use conflicts and/or negative environmental impacts. CUPs are important to land use planning because it allows the Planning and Preservation Commission (the “Commission”) to review the potential impacts associated with the discretionary review of the proposed development.

A CUP is subject to discretionary review by the Commission. Discretionary review is a process that permits the Commission to review individual cases for proposed uses of the land and approve a project subject to specific conditions or deny the CUP request. Conditions of project approval imposed on the applicant through the discretionary review process may call for any measures that are reasonably related to preventing potential adverse land use and/or environmental impacts that might be associated with the project.

The approval or denial of a CUP is based on the Commission’s ability to be reasonably satisfied with the project and that it possesses certain characteristics that are identified in the form of 10 findings of fact, as required per City Code Section 106-145. All findings must be justified and upheld in the affirmative for approval of the CUP; a negative determination on any single finding is grounds for a denial of the CUP.

It is City Planning Staff’s assessment that the findings for approval of the CUP amendment can be made in this instance based on the aforementioned discussion, and as explained below for each of the required findings of fact.

- a) The proposed use is one conditionally permitted within the subject zone and complies with all applicable sections of the zoning ordinance.**

Pursuant to Section 2.5(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, the operation of a pharmacy is a by-right use within the sub-district. Pursuant to City Code Section 106-176 et seq., the ancillary off-site sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of CVS, a retail drug store at the Project Site at 1204 San Fernando Road is a use that is conditionally permitted in the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. Additionally, pursuant to Section 2.6(A) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, drive-up windows are conditionally permitted in

conjunction with ongoing operation of a permitted uses (i.e. retail drug store) in the sub-district.

Furthermore, in compliance with City Code Section 106-177, the new business would provide a sale and display area for alcoholic beverages of 0.29 percent of the total floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments. Therefore, it is staff's assessment that the requested CUP, subject to the conditions of approval for the ancillary sale of alcoholic beverages for off-site consumption, in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy is one conditionally permitted within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone and complies with all applicable sections of the City's Zoning Ordinance. Thus, it is staff's assessment that this finding can be made.

b) The proposed use would not impair the integrity and character of the zone in which it is to be located.

The proposed use of a portion of the Project Site in order to accommodate a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a drive-up window, subject to the adoption of the recommended conditions of approval, would not impair the integrity and character of the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. CVS, the proposed new tenant, would occupy a proposed approximate 13,275 square-foot commercial building at the northeast corner of the Project Site. The Project Site is currently improved as a commercial shopping center with an approximately 1,154 sq. ft. abandoned freestanding commercial building (former drive-thru restaurant to be demolished to make way for the CVS), an approximately 50,500 sq. ft. grocery store, an approximately 14,449 sq. ft. multi-tenant commercial building and an approximately 2,267 sq. ft. freestanding fast-food restaurant building.

The new CVS Pharmacy store would provide ancillary sales of alcoholic beverages while not exceeding the maximum floor area permitted for the sale and display of alcoholic beverages. Furthermore, the introduction of a CVS at the Project Site, with the proposed commercial building and site improvements (i.e., re-designed parking area and perimeter landscape area), allows for additional investment within the city's commercial zones while providing a location for residents of the City and neighboring communities to access prescription and non-prescription medicine to improve personal health and welfare. Thus, it is staff's assessment that this finding can be made.

c) The subject site is physically suitable for the type of land use being proposed.

The Project Site at 1204 San Fernando Road is physically suitable for the proposed CVS Pharmacy store with ancillary sale of alcoholic beverages for off-site consumption and inclusion of a pharmacy drive-up window. The new CVS would occupy an approximate 13,275 square foot commercial building that is proposed at the Project Site's northeast corner. Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. An in-lieu fee will be paid for a total of fifteen (15) spaces that the Project Site will be deficient post development of the CVS Pharmacy store project. In addition, based on low trip generation values for this CVS Pharmacy project when added to existing traffic counts at neighboring intersections as well as to future projected traffic within the planning area in which the Project Site is located, it is estimated that the proposed CVS Pharmacy store development will not result in any significant traffic impacts within the Project Site and neighboring traffic intersections.

Furthermore, based on the drive-up window queuing analysis conducted for this CVS facility, it has been determined that the area in the site plan allocated to accommodate four vehicles for stacking provides the necessary area to accommodate future traffic demands and matches up with similar queuing data evaluated for similar drive-thru lanes for other pharmacies. Thus, it has been determined that the area provided on-site for four vehicle stacking will be adequate to accommodate future vehicle queuing demand.

The proposed physical improvements to the Project Site and the proposed commercial building would upgrade the aesthetic character of a commercial shopping complex located on a major intersection within the downtown area at San Fernando Road and San Fernando Mission Boulevard. It is anticipated that these new physical improvements to the Project Site will encourage additional investment in the downtown area and neighboring commercial corridors. Any necessary utility upgrades that may be required in order to support the new use would be addressed as part of the development of the Project Site, which are subject to review and approval by the City and associated public utility providers. Thus, it is staff's assessment that this finding can be made.

d) The proposed use is compatible with land uses presently on the subject property.

The proposed use of the Project Site as a CVS Pharmacy store, with the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a drive-up window is compatible with the type of commercial land uses that presently exist at the Project Site at 1204 San Fernando Mission Boulevard. The proposed CVS building at the Project Site will be integrated architecturally and through site design into the larger existing commercial shopping center. The proposed use of a CVS, retail drug store, in conjunction with the ancillary sale of alcoholic beverages for off-site consumption and

the inclusion of a pharmacy drive-up window, would complement neighboring uses within the surrounding commercial district, the neighboring downtown area, and the abutting commercial center at 1204 San Fernando Road. In addition, Pursuant to Section 2.5(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, the operation of a pharmacy is a by-right use within the sub-district.

Additionally, pursuant to Section 2.6(A) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, drive-up windows such as the one being proposed are conditionally permitted in conjunction with permitted uses like the CVS. Furthermore, pursuant to City Code Section 106-176 et seq., the ancillary off-site sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of the CVS, retail drug stores are conditionally permitted uses within the Project Site's applicable zoning district (the SP-4 Zone). Thus, it is staff's assessment that this finding can be made.

e) The proposed use would be compatible with the existing and future land uses within the zone and the general area in which the proposed use is to be located.

The City's San Fernando Corridors Specific Plan (SP-4) Zone and associated districts and sub-districts, is developed with a variety of commercial uses that help serve the needs of residents of the City and neighboring communities. As such, the proposed CVS Pharmacy, retail drug store would be compatible with existing commercial land uses within the vicinity of the Project Site. Furthermore, the City's General Plan Land Use Element designates the Project Site within the City's San Fernando Corridors Specific Plan (SP-4) land use area, as a location where future uses that are envisioned for the area include the operation of similar commercial uses and related services to the proposed CVS.

The requested CUP to provide for the sale of alcoholic beverages as an ancillary use, in conjunction with the operation of the CVS, retail drug store that includes a pharmacy drive-up window, would also include retail and service commercial uses that customarily provided by similar drug stores, grocery stores, supermarkets, and specialty food stores. Furthermore, a retail business that includes the operation of a drug store and the sale of alcoholic beverages conditionally permitted within the sub-district at the Project Site would also be consistent with future land uses envisioned for the SP-4 Zone and future potential uses envisioned for the SP-4 land use area and more specifically within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. Thus, it is staff's assessment that this finding can be made.

- f) There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.**

The new CVS Pharmacy, retail drug store will be adequately served by the City's water and sanitation systems and other needed public utilities that are currently in place for the existing free standing commercial building that is to be demolished and the larger shopping center complex located at the Project Site. Infrastructure and utility upgrades that are deemed to be necessary at the time that construction plans are submitted for City plan check, and any required future improvements to said infrastructure and public utilities would be required to be developed in compliance with the requirements of the City's building codes, including any requirements for off-site improvements and utility connections from the City's Public Works Department. Thus, it is staff's assessment that this finding can be made.

- g) There would be adequate provisions for public access to serve the subject proposal.**

The Project Site, with the proposed physical improvements determined by the City to facilitate the new CVS Pharmacy building at the subject property, would improve the condition of the Project Site while retaining existing driveways that provide vehicular ingress and egress that are accessible off of Pico Street, San Fernando Mission Boulevard and off of San Fernando Road. Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. Based on the City Planning Staff's parking calculation, the proposed development is deficient 15 parking spaces. The CVS Pharmacy development will offset the parking deficiency through the payment of a parking in-lieu fee as allowed in compliance with the applicable parking requirements of the San Fernando Corridors Specific Plan. Pedestrian access will be enhanced through the development of entrances to the CVS building off of San Fernando Mission Boulevard and through the newly created path of travel located along the southern elevation of the proposed commercial building. Thus, it is staff's assessment that this finding can be made.

- h) The proposed use would be appropriate in light of an established need for the use at the proposed location.**

The proposed CVS Pharmacy would allow for the physical improvement of the Project Site at 1204 San Fernando Road through the construction of a 13,275 sq. ft. commercial building and various site improvements to the parking lot and landscape areas. The proposed improvements to the Project Site would allow for an upgraded appearance of a prominent intersection. Additionally, the proposed demolition of the existing freestanding commercial building would allow for a future commercial building to be occupied by CVS. The requested CUP to allow for the sale of alcoholic beverages in

conjunction with the operation of the retail drug store includes a pharmacy drive-up window would allow CVS to provide an ancillary service customary of similar retail drug stores in neighboring communities. Furthermore, the establishment of the CVS Pharmacy store would provide residents of the City and patrons from the surrounding communities with safe access to prescription and non-prescription medicine to improve public health and welfare. Thus, it is staff's assessment that this finding can be made in this case.

i) The proposed use is consistent with the objectives, policies, general land uses and programs of the City's general plan.

The Project Site is located within the City's San Fernando Corridors Specific Plan (SP-4) General Plan land use area. The San Fernando Corridors Specific Plan is a component of the City's General Plan. The proposed pharmacy retail store use is consistent with the Specific Plan objective to transform the City's main corridors into attractive, livable, and economically vital districts. The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a CVS, retail drug store at the Project site would allow for the development of a new commercial building and physical improvements that upgrade the aesthetic character of the larger commercial shopping center located on a major commercial intersection at San Fernando Road and San Fernando Mission Boulevard.

The planned CVS occupancy achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities in the City's San Fernando Corridors Specific Plan (SP-4) zone in general and the Mixed-Use Transition Sub-District in particular. Additionally, the planned improvements to the Project Site with the proposed commercial building, will assist in modernizing the appearance of the dated major intersection and encourages additional investment within the surrounding commercial corridor and adjacent downtown mall area (San Fernando General Plan Land Use Element Goals and Objectives, Pg. IV-6). Thus, it is staff's assessment that this finding can be made.

j) The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed CVS Pharmacy use at the Project Site in conjunction with the conditionally permit uses that include the ancillary sale of alcohol for off-site consumption and a pharmacy drive-up window would not be detrimental to the public interest, health, safety, convenience or welfare. The proposed occupancy of the new CVS, retail drug store would provide residents of the City and patrons from the surrounding communities safe access to prescription and non-prescription medicine to

improve public health and welfare, while providing an opportunity for a new investment in the Project Site and zoning district resulting from a new CVS Pharmacy being built in place of a dilapidated and abandoned former fast food restaurant. The development of a new CVS, a reputable nationwide pharmacy, would result in new investment at the Project Site that would improve the overall appearance of the Project Site through a new 13,275 commercial building that includes architectural features that create an overall design that compliments the rest of the shopping center. The new physical upgrades to the site resulting from a re-designed parking facility and perimeter landscape area and new on-site shade trees as well as off-site improvements to the Project Site's adjacent sidewalk area would improve vehicular and pedestrian access and safety throughout the site in a manner that protects the public interest and improves the public health, safety, convenience, and welfare.

The requested CUP permit to allow for the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a pharmacy drive-up window, subject to the adoption of the recommended conditions of approval, would allow the new business the ability to provide a service that is customary of similar retail drug store establishments located in neighboring communities. Additionally, by providing a sale and display area for alcoholic beverages that is significantly less than 10-percent of the total floor area of the proposed tenant space, the proposed use would ensure that the sale of alcohol is strictly ancillary to the primary activity of operating a CVS Pharmacy at the Project Site. Furthermore, approval of the requested CUP with the recommended conditions of approval, would allow for the abatement of public nuisances associated with sale of alcohol at the CVS Pharmacy store, with potential CUP revocation if public nuisances are not corrected in order to ensure that the conditionally permitted use is not detrimental to the public interest, health, safety, convenience or welfare. Thus, it is staff's assessment that this finding can be made.

7. Supplemental Findings for On-sale CUPs. In addition to those findings set forth in City Code Section 106-145, as discussed in Section 5 of this report, applications for conditional use permits involving any use that involves the sale, serving, and/or consumption of alcoholic beverages shall require the Planning and Preservation Commission to make the following findings:

- a) **That the existing or proposed use does not or will not encourage or intensify crime within the reporting district that it is located;**

In review of reporting from the San Fernando Police Department (the "Police Department") group the information available for United States Census Tracts 3203 as one complete reporting area, referred to as Police Department "Track 3". Track 3 encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to

the south. Based on the reporting data available from the Police Department, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3.

This rate is proportional with the rest of the City, as this reporting track covers approximately 0.65 square miles area of land. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.96 square miles, respectively. Additionally, the Project Site is not within a reporting district that has a 20 percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracts, with the percentage of crime being relatively proportional throughout the City.

In addition, reporting data from the City Police Department for the Project Site from December 1, 2013 to the December 28, 2016 time indicates a total six (6) calls for service. Of the total calls for service two (2) were for a disturbance, one (1) medical, one (1) fire, one (1) stopped pedestrian for questioning and one (1) burglary.

It is anticipated that approval of the requested CUP to allow for establishment of a CVS Pharmacy, retail drug store at the Project Site, with the ancillary sale of alcoholic beverages for off-site consumption, would not have the effect of increasing the incident reporting percentages for this reporting track. Furthermore, approval of the requested CUP with the recommended conditions of approval, would allow for the abatement of any public nuisances associated with sale of alcohol at the Project Site, with potential CUP revocation by the City if public nuisances are not corrected in a timely manner. Thus, it is staff's assessment that this finding can be made.

- b) That the existing or proposed use does not or will not adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area.**

The proposed CVS Pharmacy store use with the ancillary sale of alcoholic beverages for off-site consumption, subject to the recommended conditions of approval for the project, is not anticipated to adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area of the Project Site. As part of the conditions of approval for the requested CUP, the Applicant would be responsible for addressing issues relating to loitering in the public right-of-way, parking area, and in front of the property, along with ensuring the consumption of alcoholic beverages does not occur on-site. Failure to address public nuisances issues associated with sale of alcoholic beverages at the CVS Pharmacy store would result in the City initiating abatement action, including possible revocation of the CUP for repeated noncompliance. Furthermore, non-compliance with the conditions of approval for the development of the CVS Pharmacy store at the Project Site at 1204 San Fernando Road and violation of any applicable local ordinance would result in

nuisance abatement enforcement action by the City, including, but not limited to potential criminal prosecution and revocation of the CUP. Thus, it is staff's assessment that this finding can be made.

c) That the distance separation requirements in section 106-179 are met.

