



SAN FERNANDO

PLANNING AND PRESERVATION COMMISSION

REGULAR MEETING NOTICE AND AGENDA

MAY 3, 2016 – 6:30 P.M.

**COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CA 91340**

CALL TO ORDER/ROLL CALL

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

May 3, 2016

PUBLIC STATEMENTS – WRITTEN/ORAL

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

CONSENT CALENDAR

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

REQUEST TO APPROVE THE MINUTES OF APRIL 5, 2016 PLANNING AND PRESERVATION COMMISSION MEETING.

PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – MAY 3, 2016

NEW BUSINESS

- 1) **SUBJECT:** **CONDITIONAL USE PERMIT 2015-008 – 2039 GLENOAKS BOULEVARD, SAN FERNANDO, CA 91340**
- APPLICANT:** **ROBIN’S WORLD, LLC “C/O ROBIN ANDERSON”, 962 N. WORKMAN STREET, SAN FERNANDO, CA 91340**
- PROPOSAL:** **THE PROPOSED PROJECT IS A REQUEST FOR REVIEW AND APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A SECONDHAND STORE, AT THE PROPERTY LOCATED AT 2039 GLENOAKS BOULEVARD. THE PROPOSED SECONDHAND STORE OCCUPIES A TENANT SPACE OF APPROXIMATELY 2,721 SQ. FT. WITHIN A MULTI-TENANT COMMERCIAL BUILDING. THE SUBJECT PROPERTY IS LOCATED ALONG THE NORTH SIDE OF THE 2000 BLOCK OF GLENOAKS BOULEVARD, BETWEEN HUBBARD STREET AND ORANGE GROVE AVENUE; WITHIN THE COMMERCIAL (C-2) ZONE.**
- RECOMMENDATION:** **STAFF RECOMMENDS THAT THE PLANNING AND PRESERVATION COMMISSION APPROVE CONDITIONAL USE PERMIT 2015-008, TO ALLOW FOR THE OPERATION OF A SECONDHAND STORE, LOCATED AT 2039 GLENOAKS BOULEVARD, PURSUANT TO PLANNING AND PRESERVATION COMMISSION RESOLUTION 2016-004 AND THE CONDITIONS OF APPROVAL ATTACHED AS EXHIBIT “A” TO THE RESOLUTION (ATTACHMENT NO. 1).**
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- 2) **SUBJECT:** **UPDATE - CONDITIONAL USE PERMIT 2014-004 - 1245 SAN FERNANDO ROAD, SAN FERNANDO, CA 91340**
- RECOMMENDATION:** **STAFF RECOMMENDS THAT THE PLANNING AND PRESERVATION COMMISSION RECEIVE AND FILE THIS UPDATE REGARDING CONDITIONAL USE PERMIT 2014-004.**

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.

PLANNING AND PRESERVATION COMMISSION

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CONTINUED BUSINESS

None

STAFF COMMUNICATIONS

Request for Commission's availability for a second meeting in June - June 21, 2016

COMMISSIONER COMMENTS

ADJOURNMENT

June 7, 2016

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

Fred Ramirez

Signed and Posted: (5:30 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
APRIL 5, 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 Chairperson Theale Haupt at 6:30P.M.

OATH OF OFFICE

Community Development Secretary Michelle De Santiago administered the Oath of Affirmation for Anna M. Lopez

ROLL CALL

The following persons were recorded as present:

PRESENT:

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

ALSO PRESENT

Deputy City Manager Chris Marcarello, City Attorney Isabel Birrueta, Associate Planner Humberto Quintana, and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

Commissioner Y. Mejia moved to approve the agenda of April 5, 2016 meeting. Seconded by Vice-chair A. Durham, the motion carried with the following vote:

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

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CONSENT CALENDAR

Vice-chair A. Durham moved to approve the minutes of the March 1, 2016 Planning and Preservation Commission Meeting. Seconded by K. Beaulieu, the motion carried with the following vote:

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

REORGANIZATION OF THE PLANNING AND PRESERVATION COMMISSION FOR CHAIRPERSON AND VICE-CHAIR POSITIONS.