Pursuant to City Code Section 106-179(c)(2), drug stores like the proposed CVS Pharmacy store, grocery stores, supermarkets, and specialty food stores are exempt from distance separation requirements that would otherwise apply to other types businesses seeking a CUP for the sale of alcoholic beverages for off-site consumption. Therefore, the proposed CVS Pharmacy at 1204 San Fernando Road qualifies for the exemption in distance separation provided in the City Code. Thus, it is staff's assessment that this finding can be made.

d) If required by City Code Section 106-180, that the existing or proposed use will serve a public convenience or necessity, as defined in section 106-180.

Based on the reporting data available from the City Police Department, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3. This rate is proportional with the rest of the city, as this reporting track covers approximately 0.65 square miles area of land. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.96 square miles, respectively. Additionally, the subject property is not within a reporting district that has a 20 percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracks with the percentage of crime being relatively proportional throughout the City.

Notwithstanding the aforementioned data, the Project Site at 1204 San Fernando Road is located within Census Tract No. 3203 and has a published total population of 6,948 residents as of the 2010 United States Census. There are a total of twenty five (25) on-sale and off-sale alcohol licenses within the census tract.

A review of the City and ABC records indicates that there are thirteen (13) existing off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 534 residents) within Census Tract No. 3203. If the CUP for the CVS Pharmacy store were to be granted there would be a total of fourteen (14) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 496 residents) within the Census Tract No. 3203. The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 6,383 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one (1) license for every 1,538 residents. The ratio of off-sale licenses within Census Tract No. 3203 is higher than the ratio for Los Angeles County, Census Tract No. 3203.

It is City Planning Staff's assessment that an undue concentration exists within Census Tract 3203 and that the requested alcohol CUP would create an instance of undue concentration within the census tract. Therefore, it is City Planning Staff's determination that findings of public convenience and necessity, pursuant to City Code Section 106-180, are required in this case.

8. **Factors for Determining Public Convenience or Necessity.** Whenever a request for a determination of public convenience or necessity in connection with the issuance of a license for the sale of alcoholic beverages by the ABC is submitted to the city as allowed under Business and Professions Code Section 23958.4, as the same may be amended from time to time, the Planning and Preservation Commission, in making that determination, shall consider the following:

- a) **Whether the sale of alcoholic beverages as part of the proposed use would serve a niche market in the city that would not otherwise be filled by other existing businesses with alcoholic beverage licenses in the surrounding area;**

The City's SP-4 Zone and General Land Use Element have been developed to include purpose, goals, and objectives that allow the City to review and approve by-right and conditionally permitted uses that allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store in order to help revitalize and encourage investment within the City's primary commercial districts including those within the SP-4 Zone, and the City's Central Business District and nearby downtown area. Approval of the proposed sale of alcoholic beverages (beer, wine and distilled) at the Project Site at 1204 San Fernando Road facilitates expanded services to patrons of the new business, but also has a spillover effect to attract new visitors to the neighboring sub-districts and districts of the SP-4 Zone, and including the City's downtown/downtown mall and Central Business District areas.

The adoption of the San Fernando Corridors Specific Plan in 2005 allowed the City to enact revitalization objectives that help to attract new investment appropriate to the envisioned character of the commercial corridors and revitalize the identity and investment climate of the City as a whole while also make walking and driving along the corridors a more pleasant experience and improving the physical settings of the corridor streets, which in turn enhance the City's identity to visitors. (San Fernando Corridors Specific Plan, Revitalization Objectives Nos. 3, 4, 5, and 6; Pgs. 36-37.) The new investment attributed to the CVS Pharmacy store development at the Project Site will help to revitalize and encourage investment within the City's primary corridors in a manner that helps foster new retail and service uses that can contribute to the creating

of new focal point of activity in the central business district and adjacent downtown/downtown mall area, with the concentration of the City's retail and civic activity into one walkable area.

Review of the City and ABC records indicates that there are thirteen (13) existing off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 534 residents) within Census Tract No. 3203. If the CUP for the CVS were to be granted, then there would be a total of fourteen (14) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 496 residents) within the Census Tract No. 3203. Based on these findings, it is City Planning Staff's assessment that the sale of alcoholic beverages as part of the proposed retail pharmacy would serve a niche market in the City, and the SP-4 zone in particular. The proposed CVS development would provide residents of the City and prospective store customers from surrounding communities safe access to prescription and non-prescription medicine to improve public health and welfare that is not currently filled by other existing businesses with similar alcoholic beverage licenses in the surrounding area and corresponding Census Tract 3203. Thus, it is staff's assessment that this finding can be made.

b) The extent to which the proposed use enhances the convenience of purchasing alcoholic beverages in conjunction with other specialty food sales or services;

CVS, is a national tenant that further enhances the continued economic viability of the Project Site consistent with similar commercial uses within the SP-4 Zone, and similar uses found in the City's neighboring downtown/downtown mall and Central Business District areas. Providing for the sale of alcoholic beverages (beer, wine and distilled spirits) for consumption off the premises would enhance the convenience of purchasing alcoholic beverages in conjunction with other retail pharmacy and non-pharmacy items. Therefore, approval of an off-sale general alcohol license (Type 21-beer, wine, and distilled spirits), for consumption off the premises in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store would help deter the spread of economic and physical blight throughout the larger planning area that includes the SP-4 Zone that is partly attributed to vacancies and deferred maintenance of vacant commercial buildings. Thus, it is staff's assessment that this finding can be made.

c) The extent to which the proposed use in conjunction with the redevelopment of an existing or proposed building or structure will enhance the architectural character at the location of the proposed use and the surrounding area;

CVS, a national retail drug store chain, and the future tenant of the proposed 13,275 commercial building at the Project Site would allow for the continued economic viability of the subject site located at a prominent intersection in the larger downtown

area, consistent with similar commercial uses within the City's SP-4 zone that includes the City's downtown/downtown mall and Central Business District areas and the nearby C-1 (Limited Commercial) Zone. The new CVS Pharmacy store building will be designed to be architecturally compatible with the architectural style of the existing commercial shopping center that makes up the Project Site. The Project Site will be further enhanced with on-site physical improvements that include: new landscaping (ground cover and shade trees); a re-designed on-site parking facility with code compliant standard, compact and handicap parking spaces; improved on-site and perimeter lighting; secured trash and storage facilities; updated driveways; and, new pedestrian and vehicular paths of travel from adjacent public right of ways to the Project Site.

The issuance of the requested conditional use permit to allow for the sale of alcoholic beverages (beer, wine and distilled spirits) for off-site would promote the continued success of an important neighborhood serving business type that is critical in helping redefine the City's commercial districts including the SP-4 zone where the Project Site is located and the adjacent downtown/downtown mall and central business district areas. The proposed CVS Pharmacy with ancillary sale of alcoholic beverages for off-site consumption would result in a significant redevelopment of the Project Site that creates a more livable and walkable, place for visitors and residents of the City. Thus, it is staff's assessment that this finding can be made.

- d) The manner in which the proposed use is to be conducted (special or unique features), including the extent to which the proposed use will include training of employees through ABC or an authorized third party to assure well-trained staff knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally as well as in order to prevent illicit drug activity at the location of the proposed use.**

Pursuant to City Code Section 106-182(b)(4), "all employees who serve or sell alcoholic beverages shall successfully complete a responsible beverage service training program that meets the requirements of ABC. Records of such training shall be maintained on the premises and made available to the police department personnel upon request." As a condition of project approval to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store, this language is incorporated into the conditions of approval for the requested Conditional Use Permit 2016-008. The owners and employees (existing and new hires) of CVS shall be responsible for complying with these conditions of approval and all required conditions from ABC. Thus, it is staff's assessment that this finding can be made.

- e) The extent to which the proposed use compliments uses in the surrounding area.**

CVS, a national retail pharmacy chain is proposing to develop a new store at 1204 San Fernando Road. CVS Pharmacy, is a national tenant who strives in providing for the health and welfare of its customers. CVS Pharmacy will complement other existing establishments within the SP-4 Zone and the City's downtown/downtown mall and Central Business District areas. In addition, the development standards of Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone in which the Project Site is located allow the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store subject to the City's Planning and Preservation Commission's approval of a conditional use permit. The requested Conditional Use Permit 2016-008 will complement existing neighborhood serving commercial uses in the SP-4 Zone and nearby C-1 (Limited Commercial) Zone by promoting a new use that enhances the shopping experience of future patrons and has the potential to draw additional consumers/visitors to the Project Site and the adjacent downtown/mall and Central Business District areas. Thus, it is staff's assessment that this finding can be made.

f) The extent to which the proposed use, location, and/or operator has a history or law enforcement problems;

In order to evaluate and substantiate this finding, data from the City of San Fernando Police Department was requested for the Crime Report Area that the Project Site is located in U.S. Census Tract 3203. CVS Pharmacy will be located at 1204 San Fernando Road in the City's SP-4 Zone and is located within the City Police Department's crime reporting "Track 3". Track 3 encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south.

In review of the City Police Department's data from December 3, 2015 to December 28, 2016, reporting data indicates a total six (6) calls for service. Of the total calls for service, two (2) were for a disturbance, one (1) medical, one (1) fire, one (1) stopped pedestrian for questioning and one (1) burglary.

Therefore, the requested CUP by CVS Pharmacy to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (off-sale general alcohol license), in conjunction with the planned occupancy and operation of a retail drug store at the Project Site at 1204 San Fernando Road is not expected to increase the demand for law enforcement calls for service to the Project Site. Furthermore, any noncompliance with the conditions of approval for the requested CUP would require enforcement action by the City to abate any public

nuisance, with repeated noncompliance leading to potential revocation of the CUP. It is City Planning Staff's assessment that no significant criminal activity has occurred at the Project Site to date and sufficient safeguards would be in place as part of the requested CUP to abate any potential public nuisance issues in the future. Thus, it is staff's assessment that this finding can be made.

g) The crime rate in the reporting district as compared to neighboring districts in the city and/or adjacent cities;

The data from the City's Police Department identifies United States Census Tract 3203 as one complete reporting area, referred to as San Fernando Police Department's crime reporting Track 3, which encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south. Based on the City's Police Department reporting data, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3.

This rate is proportional with the other two crime report areas (i.e., Track 1 and Track 2) that make up the City. It is anticipated that approval of the requested CUP to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (off-sale general alcohol license), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store, would not have the effect of increasing incident reporting percentages for this reporting track. Furthermore, approval of the CUP 2016-008 with the recommended conditions of approval, would allow for City abatement of public nuisances associated with alcohol sale, purchase and/or consumption. Thus, it is staff's assessment that this finding can be made.

h) The number of alcohol-related police calls for service, crimes or arrests in the reporting district and adjacent districts within the city.

Based on reporting data provided by the City of San Fernando Police Department regarding alcoholic related service calls, none of the six (6) calls for service to the Project Site during the December 1, 2015 to December 28, 2016 reporting period were for alcohol related incidents. It is not anticipated that the requested CUP 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road would increase the number alcohol-related service calls, with the implementation of the recommended conditions of approval for the Project.

The primary use would remain that of a retail drug store with the addition of the ancillary alcoholic beverage sales for consumption off the premises per CUP 2016-008. Alcoholic beverages, including beer, wine, and distilled spirits would be available for purchase for off-site consumption as a carry out purchase only. Furthermore, approval of the CUP 2016-008 with the recommended conditions of approval, would allow for the City abatement of public nuisances associated with alcohol sale, purchase and/or consumption. Thus, it is staff's assessment that this finding can be made.

CONCLUSION:

In light of the forgoing analysis, it is City Planning Staff's assessment that the Planning and Preservation Commission's approval of the CUP 2016-008 is warranted. The Commission's approval of CUP 2016-008 would allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store with a pharmacy drive-up window to be located at 1204 San Fernando Road. The requested CUP 2016-008 would allow for CVS Pharmacy to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control.

The Commission's approval of CUP 2016-008 would facilitate expanded neighborhood serving commercial activities within in the City's San Fernando Corridors Specific Plan (SP-4) zone that are consistent with the redevelopment goals of the City General Plan, consistent with City's Zoning Ordinance and the Corridors Specific Plan revitalization objectives that have the potential to positively impact the long term viability of the commercial corridors, while providing safeguards to protect the public health, safety, and general convenience and welfare through the recommended conditions of approval.

Based on the above findings, City Planning Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2016-008 for the property located at 1204 San Fernando Road, pursuant to Planning and Preservation Commission Resolution 2017-001 and subject to the Conditions of Approval attached as Exhibit "A" to the Resolution (Attachment No.1).

ATTACHMENTS:

1. Planning and Preservation Commission Resolution 2017-001 and Exhibit "A": Conditions of Approval

2. Conditional Use Permit Application – CUP 2016-008
3. Notice of Public Hearing Published in the *Los Angeles Daily News*
4. Zoning & Vicinity Map
5. Project Site Photos
6. Set of Plans

RESOLUTION NO. 2017-001

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO APPROVING CONDITIONAL USE PERMIT 2016-008 TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES, INCLUDING BEER, WINE, AND DISTILLED SPIRITS, FOR CONSUMPTION OFF THE PREMISES (“OFF-SALE GENERAL ALCOHOL LICENSE”), IN CONJUNCTION WITH A PHARMACY DRIVE-UP WINDOW FOR THE PLANNED OCCUPANCY AND OPERATION OF A CVS PHARMACY, A RETAIL DRUG STORE AT 1204 SAN FERNANDO ROAD.

WHEREAS, an application has been filed by Garfield Beach CVS, LLC c/o Boos Development West, LLC., 701 N Parkcenter Drive, Santa Ana, CA 92705 (the “Applicant”), to request approval of a conditional use permit (CUP) application to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road (the “Project”). The new retail drug store would occupy an approximate 13,275 square-foot proposed commercial building. The Project Site consists of approximately 4.36 acres. The Project Site is located at the south side of the 1200 block of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone;

WHEREAS, the Applicant has requested approval of the requested conditional use permit pursuant to City Code Section 106-176 et seq and Section 2.6(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan in order to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road;

WHEREAS, the Planning and Preservation Commission has considered all of the evidence presented in connection with the Project, written and oral at the public hearing held on the 3rd day of January 2017;

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

SECTION 1: This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). Based on the City’s environmental assessment, it is the City’s assessment that the Project proposal qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects) of San Fernando’s CEQA Guidelines in that the proposed conditional use permit is limited to allowing for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with the planned occupancy and operation of CVS, a retail drug store and to facilitate the inclusion of a drive-

up window will involve the development of a 13,275 sq. ft. commercial building. Therefore, the proposed CUP and associated physical improvements to the Project Site will not have a significantly adverse impact on the environment.

The approximately 4.36 acre Project Site is less than five acres and is located within an urbanized area of the City along San Fernando Road and has no value as a habitat for endangered, rare or threatened species. The proposed development of a 13,275 square foot building and associated physical improvements to the Project Site and re-designed on-site parking facility will not have any significant adverse environmental impacts related to traffic, noise, air quality, or water quality. The Project Site will continue to have adequate ingress and egress for pedestrian and vehicular access from the Project Site onto Pico Street, San Fernando Road and San Fernando Mission Boulevard, which is a major arterial within the City.

The development of a 13,275 square foot commercial building is less than 75,000 sq. ft. of non-residential use surrounded by similarly zoned and developed commercial sites and therefore will not have the potential to create adverse environmental impacts related to city code permitted noise levels, the existing air quality levels, and/or the quality of the City's water system. Furthermore, the proposed development of a 13,275 sq. ft. commercial building and parking lot redesign will be redeveloped in a manner that will not adversely impact existing utilities and public services already available to the Project Site;

SECTION 2: The Project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan and the applicable development standards for commercially zoned property within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone; and

SECTION 3: Pursuant to City Code Section 106-145, the Planning and Preservation Commission finds that the following findings for Conditional Use Permit 2016-008 have been justified and upheld in the affirmative because of the recommended conditions of approval regarding operating procedures governing the sale of alcoholic beverages for off-site consumption. The Planning and Preservation Commission (the "Commission") findings are as followed:

1. The proposed use is one conditionally permitted within the subject zone and complies with all applicable sections of the zoning ordinance.

Pursuant to Section 2.5(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, the operation of a pharmacy is a by-right use within the sub-district. Pursuant to City Code Section 106-176 et seq., the ancillary off-site sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of CVS, a retail drug store at the Project Site at 1204 San Fernando Road is a use that is conditionally permitted in the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. Additionally, pursuant to Section 2.6(A) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, drive-up windows are conditionally permitted in conjunction with ongoing operation of a permitted uses (i.e. retail drug store) in the sub-district.

Furthermore, in compliance with City Code Section 106-177, the new business would provide a sale and display area for alcoholic beverages of 0.29 percent of the total floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments. Therefore, it is staff's assessment that the requested CUP, subject to the conditions of approval for the ancillary sale of alcoholic beverages for off-site consumption, in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy is one conditionally permitted within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone and complies with all applicable sections of the City's Zoning Ordinance. Thus, it is the Commission's determination that this finding can be made.

2. The proposed use would not impair the integrity and character of the zone in which it is to be located.

The proposed use of a portion of the Project Site in order to accommodate a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a drive-up window, subject to the adoption of the recommended conditions of approval, would not impair the integrity and character of the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. CVS, the proposed new tenant, would occupy a proposed approximate 13,275 square-foot commercial building at the northeast corner of the Project Site. The Project Site is currently improved as a commercial shopping center with an approximately 1,154 sq. ft. abandoned freestanding commercial building (former drive-thru restaurant to be demolished to make way for the CVS), an approximately 50,500 sq. ft. grocery store, an approximately 14,449 sq. ft. multi-tenant commercial building and an approximately 2,267 sq. ft. freestanding fast-food restaurant building.

The new CVS Pharmacy store would provide ancillary sales of alcoholic beverages while not exceeding the maximum floor area permitted for the sale and display of alcoholic beverages. Furthermore, the introduction of a CVS at the Project Site, with the proposed commercial building and site improvements (i.e., re-designed parking area and perimeter landscape area), allows for additional investment within the city's commercial zones while providing a location for residents of the City and neighboring communities to access prescription and non-prescription medicine to improve personal health and welfare. Thus, it is the Commission's determination that this finding can be made.

3. The subject site is physically suitable for the type of land use being proposed.

The Project Site at 1204 San Fernando Road is physically suitable for the proposed CVS Pharmacy store with ancillary sale of alcoholic beverages for off-site consumption and inclusion of a pharmacy drive-up window. The new CVS would occupy an approximate 13,275 square foot commercial building that is proposed at the Project Site's northeast corner. Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. An in-lieu fee will be paid for a total of fifteen (15) spaces that the Project Site will be deficient post development of the CVS

Pharmacy store project. In addition, based on low trip generation values for this CVS Pharmacy project when added to existing traffic counts at neighboring intersections as well as to future projected traffic within the planning area in which the Project Site is located, it is estimated that the proposed CVS Pharmacy store development will not result in any significant traffic impacts within the Project Site and neighboring traffic intersections.

Furthermore, based on the drive-up window queuing analysis conducted for this CVS facility, it has been determined that the area in the site plan allocated to accommodate four vehicles for stacking provides the necessary area to accommodate future traffic demands and matches up with similar queuing data evaluated for similar drive-thru lanes for other pharmacies. Thus, it has been determined that the area provided on-site for four vehicle stacking will be adequate to accommodate future vehicle queuing demand.

The proposed physical improvements to the Project Site and the proposed commercial building would upgrade the aesthetic character of a commercial shopping complex located on a major intersection within the downtown area at San Fernando Road and San Fernando Mission Boulevard. It is anticipated that these new physical improvements to the Project Site will encourage additional investment in the downtown area and neighboring commercial corridors. Any necessary utility upgrades that may be required in order to support the new use would be addressed as part of the development of the Project Site, which are subject to review and approval by the City and associated public utility providers. Thus, it is the Commission's determination that this finding can be made.

4. The proposed use is compatible with land uses presently on the subject property.

The proposed use of the Project Site as a CVS Pharmacy store, with the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a drive-up window is compatible with the type of commercial land uses that presently exist at the Project Site at 1204 San Fernando Mission Boulevard. The proposed CVS building at the Project Site will be integrated architecturally and through site design into the larger existing commercial shopping center. The proposed use of a CVS, retail drug store, in conjunction with the ancillary sale of alcoholic beverages for off-site consumption and the inclusion of a pharmacy drive-up window, would complement neighboring uses within the surrounding commercial district, the neighboring downtown area, and the abutting commercial center at 1204 San Fernando Road. In addition, Pursuant to Section 2.5(H) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, the operation of a pharmacy is a by-right use within the sub-district.

Additionally, pursuant to Section 2.6(A) of the development standards for the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan, drive-up windows such as the one being proposed are conditionally permitted in conjunction with permitted uses like the CVS. Furthermore, pursuant to City Code Section 106-176 et seq., the ancillary off-site sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of the CVS, retail drug stores are conditionally permitted uses within the Project Site's applicable zoning district (the SP-4 Zone). Thus, it is the Commission's determination that this finding can be made.

5. The proposed use would be compatible with the existing future land uses within the zone and the general area in which the proposed use is to be located.

The City's San Fernando Corridors Specific Plan (SP-4) Zone and associated districts and sub-districts, is developed with a variety of commercial uses that help serve the needs of residents of the City and neighboring communities. As such, the proposed CVS Pharmacy, retail drug store would be compatible with existing commercial land uses within the vicinity of the Project Site. Furthermore, the City's General Plan Land Use Element designates the Project Site within the City's San Fernando Corridors Specific Plan (SP-4) land use area, as a location where future uses that are envisioned for the area include the operation of similar commercial uses and related services to the proposed CVS.

The requested CUP to provide for the sale of alcoholic beverages as an ancillary use, in conjunction with the operation of the CVS, retail drug store that includes a pharmacy drive-up window, would also include retail and service commercial uses that customarily provided by similar drug stores, grocery stores, supermarkets, and specialty food stores. Furthermore, a retail business that includes the operation of a drug store and the sale of alcoholic beverages conditionally permitted within the sub-district at the Project Site would also be consistent with future land uses envisioned for the SP-4 Zone and future potential uses envisioned for the SP-4 land use area and more specifically within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone. Thus, it is the Commission's determination that this finding can be made.

6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The new CVS Pharmacy, retail drug store will be adequately served by the City's water and sanitation systems and other needed public utilities that are currently in place for the existing free standing commercial building that is to be demolished and the larger shopping center complex located at the Project Site. Infrastructure and utility upgrades that are deemed to be necessary at the time that construction plans are submitted for City plan check, and any required future improvements to said infrastructure and public utilities would be required to be developed in compliance with the requirements of the City's building codes, including any requirements for off-site improvements and utility connections from the City's Public Works Department. Thus, it is the Commission's determination that this finding can be made.

7. There would be adequate provisions for public access to serve the subject proposal.

The Project Site, with the proposed physical improvements determined by the City to facilitate the new CVS Pharmacy building at the subject property, would improve the condition of the Project Site while retaining existing driveways that provide vehicular ingress and egress that are accessible off of Pico Street, San Fernando Mission Boulevard and off of San Fernando Road. Parking for the Project Site is provided by 241 off-street parking spaces and 31 on-street parking spaces for a total of 272 parking spaces. Based on the City's parking

calculation, the proposed development is deficient 15 parking spaces. The CVS Pharmacy development will offset the parking deficiency through the payment of a parking in-lieu fee as allowed in compliance with the applicable parking requirements of the San Fernando Corridors Specific Plan. Pedestrian access will be enhanced through the development of entrances to the CVS building off of San Fernando Mission Boulevard and through the newly created path of travel located along the southern elevation of the proposed commercial building. Thus, it is the Commission's determination that this finding can be made.

8. The proposed use would be appropriate in light of an established need for the use at the proposed location.

The proposed CVS Pharmacy would allow for the physical improvement of the Project Site at 1204 San Fernando Road through the construction of a 13,275 sq. ft. commercial building and various site improvements to the parking lot and landscape areas. The proposed improvements to the Project Site would allow for an upgraded appearance of a prominent intersection. Additionally, the proposed demolition of the existing freestanding commercial building would allow for a future commercial building to be occupied by CVS. The requested CUP to allow for the sale of alcoholic beverages in conjunction with the operation of the retail drug store includes a pharmacy drive-up window would allow CVS to provide an ancillary service customary of similar retail drug stores in neighboring communities. Furthermore, the establishment of the CVS Pharmacy store would provide residents of the City and patrons from the surrounding communities with safe access to prescription and non-prescription medicine to improve public health and welfare. Thus, it is the Commission's determination that this finding can be made.

9. The proposed use is consistent with the objectives, policies, general land uses and programs of the City's general plan.

The Project Site is located within the City's San Fernando Corridors Specific Plan (SP-4) General Plan land use area. The San Fernando Corridors Specific Plan is a component of the City's General Plan. The proposed pharmacy retail store use is consistent with the Specific Plan objective to transform the City's main corridors into attractive, livable, and economically vital districts. The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a CVS, retail drug store at the Project site would allow for the development of a new commercial building and physical improvements that upgrade the aesthetic character of the larger commercial shopping center located on a major commercial intersection at San Fernando Road and San Fernando Mission Boulevard.

The planned CVS occupancy achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities in the City's San Fernando Corridors Specific Plan (SP-4) zone in general and the Mixed-Use Transition Sub-District in particular. Additionally, the planned improvements to the Project Site with the proposed commercial building, will assist in modernizing the appearance of the dated major intersection and encourages additional investment within the surrounding commercial corridor and adjacent downtown mall area (San Fernando General Plan Land Use

Element Goals and Objectives, Pg. IV-6). Thus, it is the Commission's determination that this finding can be made.

10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed CVS Pharmacy use at the Project Site in conjunction with the conditionally permit uses that include the ancillary sale of alcohol for off-site consumption and a pharmacy drive-up window would not be detrimental to the public interest, health, safety, convenience or welfare. The proposed occupancy of the new CVS, retail drug store would provide residents of the City and patrons from the surrounding communities safe access to prescription and non-prescription medicine to improve public health and welfare, while providing an opportunity for a new investment in the Project Site and zoning district resulting from a new CVS Pharmacy being built in place of a dilapidated and abandoned former fast food restaurant. The development of a new CVS, a reputable nationwide pharmacy, would result in new investment at the Project Site that would improve the overall appearance of the Project Site through a new 13,275 commercial building that includes architectural features that create an overall design that compliments the rest of the shopping center. The new physical upgrades to the site resulting from a re-designed parking facility and perimeter landscape area and new on-site shade trees as well as off-site improvements to the Project Site's adjacent sidewalk area would improve vehicular and pedestrian access and safety throughout the site in a manner that protects the public interest and improves the public health, safety, convenience, and welfare.

The requested CUP permit to allow for the ancillary sale of sale of alcoholic beverages for off-site consumption and the inclusion of a pharmacy drive-up window, subject to the adoption of the recommended conditions of approval, would allow the new business the ability to provide a service that is customary of similar retail drug store establishments located in neighboring communities. Additionally, by providing a sale and display area for alcoholic beverages that is significantly less than 10-percent of the total floor area of the proposed tenant space, the propose use would ensure that the sale of alcohol is strictly ancillary to the primary activity of operating a CVS Pharmacy at the Project Site. Furthermore, approval of the requested CUP with the recommended conditions of approval, would allow for the abatement of public nuisances associated with sale of alcohol at the CVS Pharmacy store, with potential CUP revocation if public nuisances are not corrected in order to ensure that the conditionally permitted use is not detrimental to the public interest, health, safety, convenience or welfare. Thus, it is the Commission's determination that this finding can be made.

SECTION 4: In addition to those findings set forth in City Code Section 106-145, applications for conditional use permits involving any use that involves the sale, serving, and/or consumption of alcoholic beverages shall require the Planning and Preservation Commission (the "Commission") to make the following findings, pursuant to City Code Section 106-178(a)(1-4):

1. That the existing or proposed use does not or will not encourage or intensify crime within the reporting district that it is located.

In review of reporting from the San Fernando Police Department (the “Police Department”) group the information available for United States Census Tracts 3203 as one complete reporting area, referred to as Police Department “Track 3”. Track 3 encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south. Based on the reporting data available from the Police Department, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3.

This rate is proportional with the rest of the City, as this reporting track covers approximately 0.65 square miles area of land. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.96 square miles, respectively. Additionally, the Project Site is not within a reporting district that has a 20 percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracts, with the percentage of crime being relatively proportional throughout the City.

In addition, reporting data from the City Police Department for the Project Site from December 1, 2013 to the December 28, 2016 time indicates a total six (6) calls for service. Of the total calls for service two (2) were for a disturbance, one (1) medical, one (1) fire, one (1) stopped pedestrian for questioning and one (1) burglary.

It is anticipated that approval of the requested CUP to allow for establishment of a CVS Pharmacy, retail drug store at the Project Site, with the ancillary sale of alcoholic beverages for off-site consumption, would not have the effect of increasing the incident reporting percentages for this reporting track. Furthermore, approval of the requested CUP with the recommended conditions of approval, would allow for the abatement of any public nuisances associated with sale of alcohol at the Project Site, with potential CUP revocation by the City if public nuisances are not corrected in a timely manner. Thus, it is the Commission’s determination that this finding can be made.

2. That the existing or proposed use does not or will not adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area.

The proposed CVS Pharmacy store use with the ancillary sale of alcoholic beverages for off-site consumption, subject to the recommended conditions of approval for the project, is not anticipated to adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area of the Project Site. As part of the conditions of approval for the requested CUP, the Applicant would be responsible for addressing issues relating to loitering in the public right-of-way, parking area, and in front of the property, along with ensuring the consumption of alcoholic beverages does not occur on-site. Failure to address public nuisances issues associated with sale of alcoholic beverages at the CVS Pharmacy store would result in the City initiating abatement action, including possible revocation of the CUP for repeated noncompliance. Furthermore, non-compliance with the conditions of approval for the development of the CVS Pharmacy store at the Project Site at 1204 San Fernando Road and violation of any applicable local ordinance would result

in nuisance abatement enforcement action by the City, including, but not limited to potential criminal prosecution and revocation of the CUP. Thus, it is the Commission's determination that this finding can be made.

3. That the distance separation requirements in section 106-179 are met.

Pursuant to City Code Section 106-179(c)(2), drug stores like the proposed CVS Pharmacy store, grocery stores, supermarkets, and specialty food stores are exempt from distance separation requirements that would otherwise apply to other types businesses seeking a CUP for the sale of alcoholic beverages for off-site consumption. Therefore, the proposed CVS Pharmacy at 1204 San Fernando Road qualifies for the exemption in distance separation provided in the City Code. Thus, it is the Commission's determination that this finding can be made.