Alvin Durham nominated Theale Haupt for Chairperson. Seconded by Commissioner K. Beaulieu.

No further nominations for Chairperson. Theale Haupt accepted the nomination and the motion carried with the following vote:

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

Yvonne Mejia nominated Alvin Durham for Vice-chair. Seconded by Commissioner K. Beaulieu.

No further nominations for Vice-chair. Alvin Durham accepted the nomination and the motion carried with the following vote:

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

UNFINISHED BUSINESS

None

PUBLIC HEARING

CONDITIONAL USE PERMIT 2015-009 (CUP 2015-009) – EL CAMARON CAMPEON (C/O HANI MAMMO), 13737 FOOTHILL BLVD., SYLMAR, CA – THE PROPOSED PROJECT IS A REQUEST FOR REVIEW AND APPROVAL OF A CONDITIONAL

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USE PERMIT TO ALLOW FOR THE ON-SITE CONSUMPTION OF BEER AND WINE WITH LIVE ENTERTAINMENT AT AN EXISTING RESTAURANT (ON-SALE BEER AND WINE FOR BONA FIDE PUBLIC EATING PLACE, TYPE 41 LICENSE), AT THE PROPERTY LOCATED AT 1161 N. MACLAY AVENUE. THE EXISTING RESTAURANT OCCUPIES A TENANT SPACE OF APPROXIMATELY 2,580 SQ.FT. WITHIN A MULTI-TENANT COMMERCIAL BUILDING. THE SUBJECT PROPERTY IS LOCATED ALONG THE WEST SIDE OF THE 1100 BLOCK OF NORTH MACLAY AVENUE, BETWEEN KNOX STREET AND EIGHTH STREET; WITHIN THE MACLAY DISTRICT (NEIGHBORHOOD SERVICES OVERLAY AREAS) OF THE SAN FERNANDO CORRIDORS SPECIFIC PLAN (SP-4) ZONE.

STAFF PRESENTATION

Associate Planner Humberto Quintana provided the staff presentation recommending that the Planning and Preservation Commission continue the request for conditional use permit 2015-009, to allow for the on-site consumption of beer and wine in conjunction with the operation of “El Camaron Campeon Restaurant” a bona fide public eating place, excluding live entertainment use, located at 1161 N. Maclay Avenue, Unit G to a date uncertain.

PUBLIC COMMENT

Irma Romo – property owner at 1161 N. Maclay Avenue, San Fernando, CA - Ms. Romo stated that she doesn’t want liquor to be sold at the location. She indicated that she has experienced some difficulties with the tenant.

COMMISSION DISCUSSION

K. Beaulieu thanked Ms. Romo for voicing her opposition to the proposed conditional use permit. He stated that he wished more landlord/property owners would get involved and provide the commission with their feedback.

A.Durham stated that there were several audience members at the March meeting that might have wanted to voice their opposition to the proposal but unfortunately the item was continued and they did not come to tonight’s meeting.

Subsequent to staff’s recommendation, Vice-chair A. Durham moved to amend the language on the continuance of the Conditional Use Permit 2015-008 to reflect, that the conditional use permit be continued until the applicant is able to obtain the appropriate approvals from both property owners for the proposed application. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

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STAFF COMMUNICATIONS

Chris Marcarello reminded and invited the Planning and Preservation Commission to the High Speed Rail meeting on Tuesday, April 12, 2016.

Associate Planner Humberto Quintana provided the commission with an update regarding the demolition permit obtained for 650 Glenoaks Boulevard.

COMMISSION COMMENTS

K. Beaulieu asked if staff provide the commission with an update on the Housing Element and the allowance for transitional housing and that these places be required to be owner occupied.

Isabel Birrueta stated that the commission can ask as a group that staff agendize and provide a report on the current Housing Element at a future meeting and compare it to what the State requirements are for allowing transitional housing to see if there is any flexibility for added language and requirements.

ADJOURNMENT

Vice-chair A. Durham moved to adjourn to the May 3, 2016 regular meeting of the Planning and Preservation Commission. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

7:07 P.M.