4. If required by City Code Section 106-180, that the existing or proposed use will serve a public convenience or necessity, as defined in section 106-180.

Based on the reporting data available from the City Police Department, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3. This rate is proportional with the rest of the city, as this reporting track covers approximately 0.65 square miles area of land. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.96 square miles, respectively. Additionally, the subject property is not within a reporting district that has a 20 percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracks with the percentage of crime being relatively proportional throughout the City.

Notwithstanding the aforementioned data, the Project Site at 1204 San Fernando Road is located within Census Tract No. 3203 and has a published total population of 6,948 residents as of the 2010 United States Census. There are a total of twenty five (25) on-sale and off-sale alcohol licenses within the census tract.

A review of the City and ABC records indicates that there are thirteen (13) existing off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 534 residents) within Census Tract No. 3203. If the CUP for the CVS Pharmacy store were to be granted there would be a total of fourteen (14) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 496 residents) within the Census Tract No. 3203. The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 6,383 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one (1) license for every 1,538 residents. The ratio of off-sale licenses within Census Tract No. 3203 is higher than the ratio for Los Angeles County, Census Tract No. 3203.

It is the City's assessment that an undue concentration exists within Census Tract 3203 and that the requested alcohol CUP would create an instance of undue concentration within the census tract. Therefore, it is City's determination that findings of public convenience and necessity, pursuant to City Code Section 106-180, are required in this case.

SECTION 5: Whenever a request for a determination of public convenience or necessity in connection with the issuance of a license for the sale of alcoholic beverages by the ABC is submitted to the city as allowed under Business and Professions Code Section 23958.4, as the same may be amended from time to time, the Planning and Preservation Commission (the “Commission”), in making that determination, shall consider the following:

- 1. Whether the sale of alcoholic beverages as part of the proposed use would serve a niche market in the city that would not otherwise be filled by other existing businesses with alcoholic beverage licenses in the surrounding area.**

The City’s SP-4 Zone and General Land Use Element have been developed to include purpose, goals, and objectives that allow the City to review and approve by-right and conditionally permitted uses that allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store in order to help revitalize and encourage investment within the City’s primary commercial districts including those within the SP-4 Zone, and the City’s Central Business District and nearby downtown area. Approval of the proposed sale of alcoholic beverages (beer, wine and distilled) at the Project Site at 1204 San Fernando Road facilitates expanded services to patrons of the new business, but also has a spillover effect to attract new visitors to the neighboring sub-districts and districts of the SP-4 Zone, and including the City’s downtown/downtown mall and Central Business District areas.

The adoption of the San Fernando Corridors Specific Plan in 2005 allowed the City to enact revitalization objectives that help to attract new investment appropriate to the envisioned character of the commercial corridors and revitalize the identity and investment climate of the City as a whole while also make walking and driving along the corridors a more pleasant experience and improving the physical settings of the corridor streets, which in turn enhance the City’s identity to visitors. (San Fernando Corridors Specific Plan, Revitalization Objectives Nos. 3, 4, 5, and 6; Pgs. 36-37.) The new investment attributed to the CVS Pharmacy store development at the Project Site will help to revitalize and encourage investment within the City’s primary corridors in a manner that helps foster new retail and service uses that can contribute to the creating of new focal point of activity in the central business district and adjacent downtown/downtown mall area, with the concentration of the City’s retail and civic activity into one walkable area.

Review of the City and ABC records indicates that there are thirteen (13) existing off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 534 residents) within Census Tract No. 3203. If the CUP for the CVS were to be granted, then there would be a total of fourteen (14) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 496 residents) within the Census Tract No. 3203. Based on these findings, it is City’s assessment that the sale of alcoholic beverages as part of the proposed retail pharmacy would serve a niche market in the City, and the SP-4 zone in particular. The proposed CVS development would provide residents of the City and prospective store customers from surrounding communities safe access to prescription and non-prescription medicine to improve public health and welfare that is not currently filled by other existing businesses with similar alcoholic beverage

licenses in the surrounding area and corresponding Census Tract 3203. Thus, it is the Commission's determination that this finding can be made.

2. The extent to which the proposed use enhances the convenience of purchasing alcoholic beverages in conjunction with other specialty food sales or services.

CVS, is a national tenant that further enhances the continued economic viability of the Project Site consistent with similar commercial uses within the SP-4 Zone, and similar uses found in the City's neighboring downtown/downtown mall and Central Business District areas. Providing for the sale of alcoholic beverages (beer, wine and distilled spirits) for consumption off the premises would enhance the convenience of purchasing alcoholic beverages in conjunction with other retail pharmacy and non-pharmacy items. Therefore, approval of an off-sale general alcohol license (Type 21- beer, wine, and distilled spirits), for consumption off the premises in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store would help deter the spread of economic and physical blight throughout the larger planning area that includes the SP-4 Zone that is partly attributed to vacancies and deferred maintenance of vacant commercial buildings. Thus, it is the commission's determination that this finding can be made.

3. The extent to which the proposed use in conjunction with the redevelopment of an existing or proposed building or structure will enhance the architectural character at the location of the proposed use and the surrounding area.

CVS, a national retail drug store chain, and the future tenant of the proposed 13,275 commercial building at the Project Site would allow for the continued economic viability of the subject site located at a prominent intersection in the larger downtown area, consistent with similar commercial uses within the City's SP-4 zone that includes the City's downtown/downtown mall and Central Business District areas and the nearby C-1 (Limited Commercial) Zone. The new CVS Pharmacy store building will be designed to be architecturally compatible with the architectural style of the existing commercial shopping center that makes up the Project Site. The Project Site will be further enhanced with on-site physical improvements that include: new landscaping (ground cover and shade trees); a re-designed on-site parking facility with code compliant standard, compact and handicap parking spaces; improved on-site and perimeter lighting; secured trash and storage facilities; updated driveways; and, new pedestrian and vehicular paths of travel from adjacent public right of ways to the Project Site.

The issuance of the requested conditional use permit to allow for the sale of alcoholic beverages (beer, wine and distilled spirits) for off-site would promote the continued success of an important neighborhood serving business type that is critical in helping redefine the City's commercial districts including the SP-4 zone where the Project Site is located and the adjacent downtown/downtown mall and central business district areas. The proposed CVS Pharmacy with ancillary sale of alcoholic beverages for off-site consumption would result in a significant redevelopment of the Project Site that creates a more livable and walkable, place for visitors and residents of the City. Thus, it is the Commission's determination that this finding can be made.

- 4. The manner in which the proposed use is to be conducted (special or unique features), including the extent to which the proposed use will include training of employees through ABC or an authorized third party to assure well-trained staff knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally as well as in order to prevent illicit drug activity at the location of the proposed use.**

Pursuant to City Code Section 106-182(b)(4), “all employees who serve or sell alcoholic beverages shall successfully complete a responsible beverage service training program that meets the requirements of ABC. Records of such training shall be maintained on the premises and made available to the police department personnel upon request.” As a condition of project approval to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store, this language is incorporated into the conditions of approval for the requested Conditional Use Permit 2016-008. The owners and employees (existing and new hires) of CVS shall be responsible for complying with these conditions of approval and all required conditions from ABC. Thus, it is the Commission’s determination that this finding can be made.

- 5. The extent to which the proposed use compliments uses in the surrounding area.**

CVS, a national retail pharmacy chain is proposing to develop a new store at 1204 San Fernando Road. CVS Pharmacy, is a national tenant who strives in providing for the health and welfare of its customers. CVS Pharmacy will complement other existing establishments within the SP-4 Zone and the City’s downtown/downtown mall and Central Business District areas. In addition, the development standards of Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone in which the Project Site is located allow the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store subject to the City’s Planning and Preservation Commission’s approval of a conditional use permit. The requested Conditional Use Permit 2016-008 will complement existing neighborhood serving commercial uses in the SP-4 Zone and nearby C-1 (Limited Commercial) Zone by promoting a new use that enhances the shopping experience of future patrons and has the potential to draw additional consumers/visitors to the Project Site and the adjacent downtown/mall and Central Business District areas. Thus, it is the Commission’s determination that this finding can be made.

- 6. The extent to which the proposed use, location, and/or operator has a history or law enforcement problems.**

In order to evaluate and substantiate this finding, data from the City of San Fernando Police Department was requested for the Crime Report Area that the Project Site is located in U.S. Census Tract 3203. CVS Pharmacy will be located at 1204 San Fernando Road in the City’s SP-4 Zone and is located within the City Police Department’s crime reporting “Track 3”. Track 3 encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south.

In review of the City Police Department's data from December 3, 2015 to December 28, 2016, reporting data indicates a total six (6) calls for service. Of the total calls for service, two (2) were for a disturbance, one (1) medical, one (1) fire, one (1) stopped pedestrian for questioning and one (1) burglary.

Therefore, the requested CUP by CVS Pharmacy to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (off-sale general alcohol license), in conjunction with the planned occupancy and operation of a retail drug store at the Project Site at 1204 San Fernando Road is not expected to increase the demand for law enforcement calls for service to the Project Site. Furthermore, any noncompliance with the conditions of approval for the requested CUP would require enforcement action by the City to abate any public nuisance, with repeated noncompliance leading to potential revocation of the CUP. It is the City's assessment that no significant criminal activity has occurred at the Project Site to date and sufficient safeguards would be in place as part of the requested CUP to abate any potential public nuisance issues in the future. Thus, it is the Commission's determination that this finding can be made.

7. The crime rate in the reporting district as compared to neighboring districts in the city and/or adjacent cities.

The data from the City's Police Department identifies United States Census Tract 3203 as one complete reporting area, referred to as San Fernando Police Department's crime reporting Track 3, which encompasses an area bounded by the railroad tracks to the north, Lashburn Street, Meyer Street, Hubbard Avenue to the west, Fox Street to the east, and Amboy Street to the south. Based on the City's Police Department reporting data, since December 1, 2015, 35 percent of all incidents reported were generated from Track 3.

This rate is proportional with the other two crime report areas (i.e., Track 1 and Track 2) that make up the City. It is anticipated that approval of the requested CUP to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (off-sale general alcohol license), in conjunction with the planned occupancy and operation of CVS Pharmacy, a retail drug store, would not have the effect of increasing incident reporting percentages for this reporting track. Furthermore, approval of the CUP 2016-008 with the recommended conditions of approval, would allow for City abatement of public nuisances associated with alcohol sale, purchase and/or consumption. Thus, it is the Commission's determination that this finding can be made.

8. The number of alcohol-related police calls for service, crimes or arrests in the reporting district and adjacent districts within the city.

Based on reporting data provided by the City of San Fernando Police Department regarding alcoholic related service calls, none of the six (6) calls for service to the Project Site during the December 1, 2015 to December 28, 2016 reporting period were for alcohol related incidents. It is not anticipated that the requested CUP 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and

operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road would increase the number alcohol-related service calls, with the implementation of the recommended conditions of approval for the Project.

The primary use would remain that of a retail drug store with the addition of the ancillary alcoholic beverage sales for consumption off the premises per CUP 2016-008. Alcoholic beverages, including beer, wine, and distilled spirits would be available for purchase for off-site consumption as a carry out purchase only. Furthermore, approval of the CUP 2016-008 with the recommended conditions of approval, would allow for the City abatement of public nuisances associated with alcohol sale, purchase and/or consumption. Thus, it is the Commission's determination that this finding can be made.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves Conditional Use Permit 2016-008, subject to the Conditions of Approval attached as Exhibit "A".

(SIGNATURE PAGE TO FOLLOW)

PASSED, APPROVED AND ADOPTED this 3rd day of January 2017.

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 3rd day of January 2017; 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. : **Conditional Use Permit 2016-008**

PROJECT ADDRESS : 1204 San Fernando Road, San Fernando, CA 91340
(Los Angeles County Assessor’s Parcel No’s.: 2521-019-032)

PROJECT DESCRIPTION : The proposed project is a request for review and approval of a Conditional Use Permit (CUP) 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale general alcohol license”), in conjunction with a pharmacy drive-up window for the planned occupancy and operation of CVS Pharmacy, a retail drug store at 1204 San Fernando Road.

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

1. Conditional Use Permit Entitlement. The Conditional Use Permit 2016-008 is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on January 3, 2017, except as herein modified to comply with these Conditions of Approval.
2. Licensing. The Planning and Preservation Commission’s approval of this conditional use permit shall permit the applicant to apply for a “Type 21 License” (Off-sale – General) with ABC. A Type 21 License shall authorize the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises where sold.
3. Parking. An In-lieu parking fee shall be paid for each of the deficient parking spaces. Based on the City's parking calculation the development as proposed, is deficient fifteen (15) parking spaces. Pursuant to the Truman/San Fernando District Development Standards Section 8 (Parking), the required parking for a project will be satisfied by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the fee in lieu of parking is currently \$8,192.50 per parking space and shall a total of \$122,887.50 made payable to the City of San Fernando. The in-lieu parking fees must be paid in full to the City of San Fernando before the issuance of any building permit to construct the CVS Pharmacy at 1204 San Fernando Road.
4. Standard Conditions for Off-Sale Alcohol Establishments. In addition to those conditions of approval, which the Planning and Preservation Commission may otherwise impose, all off-sale conditional use permits for alcoholic beverage sales shall be subject to the following standard conditions, as required by City Code Section 106-182:
 - a. No beer or wine shall be displayed within five feet of the cash register or the front door unless such item is in a permanently affixed cooler.
 - b. No display or sale of alcoholic beverages shall be made from an ice tub. An "ice tub" is a vessel

filed with ice that displays single servings of alcoholic beverages for customer self-service.

- c. No sale of alcoholic beverages shall be made from a walk-up or drive-in window.
- d. Alcoholic beverages and non-alcoholic beverages shall be stocked and displayed separately.
- e. The sales area shall be located so that the clerk and customer are fully visible from the street at the time of the sales transaction.
- f. The cash register and sales area shall be illuminated so as to provide clear observation for law enforcement surveillance.
- g. Alcoholic beverages shall not be consumed on the premises.
- h. No off-sale outlet selling alcohol may use a self-service checkout system.
- i. Interior and exterior signs stating the consumption of alcoholic beverages on the premises is prohibited by law shall be conspicuously posted onsite.
- j. Loitering in the public right-of-way, parking area and in front of adjacent properties is prohibited.
- k. The following signs shall be conspicuously posted onsite:
 - a. Exterior signs referencing Penal Code § 602.1. Such signs shall be clearly visible from the establishment's parking area and shall include the police department's phone number.
 - b. An interior sign in English and Spanish stating: "We ID everyone under 26 years of age for alcohol sales" with minimum dimensions of eight inches by 11 inches.
- l. Exterior public telephones that permit incoming calls shall not be located on the premises.
- m. Electronic games, including video games, shall not be located on the premises.
- n. Exterior lighting of the parking area shall provide adequate lighting for patrons while not producing glare or light spillover disturbing surrounding residential or commercial areas.
- o. The establishment shall implement preventive architectural design features as approved by the chief of police and the chief planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns.
- p. Special security measures such as security guards, door monitors, and burglar alarms systems may be required as a condition of approval with final determination made by the chief of police and the chief planning official on a case-by-case basis.
- q. Litter and trash receptacles shall be located at convenient locations both inside and outside the

establishment, and trash and debris shall be removed on a daily basis.

- r. The exterior of the establishment, including all signs, accessory buildings and structures shall be maintained free of litter and graffiti at all times. All graffiti shall be removed from the premises within 24 hours of its discovery pursuant to the City's Noise Ordinance.
 - s. With regard to those CUP applications that are approved based in part upon the fact that alcohol sales on the premises are incidental to the sale of other products, proof satisfactory to the chief planning official shall be annually submitted to show that the sale of alcohol has remained incidental to the sale of other products.
 - t. Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the CUP.
 - u. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP approval process.
5. Alcohol Sale and Display Area. The total square footage dedicated to the sale and display of alcoholic beverages shall not exceed 10-percent of the floor area of the commercial tenant space. Expansion of the floor area allocated for the sale and display of alcoholic beverages beyond the area designated in the conceptual plans reviewed and approved by the Planning and Preservation Commission shall be subject to review and approval of an updated floor plan by the chief planning official.
6. Signage. Windows shall comply with the applicable City sign regulations as noted in the SP-4 Zone for similarly zoned property. Proposed signage and window tinting shall require prior City planning division review and approval before the issuance of sign permit and work initiated in order to ensure that clear and unobstructed view of the cash register and sales area from the parking lot and street is maintained unless otherwise provided for by the chief planning official.
7. Surveillance. A security camera system approved by the City of San Fernando Police Department shall be installed on the premises and shall be maintained in proper working order at all times. The security camera system shall be subject to inspection by the police department. The system must be capable of producing retrievable images on film or tape that can be enlarged through projection or other means. The video or digital recordings generated by the system shall be maintained for a period of 30 days. Special security measures such as security guards, door monitors, and burglar alarms systems may be required as a condition of approval with final determination made by the chief of police and the chief planning official on a case-by-case basis. In addition, the establishment shall implement preventive architectural design features as approved by the chief of police and the chief planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns.
8. Revocation. Violation of, or noncompliance with, any of these conditions of approval shall constitute grounds for revocation this conditional use permit, as provided below:
- a. Upon the issuance of, and conviction for, three zoning violation citations;

- b. Upon the revocation of the alcoholic license by ABC;
- c. Upon any two disciplinary actions by ABC in the form of a fine or suspension of the alcoholic license, during the term of the CUP; or
- d. Where conditions and activities on and/or adjacent to an off-sale or on-sale outlet, as defined herein, interfere with the quiet enjoyment of life and property in the neighborhood, or are or tend to be, injurious to health and safety of persons in the neighborhood. These include, but are not limited to the following:
 - i. Excessive noise, noxious smells or fumes, loitering, littering, curfew violations, disturbing the peace, illegal drug activity, public drunkenness, drinking in public, public urination, public vandalism, graffiti, lewd conduct, gambling, harassment of passersby, prostitution, sale of stolen merchandise, illegal parking, traffic violations, theft, assaults, batteries;
 - ii. Illegal sale, manufacture, storing, possession, distribution of alcoholic beverages; or,
 - iii. Police detention, citation, and/or arrests for these or any other unlawful activity attributed to the sale and/or consumption of alcoholic beverages declared by the city to be a public nuisance.

This conditional use permit may also be revoked as provided in City Code Sections 106-148 and 106-183. If at any time the operation of the business and/or the sale of alcoholic beverages in conjunction therewith becomes a nuisance, is detrimental to the public health, safety, or welfare, or results in undesirable activities creating an increased demand for law enforcement activities including an above normal rate of calls for service to the City Police Department, the Planning and Preservation Commission, after a public hearing, as hereinafter provided, may revoke the conditional use 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, which have generated the increased demand for law enforcement services.

- 9. Deliveries. All deliveries must occur on-site and only within the designated staging area identified on the set of plans; no vehicles shall be standing or parked in the right-of-way. All deliveries must occur during none peak hours of operation for the shopping center from the hours. Final hour designation shall be reviewed and approved by the chief planning official prior to the issuance of any building permits. There shall be no staging of merchandise in the public right-of-way and all deliveries must be brought into the store immediately.
- 10. Design. The construction plans shall provide details as necessary to accomplish the architectural design intent conveyed by the conceptual plans reviewed by the Planning and Preservation Commission on January 3, 2017, in a manner consistent with the adopted Development Standards and Design Guidelines for the Mixed-Use Transition Sub-District of the SP-4 Zone. Furthermore, the proposed design of the building shall extend to all building elevations, with review and approval of the proposed architectural design of the building by the Community Development Department.

11. Public Works Checklist. The applicant shall comply with the requirements as listed in the attached Public Works Department Development/Improvement Review Checklist (Re: SPR 2016-018; dated 06/07/2016).
12. Construction Plans. A copy of the Conditions of Approval shall be printed on the final building plans submitted to the Community Development Department prior to the issuance of a building permit for the proposed expansion to the existing facility.
13. Building Code Requirements. The applicant shall comply with all applicable building and construction requirements of the City of San Fernando's building codes, as specified by the City's Community Development Department.
14. Construction Fence Signage. The applicant shall provide a minimum 3' x 6' construction fence banner or post mounted-board sign for each street frontage with the following information, subject to review and approval from the Community Development Department's Planning Division prior to installation:
 - a) A color project rendering or color elevation drawing of building exterior,
 - b) A description of the project and anticipated completion date,
 - c) Owner contact information,
 - d) Contractor contact information,
 - e) Building and Safety Division contact information.
15. Landscape. All proposed on-site and off-site plantings shall be kept in a healthy and growing condition, consistent with the design of a landscape and irrigation plan approved by the Community Development Department. Fertilization, cultivation, tree pruning shall be a part of regular maintenance. Good horticultural practices shall be followed in all instances. The landscape design shall be further refined as necessary to improve the level of design quality by focusing on important design principles. Further landscape design refinements shall address, but not be limited to, the following:
 - a) The landscaping shall be provided with an appropriate low-maintenance landscape design and material selection that is attractive, durable and drought-tolerant. All proposed landscape shall be arranged to emphasize visual attractiveness as viewed from the public right-of-way.
 - b) All proposed landscaped areas shall be served by well-balanced automatic irrigation system operated by an electrically timed controller station set for early morning irrigation and maintained in a manner consistent with the approved landscape plan. The final landscape/irrigation plan shall identify the size and location of all landscape materials and irrigation equipment. Water conservation measures shall be incorporated in the irrigation plan;
 - c) The landscape plan shall provide specifications for the following: design of hardscape elements, including pedestrian walkways, paved areas, common areas, seating, landscape planters, lighting, etc.; planting materials, including, trees, shrubs, ground cover, grass, miscellaneous plant materials, landscape containers and soil preparation; and, automatic irrigation plans, including materials and details; and,

- d) A backflow preventer device shall be installed, tested, and inspected by the Public Works Department to protect water supplies from contamination or pollution.
 - e) All landscaping installed within the landscape planter abutting the pharmacy drive-thru lane shall not exceed three (3) feet in height and not obstruct the line of sight of vehicles entering and exiting the drive-thru lane.
16. Parking Lot Design. Surface parking areas as noted on the conceptual plans shall be planted with shade trees at a ratio of at least one (1) tree for every four (4) spaces. They must also meet the landscape requirements in accordance with San Fernando City Code, Chapter 106 (Zoning), Article V, Division 3, Subdivision II, Section 106-833, and lighted in accordance with Code Section 106-8.
17. Bicycle Parking: One (1) off-street bicycle parking space per ten (10) automobile parking spaces required for the new CVS Pharmacy square footage shall be provided on-site.
18. Lighting. All exterior lighting shall be decorative cut-off fixtures (where no light is emitted above the horizontal plane) with the light source fully shielded or recessed to preclude light trespass or pollution up into the night sky. Also, any building-mounted luminaries shall be attached to walls or soffits, and the top of the fixture shall not exceed the height of the roof. All proposed light fixtures shall be designed in a manner that is consistent with the overall design of the building and shall not disturb or create glare towards neighboring properties. In addition, any decorative up-lighting, such as those that illuminate building facades or landscaping, shall be operated on timers that turn off illumination no later than 12 midnight, nightly. The Community Development Department shall review and approve all light fixtures prior to installation. In addition, all lighting shall also comply with the following requirements:
- a) The equivalent of one foot-candle of illumination shall be provided throughout the parking area;
 - b) All lighting shall be on a time-clock or photo-sensor system;
 - c) All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted; and,
 - d) All lighting shall conform to the development standards in the SP-4 Zone.
19. Trash Enclosure. All trash bins shall be kept free of trash overflow and maintained in a clean manner at all times. Litter and trash receptacles shall be located at convenient locations both inside and outside the establishment, and trash and debris shall be removed on a daily basis.
20. Mechanical and Utility Equipment. All ground mounted mechanical and utility equipment, including but not limited to transformers, terminal boxes, risers, backflow devices, gas meters, electric meters, meter cabinets, and heating, ventilation, and air conditioning (HVAC) units shall be screened from public view and treated to match the materials and colors of the building. All Electrical service facilities and equipment on or adjacent to the site shall be planned and located, relocated or modified in a manner consistent with Southern California Edison Company guidelines to minimize human exposure to electromagnetic fields on the site and on adjacent properties, and with any other applicable requirements or guidelines of the California Public Utilities Commission or any other

agency with jurisdiction, unless otherwise specified by the Community Development Department. All mechanical and utility equipment locations and screening/treatment shall be approved by the Community Development Department prior to installation or modification.

21. Utilities. Unless otherwise approved by the Community Development Department, all utilities shall be located underground. The applicant shall comply with all applicable requirements or guidelines of any relevant utility company, the California Public Utilities Commission, or any other agency with jurisdiction, relating to construction and/or occupancy of structures in proximity to any over-head or underground utility lines which are adjacent to or extend through the subject property, unless otherwise specified by the Community Development Department. Applicant shall provide any utility easements as necessary.
22. Existing Freestanding Building. The applicant must demolish the existing approximately 1,154 sq. ft. abandoned freestanding commercial building (former drive-thru restaurant) currently located at the project site at 1204 San Fernando within six months of approval of this Conditional Use Permit. Applicant is responsible for obtaining a demolition permit from the City's Community Development Department pursuant to applicable City building and zoning codes.
23. SCAQMD. South Coast Air Quality Management District ("SCAQMD") must be contacted prior to any demolition or renovation. Call (909) 396-2000 for further information. Failure to comply with the provisions of Rule 1403 may result in a penalty of up to \$25,000 per day. Once approval from SCAQMD has been obtained, a City of San Fernando Demolition Permit is required for any existing buildings or structures which are to be demolished and must be obtained prior to any work commencing.
24. Property Maintenance. The project site at 1204 San Fernando Road 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.
25. Graffiti Removal. Unless otherwise specified in the conditions of approval, the property owner(s), operator and all successors shall comply with the graffiti removal and deterrence requirements of the San Fernando City Code.
26. Site Inspections. The Community Development Department shall inspect the site to assure compliance with these conditions of approval. The drug store/pharmacy operator 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.
27. Encroachment Permit. Under no circumstances shall any public right-of-way be obstructed during construction by materials, vehicles, equipment or other related objects without prior approval from the City Engineer. An Encroachment Permit must be obtained from the Public Works Department prior to any demolition and/or new construction activity that would require staging and/or construction within the public right-of-way.
28. General Compliance. The applicant shall comply with all requirements of applicable Federal, State, or local law, ordinance, or regulation.

29. Surface Runoff. All requirements of the National Pollutant Discharge Elimination System (NPDES) shall be complied with and an NPDES permit, including but not limited to the installation of any required clarifiers and/or on-site infiltration system, must be obtained prior to any occupation or use of the site. During construction, the project site shall comply with all applicable Best Management Practices (BMPs).
30. Construction Hours. Construction activity on Mondays through Fridays shall comply with the current San Fernando City Code standards for construction of 7:00 a.m. to 6:00 p.m. In addition, any construction on Saturday shall be from 8:00 a.m. to 6:00 p.m. Unless otherwise allowed in the City's Noise Ordinance, no construction shall be allowed on Sundays and Federal Holidays.
31. Modifications. Unless the chief planning official deems a proposed change to the approved plans and operation a minor modification, any and all other modifications to the development plan, including these conditions of approval, shall require review and approval by the Planning and Preservation Commission. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP modification approval process.
32. Acceptance. Within thirty (30) days of approval of Conditional Use Permit 2016-008, the drug store/pharmacy operator(s) or their duly authorized representatives 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 Community Development Department that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.
33. Recordation. The applicant shall provide the Community Development Department with proof that the conditions of approval have been recorded with the Los Angeles Registrar Recorder/County Clerk's Office.
34. Public Review of Conditions of Approval. A copy of these conditions of approval shall be retained on-site at all times during the hours of operation of the business and shall be made available for viewing upon public request or upon request by any city official and representative of ABC. Employees of the business shall not prohibit a request of the public to view the conditions of approval for this entitlement.
35. Expiration. Conditional Use Permit 2016-008 shall become null and void unless exercised by initiating substantive action to implement the operation permitted by this entitlement within twelve (12) months of final approval; or until such additional time as may be granted by the Community Development Department upon receipt of a request for an extension received prior to such expiration date. Subsequent failure to obtain and exercise an active business occupancy permit shall also cause expiration of the conditional use permit.



THE CITY OF
SAN FERNANDO
CALIFORNIA

Community Development Department

117 Macneil Street San Fernando, CA 91340 · (818) 898-1227 · Fax: (818) 898-7329

Conditional Use Permit Application

PROJECT INFORMATION

Site Address(es)	1204 San Fernando Road		
Assessors Parcel Number(s) 'APN'	2521-019-031, 2521-019-032		
Lot Size	+/- 5.32 acres	Existing Building (Square Footage)	1,122 sq. ft.
Proposed Addition (Square Footage)	New 13,275 sq. ft.	Total Parking Spaces (On-site/Off-site)	84 on-site
Proposed Use(s)	Retail drug store/pharmacy	Landscaping (Square Footage)	Per Site Plan Review
Project Description/Type of Conditional Use Permit Request (Include any additional information on separate sheet and attach to the back of this application.)			
Conditional Use to Permit the sale of a full line of alcoholic beverages for off-site consumption and a drive-through in conjunction with the operation of a retail drug store / pharmacy [CVS/Caremark].			

APPLICANT INFORMATION

Applicant Name	Garfield Beach CVS, L.L.C. CVS Pharmacy c/o Boos Development West, LLC		Phone Number	714-953-0004
Mailing Address	701 N. Parkcenter Drive, Santa Ana, CA 92705			
Fax Number	(714) 953-0005	Email Address	imiller@boosdevelopment.com	
Signature		Garfield Beach CVS, L.L.C. By: Cheryl A. Green		

Cheryl A. Green

Assistant Secretary

PROPERTY OWNER INFORMATION

Applicant Name	315 Partners, LLC ATTN Eric Guefen		Phone Number	310-859-0000 x109
Mailing Address	c/o CMI Management Inc. 315 S. Beverly Drive #406 Beverly Hills CA 90212-4301			
Fax Number	310-859-2800	Email Address	eric@cmimanagement.com	
Signature		ON FILE WITH CITY		

----- For Office Use Only -----

CUP Application \$3,005.00	Zone	General Plan Area	File Number
AIMS Surcharge \$ 300.50	SP-4		CUP No. 2016-008
Environmental \$ 204.00	Date Filed		AIMS No. _____
Notification \$ 120.00	12/20/16		
Publishing \$ 600.00	Accepted By		Cross Reference
Total Fee \$4,229.50	H. Quintana		SPR No. _____
Comments			VAR No. _____
			OTHER _____



**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, January 3, 2017

TIME: 6:30 p.m.