Fred Ramirez

Planning Commission Secretary



MEETING DATE: May 3, 2016

PUBLIC HEARING:

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

a) To Approve:

“I move to approve Conditional Use Permit 2015-008, to allow for the operation of a secondhand store, located at 2039 Glenoaks Boulevard, pursuant to Planning and Preservation Commission Resolution 2016-004 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 2015-008, based on the following...” (Roll Call Vote)

a) To Continue:

“I move to continue Conditional Use Permit 2015-008, to a date specific...” (Roll Call Vote)

Moved:_____

Seconded:_____

Roll Call:_____

ITEM 1:

CONDITIONAL USE PERMIT 2015-008



AGENDA REPORT

To: Planning and Preservation Commission Chairperson Haupt and Commissioners

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

A handwritten signature in blue ink, appearing to read "Fred Ramirez", is placed over the name of the Community Development Director.

Date: May 3, 2016

Subject: **Conditional Use Permit 2015-08**
2039 Glenoaks Boulevard, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No.: 2517-013-013)

Proposal: The proposed project is a request for review and approval of a conditional use permit to allow for the operation of a secondhand store, at the property located at 2039 Glenoaks Boulevard. The proposed secondhand store occupies a tenant space of approximately 2,721 sq. ft. within an approximate 16,529 square foot multi-tenant commercial building. The subject property is located along the north side of the 2000 block of Glenoaks Boulevard, between Hubbard Street and Orange Grove Avenue; within the C-2 (Commercial) Zone.

APPLICANT: Robin's World, LLC "c/o Robin Anderson", 962 Workman Street, San Fernando, CA 91340

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2015-008, to allow for the operation of a secondhand store, located at 2039 Glenoaks Boulevard, pursuant to Planning and Preservation Commission Resolution 2016-004 and the conditions of approval attached as Exhibit "A" to the resolution (Attachment No. 1).

PROJECT OVERVIEW:

On February 10, 2016, the City received a complete application (Attachment No. 2) for a conditional use permit to operate a secondhand store located at 2039 Glenoaks Boulevard (Los Angeles County Assessor's Parcel No: 2517-013-013). Robin's World is a general retail store. The subject site is approximately 37,848 sq. ft. and is improved with an approximately 16,529 sq. ft. multi-tenant building. The existing store occupies a tenant space of approximately 2,721 sq. ft. within the multi-tenant commercial building and was previously operated by "SF Fashion", a retail store. Parking for the subject site is provided by 50 off-street parking spaces (a site plan of the project site is provided as Attachment No. 6 to this staff report).

The Subject property is located within the C-2 (Commercial) Zone along the north side of the 2000 Block of Glenoaks Boulevard between Hubbard Street and Orange Grove Avenue.

The request for the operation of a secondhand store would be allowed with the City's Planning and Preservation Commission's approval of the requested CUP pursuant to City Code Sections 106-518(1) and 106-488(9). Pursuant to Section 106-518(1), all conditionally permitted uses in the C-1 (Limited Commercial) Zone are conditionally permitted in the C-2 (Commercial) Zone. Pursuant to Section 106-488(9), a secondhand store may operate in a C-1 (Limited Commercial) Zone subject to the review and approval of a conditional use permit by the Planning and Preservation Commission. Pursuant to Section 106-6, a secondhand store is defined as "any business offering merchandise for sale, where the greater portion of the merchandise is secondhand or used."

Based on the review of the requested conditional use permit ("CUP"), it is staff's assessment that the retail store would qualify for the Commission's consideration of a CUP to allow for the operation of a secondhand store. Additional discussion regarding the proposed 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 2039 Glenoaks Boulevard is within the within the C-2 (Commercial) Zone. The subject site has a land use designation of Multi-Use (Commercial, Office and Residential).
2. Site Location and Description: Robin's World is a general retail store within a tenant space of approximately 2,721 sq. ft. within an approximately 16,529 sq. ft. multi-tenant commercial building located 2039 Glenoaks Boulevard. The subject site is approximately 37,848 sq. ft. The subject property is located along the north side of the 2000 block of Glenoaks Boulevard, between Hubbard Street and Orange Grove Avenue (Los Angeles County Assessor's Parcel No: 2517-013-013). The subject site will maintain a legal non-conforming entitlement for parking. Nonetheless, parking for the subject site is provided by 50 off-street 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 Planning Staff's assessment that this project proposal qualifies for a Categorical Exemption under Class 1 (Existing Facilities) of San Fernando's CEQA Guidelines in that the proposed approval of a conditional use permit for the operation of a secondhand store at an existing retail facility (Robin's World) will involve minor interior alterations (i.e., tenant improvement work) and minor exterior alterations (i.e., new signage, painting, window tinting) to an existing private commercial facility.

4. Legal Notification: On April 23, 2016, a notice was published in the print and online legal advertisement section of the *Los Angeles Daily News* (Attachment 3). Public hearing notice was posted at two City Hall bulletins and notices of this hearing were mailed to all property owners of record within 500 feet of the subject site. In addition, public notices were posted at the library and the subject 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 operation of a secondhand store is consistent with the following goals and objectives of the San Fernando General Plan Land Use Element by:
 - ✓ Retaining the small town character of San Fernando;
 - ✓ Promoting economic viability of commercial areas;
 - ✓ Maintaining an identity that is distinct from surrounding communities.

(San Fernando General Plan Land Use Element Goals I-IV, Pg. IV-6)

The requested CUP to allow for the operation of a secondhand store at 2039 Glenoaks Boulevard would allow customers with an alternative shopping experience that is currently not offered within the City. The proposed use would permit the existing retail business to expand its business through the sale of secondhand goods to allow for the creation of a niche market that is distinct from surrounding communities and thus, promote the economic viability of the area.

2. Zoning Consistency. Pursuant to City Sections 106-518 (1) and 106-488 (9) the requested CUP for the operation of a secondhand store is a conditionally permitted use within the C-2 (Commercial) Zone. As noted in Section 106-518(1) all conditionally permitted uses in the C-1 (Limited Commercial) Zone are conditionally permitted in the C-2 (Commercial) Zone. Pursuant to Section 106-488(9), a secondhand store may operate in a C-1 (Limited Commercial) Zone subject to the review and approval of a conditional use permit by the Planning and Preservation Commission.

Pursuant to Section 106-6 a "Secondhand store" is defined as "any business offering merchandise for sale, where the greater portion of the merchandise is secondhand or used."

The requested CUP to allow for the operation of a secondhand store would permit a retail facility to expand its business through the sale of secondhand goods and allow the growth of the business consistent with other retail uses that are permitted by right in the C-2 (Commercial) Zone. Based on the foregoing, it is City Planning Staff's assessment that the CUP Request to operate a secondhand store is consistent with all of the applicable development standards for the C-2 (Commercial) Zone.

3. 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 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.**

The requested conditional use permit to allow the operation of a secondhand store is a conditionally permitted use in the C-2 (Commercial) Zone. Pursuant to City Sections 106-518(1), all conditionally permitted uses in the C-1 (Limited Commercial) Zone are conditionally permitted in the C-2 (Commercial) Zone. As listed in Section 106-488(9),

the requested CUP for the operation of a secondhand store is a conditionally permitted use within the C-1 (Limited Commercial) Zone. Pursuant to City Section 106-488(9) secondhand stores may operate within the subject zone through the review and approval of a conditional use permit.

Robin's World is a general retail store. The approval of the requested CUP for operation of a secondhand store would ensure consistency with the intent and purpose of the zone through the imposed conditions of approval (Conditions of approval are provided as Exhibit "A" to Attachment 1). Therefore, it is staff's assessment that the proposed CUP for the operation of a secondhand store is conditionally permitted within the subject zone and complies with all applicable sections of the City Zoning Ordinance. Thus, it is staff's assessment that this finding can be made in this case.