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

PROJECT LOCATION: 1204 San Fernando Road, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No: 2521-019-032)

APPLICATION: Conditional Use Permit 2016-008

PROJECT PROPONENT: Garfield Beach CVS, LLC c/o Boos Development West, LLC.
701 N Parkcenter Drive, Santa Ana, CA 92705

PROJECT DESCRIPTION:

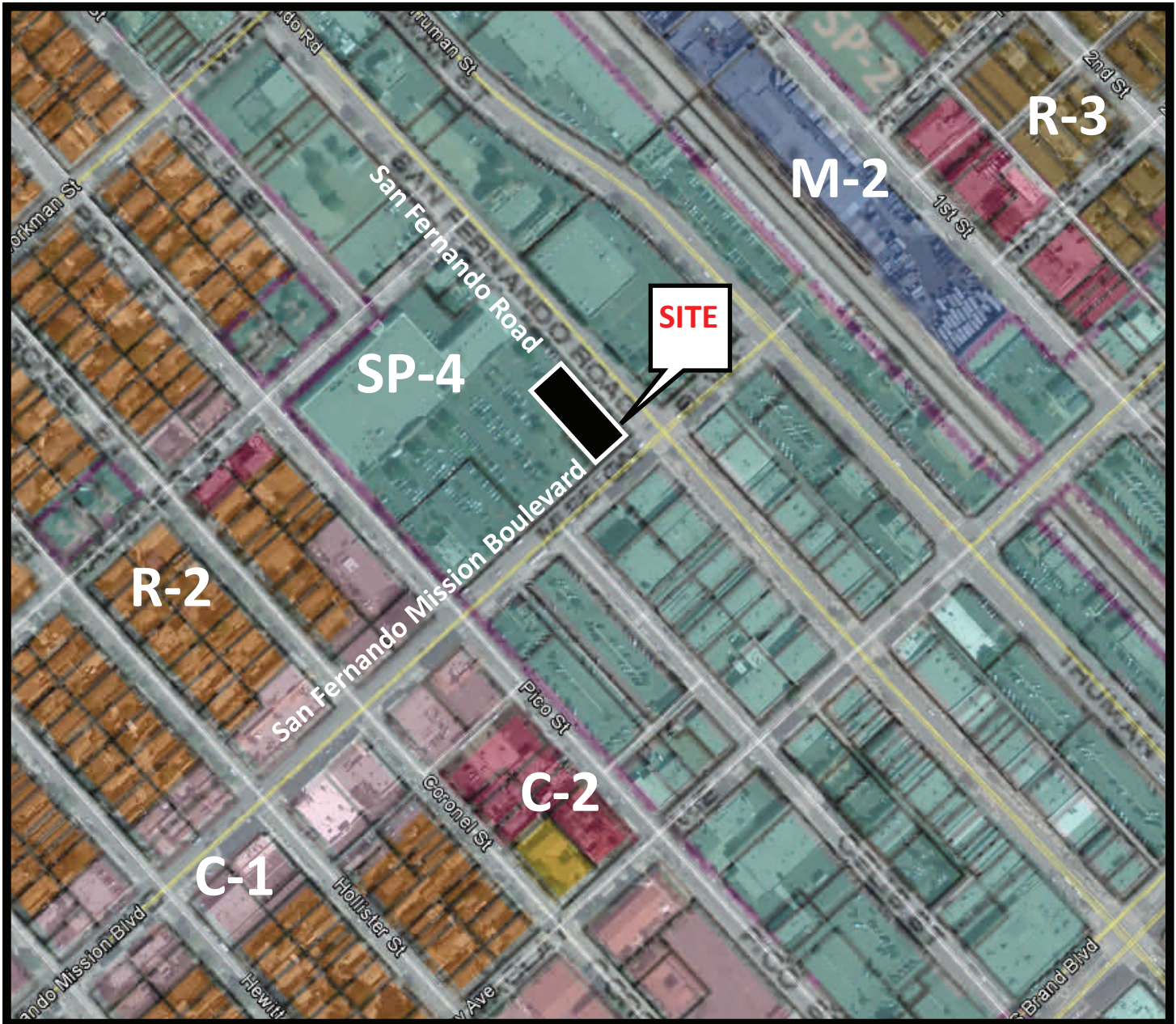
The proposed project is a request for review and approval of a conditional use permit (CUP) 2016-008 to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale general alcohol license"), in conjunction with the planned occupancy and operation of CVS, a retail drug store and to facilitate the inclusion of a drive-up window in conjunction with the proposed retail drug store to be located at 1204 San Fernando Road. The requested CUP would allow for CVS to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 13,275 square-foot proposed commercial building. The subject property consists of approximately 4.36 acres. The subject property is located at the south side of the 1200 block of San Fernando Road between Kalisher Street and San Fernando Mission Boulevard, within the Truman/ San Fernando District – Mixed Use Transition Sub-District of the San Fernando Corridors Specific Plan (SP-4) Zone.

This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, the project has been determined to be Categorically Exempt under Class 32 (In-Fill Development Projects) of the City's adopted local CEQA Guidelines.

If you wish to challenge the action taken on this matter 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 San Fernando at, or prior to, the public hearing.

For further information regarding this proposal, please contact Community Development Director Federico "Fred" Ramirez at (818) 898-1227 or by written correspondence to: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993.

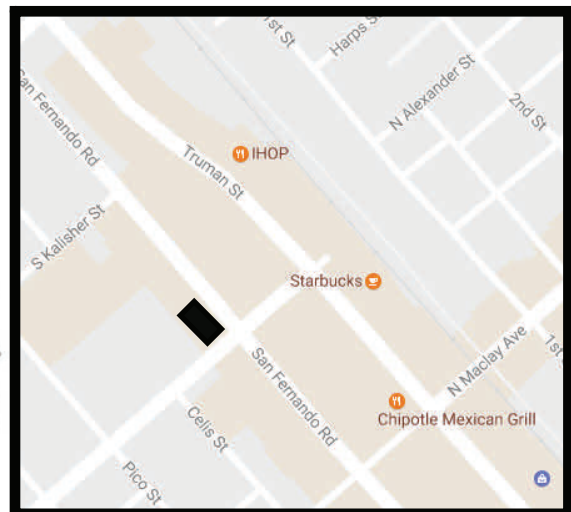
FEDERICO "FRED" RAMIREZ
Community Development Director



Zoning & Vicinity Map

CASE NO: CUP 2016-008

ADDRESS: 1204 San Fernando Road



Scale: NTS



View of 1204 San Fernando Road looking west from San Fernando Mission Boulevard



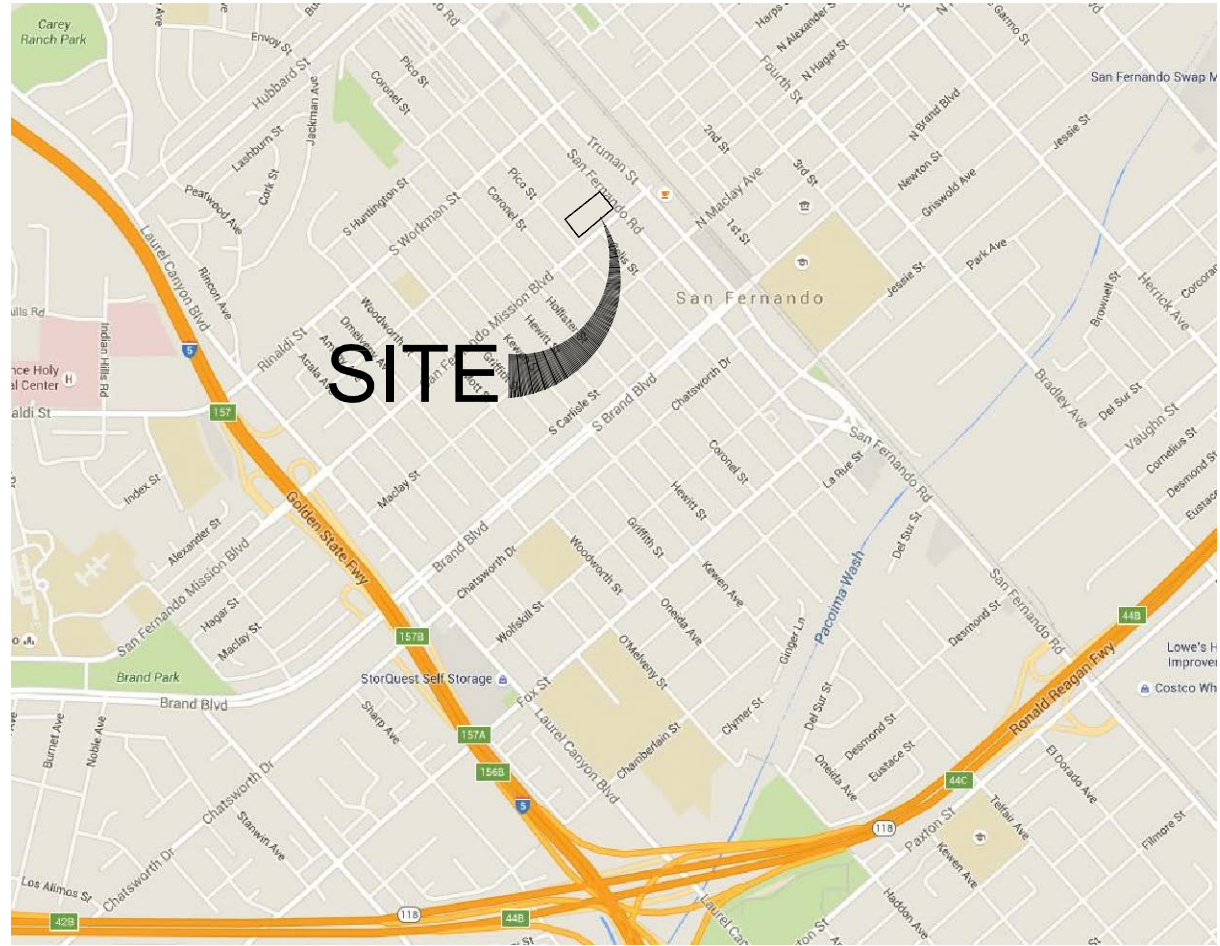
View of 1204 San Fernando Road looking south from San Fernando Road



Subject Site Photos

CASE NO: CUP 2016-008

ADDRESS: 1204 San Fernando Road

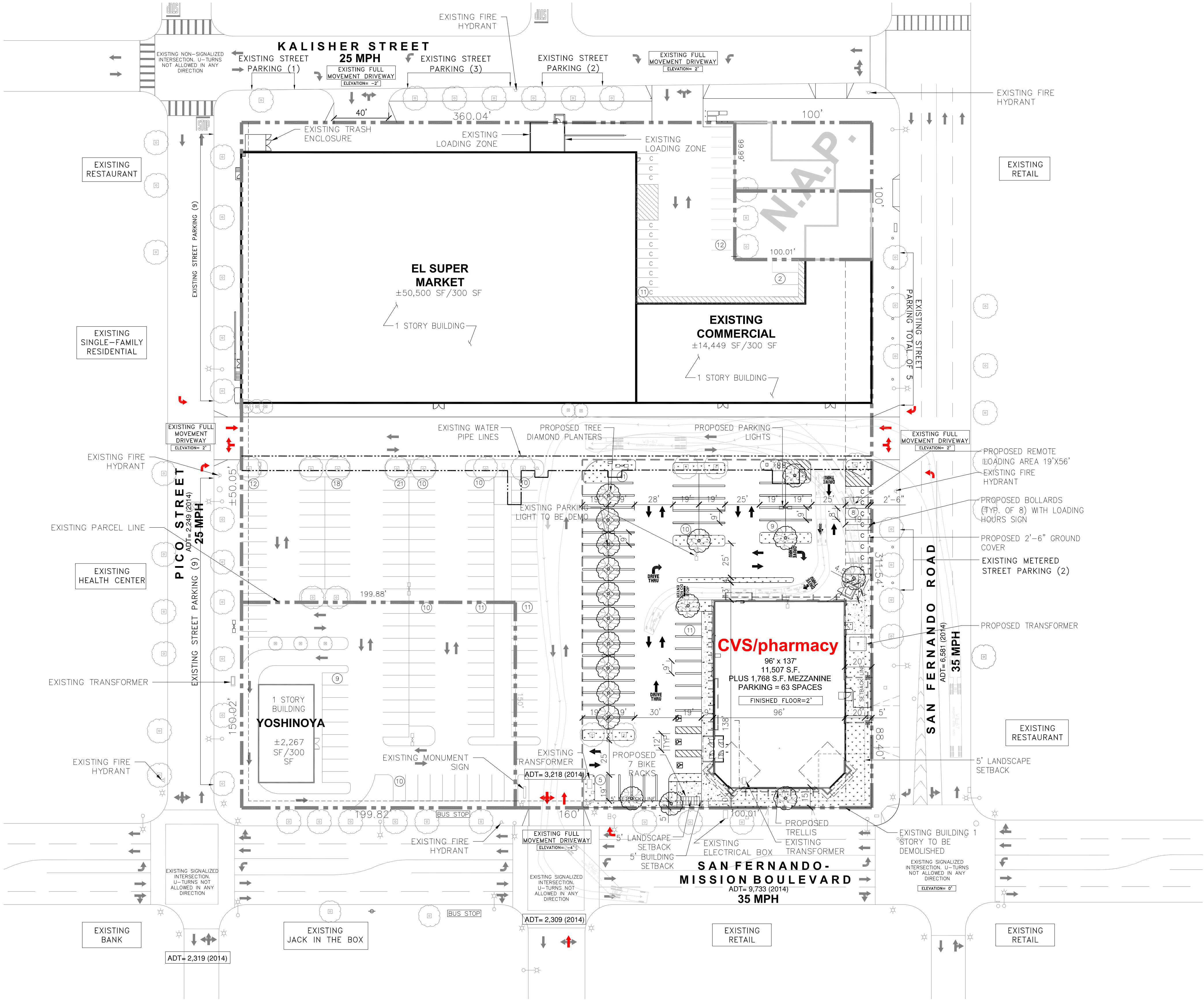


VICINITY MAP
NTS.