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

Robin's World is an established retail store that is a permitted use within the C-2 (Commercial) Zone. The retail store is occupying an approximate 2,721 square-foot tenant space located at 2039 Glenoaks Boulevard, within the City's C-2 (Commercial) Zone. The purpose of the C-2 (Commercial) Zone is to "provide areas for commercial uses which offer a wide range of goods and services including facilities for shopping, convenience goods and services, professional offices and recreation for the community. It is intended to promote an environment which will encourage maximum efficiency of the commercial area with maximum protection for nearby property and property values by permitting only those uses which are necessary for the city and excluding those uses which are incompatible with this goal and which should be located elsewhere." The establishment of a secondhand store would allow customers to shop secondhand goods sold in a retail environment in a manner that does not impair the integrity and character or the intent and purpose of the C-2 (Commercial) Zone. 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 existing 2,721 square-foot retail store is located within an existing multi-tenant commercial building located 2039 Glenoaks Boulevard and is located in the C-2 (Commercial) Zone. The project site is currently surrounded with similar commercial uses, including but not limited to: restaurants, retail shops, professional offices and other service commercial uses. The range of uses established in and around the project site and permitted in the C-2 (Commercial) Zone encourage the establishment of a mixture of uses that promote "maximum efficiency of the commercial area."

The project site is physically suitable for the requested CUP to allow for the operation of a secondhand store. The subject site is located in an approximately 16,529 square-foot multi-tenant commercial building located in a site that is approximately 37,848 square foot. The subject site will maintain a legal non-conforming entitlement for on-site parking. Nonetheless, parking for the subject site is provided by 50 off-street parking spaces. 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 CUP to allow for the operation of secondhand store at an existing retail store at 2039 Glenoaks Boulevard would be compatible with the shopping experience offered to patrons of similar retail uses within the City of San Fernando. Additionally, the proposed operation of secondhand store is compatible with current land uses on the subject property. 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 operation of a secondhand store is compatible with the existing and conditionally permitted uses as well as future land uses within the C-2 (Commercial) Zone. The proposed secondhand store promotes and implements the purposes and intent of the C-2 (Commercial) Zone. The request to allow the operation of secondhand store would further augment the range of retail options available to the residents, while allowing the business to remain competitive with other retail establishments within the C-2 (Commercial) Zone. Thus, it is staff's assessment that this finding can be made in this case.

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 existing retail establishment will continue to be adequately served by water, sanitation and public utilities. The operation of a secondhand store will not adversely affect the water, sanitation and public utilities already serving the existing multi-tenant commercial building that houses the subject retail establishment. 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.

Robin's World has adequate provisions for public access through the primary pedestrian and vehicular entrances located along Glenoaks Boulevard. Patrons seeking to shop at the secondhand store have the ability to enter the retail store from the

entrance to the multi-tenant shopping along Glenoaks Boulevard. Off-street parking is accessible off of Glenoaks Boulevard. The subject site will maintain a legal non-conforming entitlement for parking. Nonetheless, the multi-tenant commercial building is improved with an off-street parking lot that consists of 50 off-street parking spaces with associated drive aisles and pedestrian walkways for the exclusive use of the patrons of the multi-tenant commercial shopping center. Thus, it is staff's assessment that this finding can be made in this case.

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

Within the C-2 (Commercial) Zone, retail commercial uses are permitted by right. The operation of a secondhand store is permitted subject to the Commission's review and approval of a conditional use permit. The requested CUP for the operation of a secondhand store is an appropriate and compatible use for the types of currently established and potentially permitted retail and service-based uses the zone allows. Approval of the CUP for the operation of a secondhand store helps promote the economic viability of the commercial areas. CUP approval at the subject site facilitates the expansion of goods provided to potential patrons within the C-2 (Commercial) Zone in a manner that allows for the sale of items not currently available in the zone.

The requested CUP for the operation of a secondhand store would allow for Robin's World to augment its sales by including retail sales of secondhand merchandise. The sale of secondhand goods through the approval of a CUP promotes investment in the City, which meets the purpose and intent of the C-2 (Commercial) Zone. Therefore, the proposed CUP for the operation of a secondhand store at 2039 Glenoaks Boulevard would be appropriate in light of an established need for the use at the subject site. 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 subject site has a Multi-Use (Commercial, Office and Residential) land use designation in the City's General Plan. The proposed use is consistent with the General Plan Land Use Element to maintain an "identity that is distinct from the surrounding areas," the establishment of a secondhand store will allow for the creation of niche market that will "promote the viability of the area" and thus is consistent with City's General Plan objectives.

Furthermore, approval of the requested CUP, would help reduce