PROJECT INFORMATION:					
APPLICANT:	TAIT & ASSOCIATES, INC. ATTN: MIKE MACFARLAND 701 N. PARKCENTER DRIVE SANTA ANA, CA 92705 TEL: (714) 560-8200 FAX: (714) 560-8211 mmacfarland@tait.com				
PROPERTY OWNER:	315 PARTNERS LLC 315 S. BEVERLY DRIVE, SUITE 406 BEVERLY HILLS, CA 90212 TEL: (310) 859-0000 FAX: (310) 859-2800 ERIC@COMMAGEMENT.COM				
ASSESSOR'S PARCEL NUMBER(S):	2521-019-001, 2521-019-030, 2521-019-007, 2521-019-006 & 2521-019-031				
ADDRESS:	NWC MISSION BLVD. & SAN FERNANDO RD. SAN FERNANDO, CA 91340				
PROJECT DESCRIPTION:	PROPOSED 11,507 SF PLUS 1,768 SF MEZZANINE CVS PHARMACY TO BE LOCATED NWC MISSION BLVD. & SAN FERNANDO RD. SAN FERNANDO, CA 91340				
EXISTING ZONING:	SP-4 CORRIDOR SPECIFIC PLAN				
EXISTING LAND USE:	COMMERCIAL/RETAIL				
PROPOSED ZONING:	NO CHANGE				
PROPOSED LAND USE:	PHARMACY				
ADJACENT ZONING:	N: SP-4; E: SP-4; S: C2 & R-2; W: SP-4 & R-2				
EXISTING ADJACENT LAND USE:	(NORTH) SP-4 CORRIDOR SPECIFIC PLAN; (EAST) SP-4 CORRIDOR SPECIFIC PLAN; (SOUTH) C-2 COMMERCIAL LIMITED & R-2 MULTIPLE FAMILY DWELLING; (WEST) SP-4 CORRIDOR SPECIFIC PLAN & R-2 MULTIPLE FAMILY DWELLING				
UTILITY PURVEYOR:	WATER: CITY OF SAN FERNANDO PUBLIC WORKS STORM DRAINAGE: CITY OF SAN FERNANDO SEWER: CITY OF SAN FERNANDO PUBLIC WORKS GAS: SOUTHERN CALIFORNIA GAS COMPANY ELECTRIC: SOUTHERN CALIFORNIA EDISON COMPANY TELEPHONE: AT&T CABLE: TIME WARNER				
SCHOOL DISTRICT:	CITY OF SAN FERNANDO				
BUILDING INFORMATION:					
TOTAL SITE AREA:	±229,985 S.F. (±5.3 ACRES)				
GROSS ACREAGE:	±53,652 S.F. (±1.23 ACRES)				
PARCEL "A"	4.849 ACRES				
PARCEL "B"	0.687 ACRES				
BUILDING HEIGHT:	40' MAX				
LOT COVERAGE:	35.0%				
REQUIRED LANDSCAPING:	REFER TO LANDSCAPE PLANS				
PROPOSED LANDSCAPING:	REFER TO LANDSCAPE PLANS				
TOTAL EXISTING BUILDING AREA:	68,370 SF				
TOTAL EL SUPER MARKET AREA	50,500 SF				
TOTAL COMMERCIAL AREA	14,449 SF				
TOTAL RESTAURANT AREA	2,267 SF				
TOTAL PROPOSED DEMO AREA	1,154 SF				
TOTAL PROPOSED BUILDING AREA (INCLUDING CVS):	80,491 SF				
GROUND FLOOR (CVS):	11,507 S.F.				
MEZZANINE:	1,768 S.F.				
TOTAL CVS BUILDING AREA:	13,275 S.F.				
PARKING CALCULATION:					
	BUILDING	SQUARE FOOTAGE	RATE	REQUIRED PARKING	REQUIRED PROVIDED
	(E) GROCERY STORE	50,500 SF	300	168	
	(E) MULTI-TENANT RETAIL	14,449 SF	300	48	
	(E) FAST FOOD RESTAURANT	2,267 SF	300	8	
SUBTOTAL		67,216 SF	300	224	
CREDIT	(E) BUILDING TO BE DEMO'D	1,154 SF	300	4	
	(P) PHARMACY	13,275 SF	200	66	
	(P) PHARMACY (WITH CREDIT)			63	
TOTAL REQ'D				287	
TOTAL PARKING PROVIDED					272
DEFICIENT				15	

NOTE:
1. PARKING FOR THIS SITE WAS APPROVED FOR 73,300 SF. THE EXISTING SF IS 68,370. A CREDIT FOR 4,930 SF OF CVS SPACE TO BE INCLUDED IN 1/200 SF PARKING RATIO CALCULATION.

SITE PLAN LEGEND		(14) NUMBER OF PARKING SPACES	(E) STREET LIGHTS	(P) TREE
CONCRETE PAVING/ SIDEWALK	PARCEL LINE		FIRE HYDRANT	
STANDARD A.C. PAVING	CITY OF SAN FERNANDO WATER PIPELINES		(P) BOLLARD	EXISTING BUS STOP
LANDSCAPE AREA	CVS DESIGNATED AREA OF WORK		LIGHT POLE	ACCESSIBLE PARKING SPACES
			(E) TREE	TRANSFORMER ON CONCRETE PAD



NON-PROTO 11,507 SF
NON PROTO DRIVE-THRU

STORE NUMBER: XXXX

NWC MISSION BLVD. AND SAN FERNANDO RD.
SAN FERNANDO, CA

PROJECT TYPE:
DEAL TYPE:

CS PROJECT NUMBER: 84517



701 N. Parkcenter
Santa Ana, CA 92705
p: 714/560/8200
f: 714/560/8211
www.tait.com

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Ontario
Sacramento
San Diego

Boise
Dallas
Denver
Phoenix

DEVELOPER:



701 N. PARKCENTER DRIVE, SUITE 110
SANTA ANA, CA 92705
TEL 714.953.0004

SEAL:

REVISIONS:

1 SITE PLAN REVISION 9/14/16
2 SITE PLAN REVISION 12/5/16
3 SITE PLAN REVISION 12/7/16
4 SITE PLAN REVISION 12/9/16

DRAWING BY: JRW

DATE: 04/04/16

JOB NUMBER: CVS1917

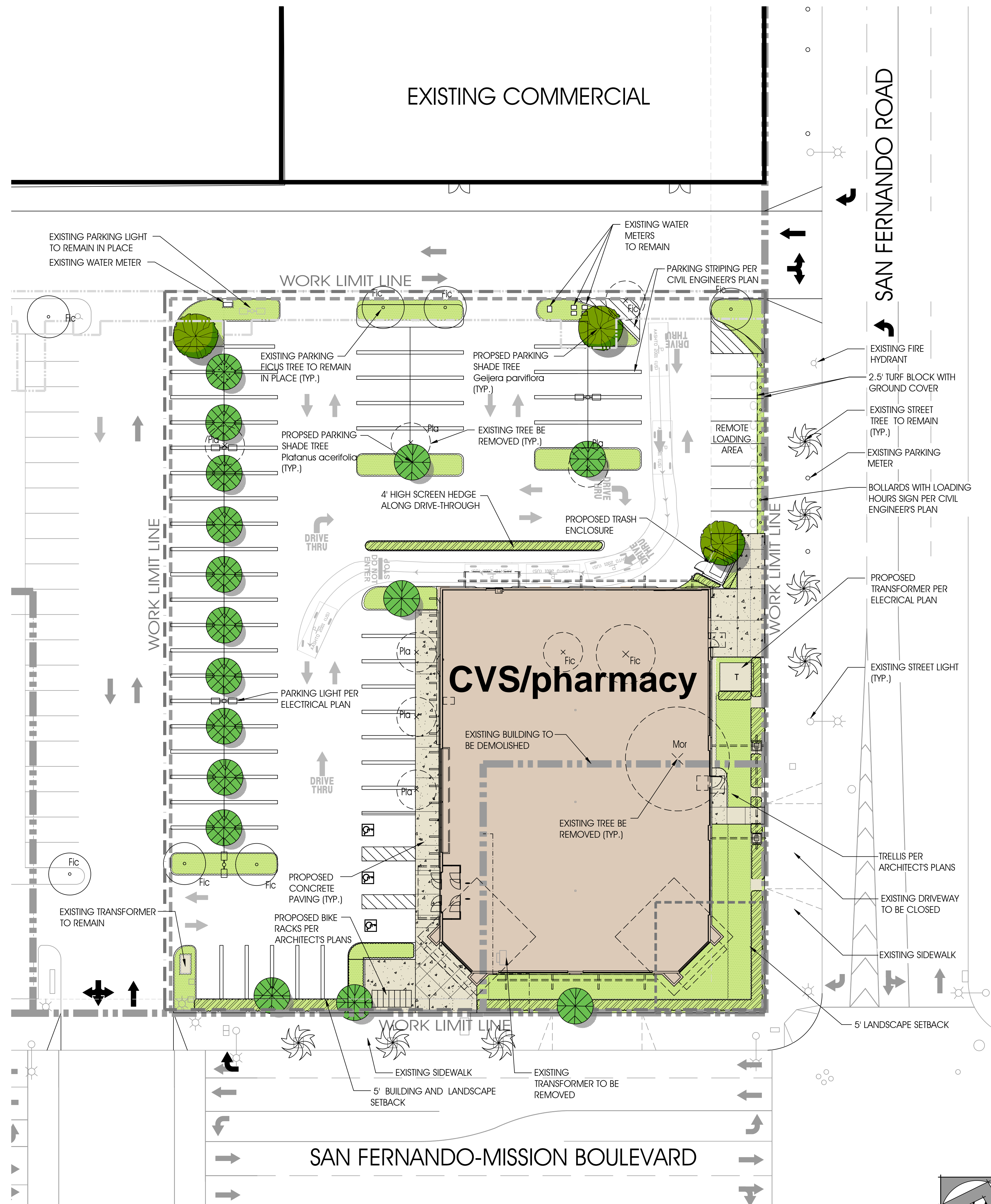
TITLE: CONCEPTUAL
SITE PLAN

SHEET NUMBER:

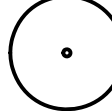
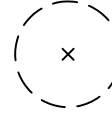
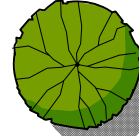

SP-1

COMMENTS:

1 OF 1



PLANTING LEGEND

Symbol	Botanical Name	Common Name	Size	Quantity	WICOLS Rating Region 4
EXISTING TREES TO REMAIN IN PLACE					
	Fic Ficus microcarpa nitida			5	M
EXISTING TREES TO BE REMOVED					
	Fic Ficus microcarpa nitida			3	M
	Mal Malus spp.			1	M
	Pla Platanus acerifolia			6	M
PROPOSED TREES					
	Geijera parviflora	Australian Willow	24" box	3	M
	Platanus acerifolia 'Blood Good'	London Planetree	24" box	16	M

Symbol	Botanical Name	Common Name	Size	Spacing	WUCOLS Rating Region 4
SHRUBS AND GROUND COVERS					
NEW PLANTING					
	Callistemon viminalis 'Little John'	Dwarf Bottlebrush	5 gallon	3'	L
	Dianella revoluta 'Little Rev'	Flax Lily	1 gallon	2.5'	L
	Myoporum parvifolium 'Pink'	Dwarf Myoporum	1 gallon	2'	L
	Senecio serpens	Blue Chalk Sticks	from flats	8"	L
HEDGE					
	Westringia fruticosa 'Blue Gem'	Coast Rosemary	5 gallon	3'	L
	Prunus caroliniana 'Bright N Tight'	Bright N Tight Carolina Laurel	5 gallon	3'	M
VINE					
	Macfadyena unguis-cati	Yellow Trumpet Vine	5 gallon		L

LANDSCAPE NOTE:

- ALL LANDSCAPE INSTALLATIONS SHALL COMPLY WITH CITY DESIGN GUIDELINES, CODES AND REGULATIONS.
- A SEPARATE IRRIGATION WATER METER SHALL BE INSTALLED.
- IRRIGATION SYSTEM SHALL BE EQUIPPED WITH MASTER VALVE AND PRESSURE REGULATOR TO PREVENT WATER WASTE.
- EXISTING IRRIGATION NOZZLES SHALL BE REPLACED WITH LOW VOLUME DISTRIBUTION TYPE NOZZLES.
- CONTROL VALVES SHALL BE EQUIPPED WITH PRESSURE REGULATOR
- FINISH GRADE IN ALL PLANTER SHALL BE 1" BELOW ADJACENT FINISH SURFACE.
- MINIMUM OF 95% OF NEW PLANT MATERIAL SHALL BE LOW WATER USE SPECIES.
- ALL TURF SHALL BE REMOVED AND REPLACED WITH LOW WATER USE PLANTS.
- ALL NEW PLANT MATERIAL SHALL MEET OR EXCEED NURSERY STANDARD CROWN WIDTH AND HEIGHT FOR THE SPECIFIED CONTAINER SIZE.
- ALL PLANTING AREA SHALL BE TOP-DRESSED WITH 2" DEEP LAYER OF MULCH.
- SITE SOIL SHALL BE TESTED FOR AGRICULTURAL SUITABILITY AND SOIL MANAGEMENT PURPOSES AFTER SITE GRADING, BUT PRIOR TO PLANTING. SITE SOIL IN PLANTING AREA SHALL BE ROTOTILLED AND AMENDED, PLANT BACKFILL PREPARED ACCORDING TO SOILS TEST RECOMMENDATIONS.
- ALL ABOVE-GROUND UTILITIES AND TRASH ENCLOSURES SHALL BE SCREENED WITH HEDGES, VINES, OR OTHER APPROVED ARCHITECTURAL OR LANDSCAPE TREATMENT.
- ALL LANDSCAPE AREAS SHALL BE PERMANENTLY MAINTAINED BY OWNER.

VICINITY MAP



NON-PROTO 12,900 SF
NON PROTO DRIVE-THRU

STORE NUMBER: XXXX

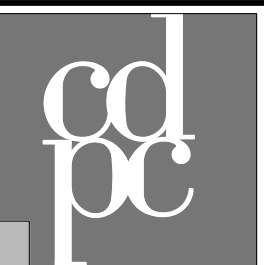
NWC MISSION BLVD. AND SAN FERNANDO RD.
SAN FERNANDO, CA
PROJECT TYPE:
DEAL TYPE:

CS PROJECT NUMBER: 84517



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San Diego	Phoenix



3195-C Airport Loop Dr
Studio One
Costa Mesa, CA 92626
949.399.0870
fax 399.0882

Conceptual

Design &

Planning

Company

DEVELOPER:



701 N. PARKCENTER DRIVE, SUITE 110
SANTA ANA, CA 92705
TEL 714.953.0004

SEAL:



REVISIONS:

9-14-2016 Revision per City comments

12-09-2016 Revision per City comments

DRAWING BY: MC

DATE: 12/09/16

JOB NUMBER: CVS1917

TITLE: _____

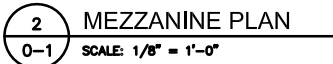
CONCEPTUAL LANDSCAPE PLAN

SHEET NUMBER: _____

LC-1

COMMENTS:

1 OF 1

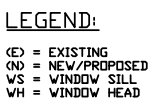


FLOORING LEGEND

	CARPET FLOORING:		FF2	VESTIBULE FLOORING (NEW SPEC. 12/04/15)
FF1	STANDARD RETAIL CARPET TILE			DESCRIPTION: USED IN (CA, FL, PR)
	DESCRIPTION: CORE PROTOTYPE RETAIL CARPET			COMPANY: Encore (Rubber) ECO Surface Classic
	COMPANY: INTERFACE FLOR			COLOR: FLAT RUBBER FLOORING
	COLOR: SLATE			ITEM # S24-601, MR.SLATE, 24X24 SQUARE EDGE
	ITEM #: 3055			SQ.FT. 113 SQ.FT.
	SQ.FT.: XXXX SQ.FT. (INCLUDES DRIVE AISLE)			
	VINYL FLOORING:			
FF4	COOLER VINYL FLOORING			
	DESCRIPTION: USED FOR RETAIL COOLER/FREEZER AREA, ALSO USED FOR OPEN AIR COOLERS IN CHECKOUT QUEUE			
	COMPANY: ARTISTRY PLANK			
	COLOR: LIGHT GRANITE			
	ITEM #: CM#3-14-260			
	SQ.FT.: 263 SQ.FT.			

NOTE:
THIS PLAN WAS CREATED BASED ON
PDF FILES & INFORMATION PROVIDED
BY CLIENT. NO SITE VISIT OR SITE
SURVEYS WERE PERFORMED.

NOTE: MAINTAIN DOOR CLEARANCES
INDICATED ON THIS SHEET AS
REQUIRED BY 2010 ADA STANDARDS FOR
ACCESSIBLE DESIGN.



COSMETIC CLASSIFICATIONS:		DOSE MTR NOTES SVO	COS CABINET LBL SVO
<p>Cosmetic Planograms</p> <p>NEYLON 120X78 WHHS</p> <p>LORL 120X78 ECLIPSE HB</p> <p>MAYEL 168X78 WHHS</p> <p>COVERGERL 60X78</p> <p>ALMAY 48X78</p> <p>NYX 60X78 SVO WALL</p> <p>SAL HAN 88X78</p> <p>SAL NAL 72X60 WITH ESSE</p> <p>ACC BP 114X60</p> <p>ART NAL 48X60</p>			

OFF SHELF MAP KEY

UU-SHOE P.W.	EE-BATH POUF PW
D-HAIR ACCESS.P.W.	II-CANE SPINNER DISP
RR-SEWING P.W.	TW -- TUMAROS WRAPS RK
K-BATTERY P.K. 1	20-WINE PW
L-LIP BALM	RB-REUSABLE BAGS(ALL STORES)
M-MILA FLOORSTAND	R-MILA REVERSIBLE SPINNER
O-MEDICAL DEVICE	PP-FILM SPANNER INCL. PHONES
BATTERY P.K.	SN-SALMA NAIL TOWEL
P-FRAG. DPLY (IWO W/EXD)	MF-MAKEUP REM. FDSPR
LC-LIGHTERS/PLAYING CARD	PB-PROBIOTICS FR STAND
DD-NRT P.W.	TY-BEANIE BABY FLOWER WNG
#-DIE CAST P.W.	PC - PHONE CHARGING PW
HE-HELIUM TANK	4-PERFECT SCENTS FS
HO-ROLLING RUMBLE P.K.	9-LIP & LOTION FLOORSTAND
PZ - POPARAZITS NAIL	BS-BROOKSIDE FLOORSTAND
DW-DREAMWALK P.W.	\$-OPEN PW
SP - HISP. SPICES	\$S- OPEN ENDCAP
N-SALMA NUANCE DISP.	

GONDOLA FIXTURE VENDOR:

SPECIAL MERCHANDISING NOTES:

PRELIMINARY 9/28/2015 DEREK HARTSFIELD 401.770.8056

- SET TO MOST CURRENT MERCHANDISING GUIDELINES
- FULL CA ALCOHOL SET 32" SPIRITS/40" WINE
- 16 DOOR ATYPICAL WALK-IN COOLER
- HSP DOMINANT MERCHANDISING ELEMENTS UTILIZED, INCLUDING 12" DSD FRAGRANCE

- REV PRELIM 3/22/2016 DEREK HARTSFIELD 401.770.8056
- UPDATED TO NEW OUTLINE
- REMOVED WALK-IN COOLER, ADDED ZZ COOLER AND FREEZERS
- AND ALLOWED FOR WINDOW CLEARANCE, UPDATED WALL FIXTURE
- ADDED 4' FIXTURE IN FRONT OF LOW CORNER WINDOW
- ADJUSTED HALLMARK TO ADD NEW ENDCAP AND GIFT SECTION
- ADDED ELEV HTR EXHOS
- UPDATED CONSUMABLES AND BEAUTY TO ADD THH DRY MIX
- AND ELEV BEAUTY ELEMENTS, UPDATED SSCU'S
- ADDED 4' FIXTURE TO AISLE 2-3
- UPDATED ELEV C/O RACKS
- UPDATED CART CORRAL
- UPDATED TO MADIX FIXTURES

LAYOUT COORDINATOR

9/28/2015 DEREK HARTSFIELD 401.770.8056
 REV PRELIM 3/24/2016 DEREK HARTSFIELD 401.770.8056

<p>Add-Me Planograms</p>	<p>Second Planogram</p> <p>SEAS YR SUMMER 2015</p>
------------------------------	---



1901 NEWPORT BLVD., SUITE 300
COSTA MESA, CA 92627
TEL. 949.698.1400 FAX. 949.698.1433

www.littleonline.com

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CONSULTANT:



SEAL

REVISIONS

Jurisdiction Glazing Requirements Added	03-03-1
Merchandise Revisions	03-23-1

DRAWING BY: LI

DATE: October 01, 201

DB NUMBER:

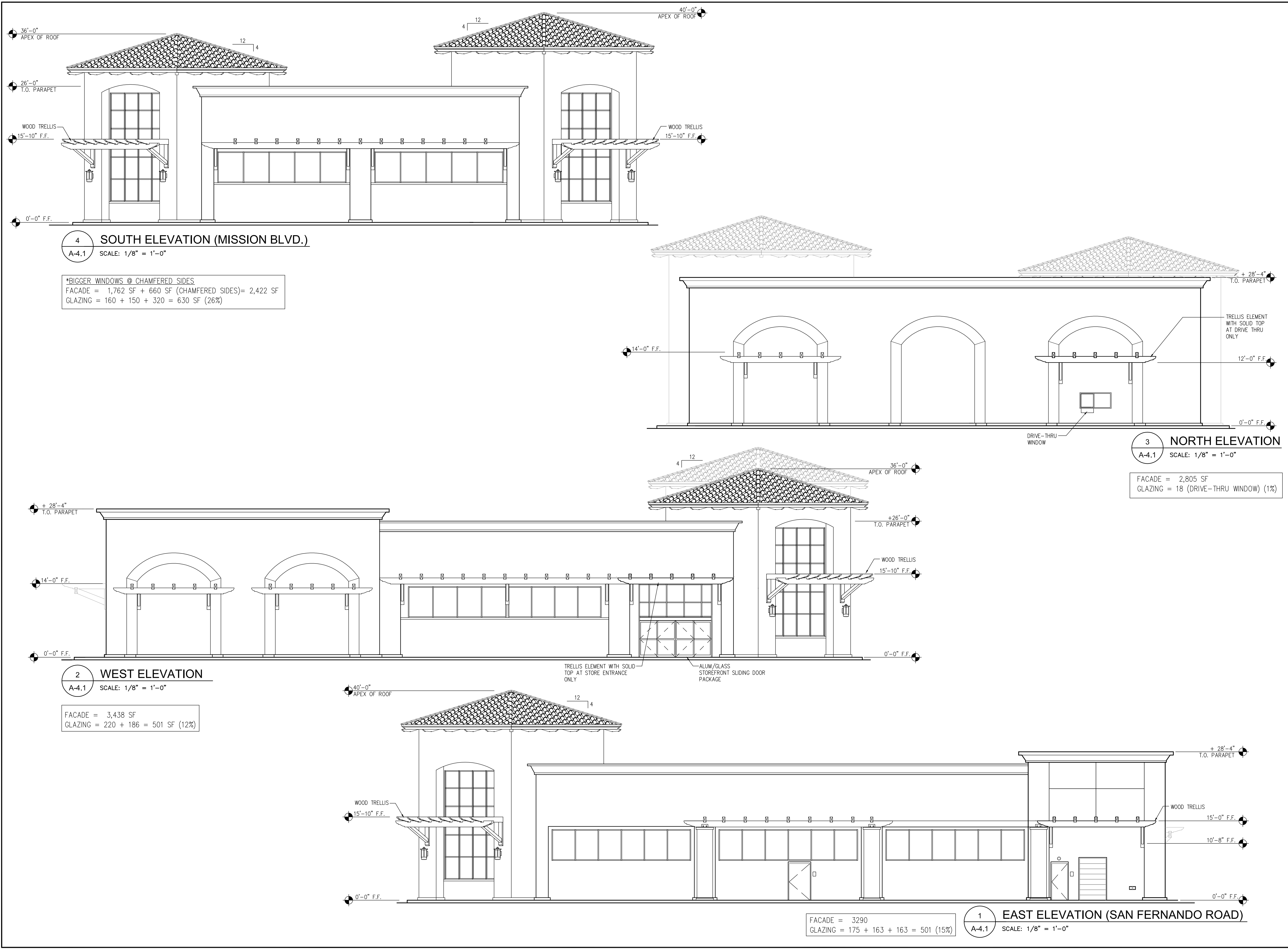
TITLE:

MERCHANDISE PLAN

SHEET NUMBER: _____

F-1P

COMMENTS:



STORE NUMBER: 10807

NWC MISSION BL. & SAN FERNANDO RD.
SAN FERNANDO, CA

PROJECT TYPE: New Store
DEAL TYPE:
CS# 84517

DIVERSIFIED ARCHITECTURAL CONSULTING

1901 NEWPORT BLVD., SUITE 300
COSTA MESA, CA 92627
TEL. 949.698.1400 FAX. 949.698.1433

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CONSULTANT:

DEVELOPMENT WEST

701 N. PARKCENTER DRIVE, SUITE 110
SANTA ANA, CA 92705
TEL 714.953.0004

SEAL

REVISIONS

DRAWING BY: LD

DATE: 12.15.16

JOB NUMBER:

TITLE: EXTERIOR ELEVATIONS

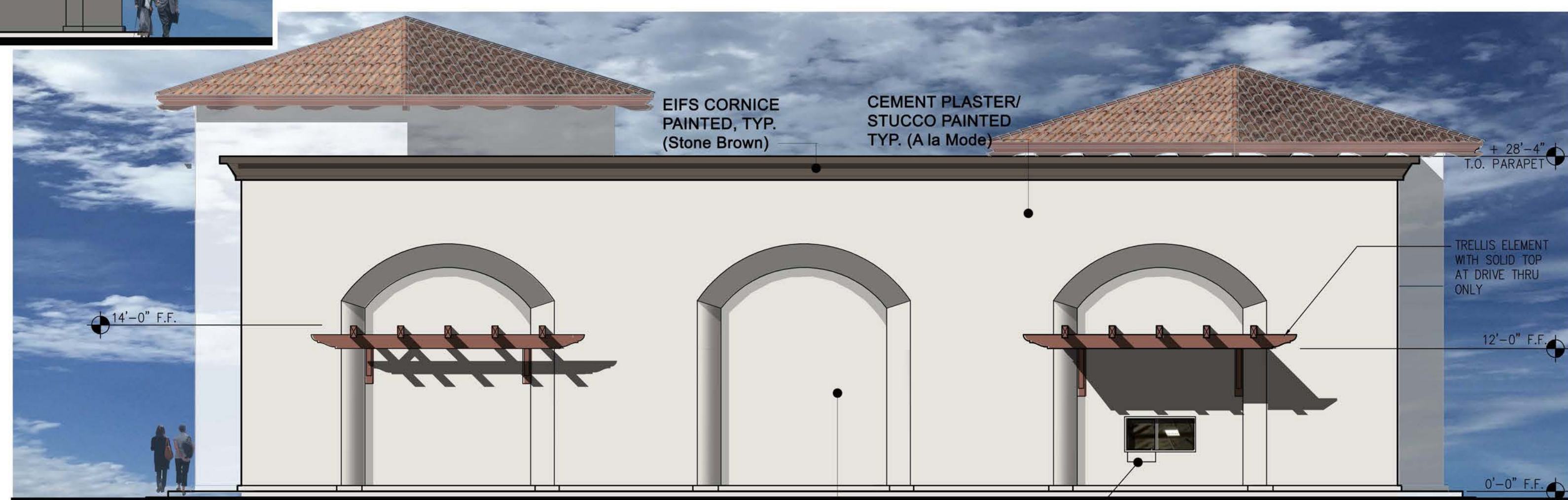
SHEET NUMBER: A-4.1

COMMENTS:



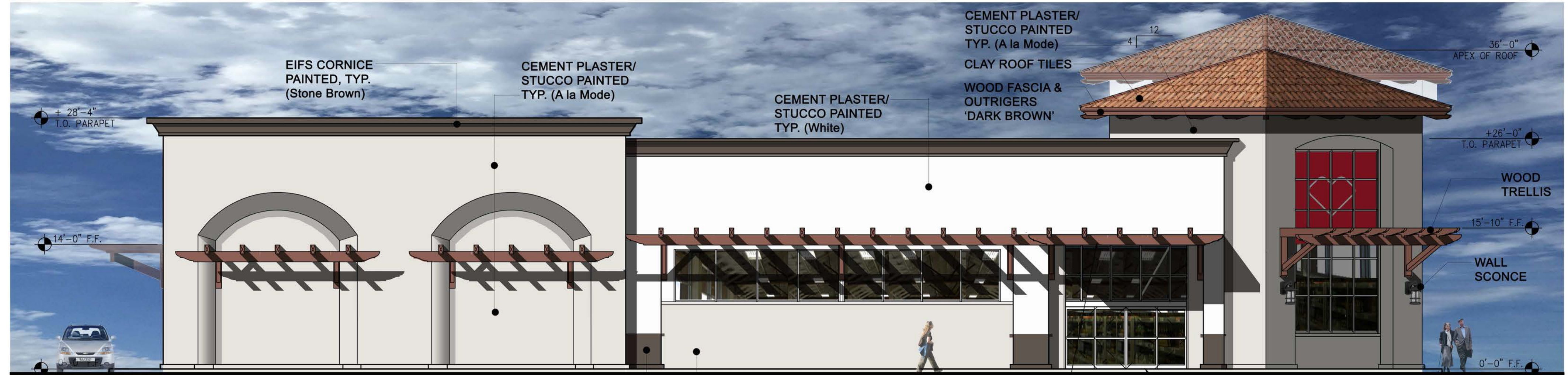
4 SOUTH ELEVATION (MISSION BLVD.)
A-4.1 SCALE: 1/8" = 1'-0"

*BIGGER WINDOWS @ CHAMFERED SIDES
FACADE = 1,762 SF + 660 SF (CHAMFERED SIDES)= 2,422 SF
GLAZING = 160 + 150 + 320 = 630 SF (26%)



3 NORTH ELEVATION
A-4.1 SCALE: 1/8" = 1'-0"

FACADE = 2,805 SF
GLAZING = 18 (DRIVE-THRU WINDOW) (1%)



2 WEST ELEVATION
A-4.1 SCALE: 1/8" = 1'-0"

FACADE = 3,438 SF
GLAZING = 220 + 186 = 501 SF (12%)



1 EAST ELEVATION (SAN FERNANDO ROAD)
A-4.1 SCALE: 1/8" = 1'-0"

FACADE = 3290
GLAZING = 175 + 163 + 163 = 501 (15%)



STORE NUMBER: 10807
NWC MISSION BL. & SAN FERNANDO RD.
SAN FERNANDO, CA
PROJECT TYPE: New Store
DEAL TYPE:
CS# 84517



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SEAL

REVISIONS

DRAWING BY: LD
DATE: 12.19.16
JOB NUMBER:
TITLE: EXTERIOR ELEVATIONS
SHEET NUMBER:

A-4.1

COMMENTS: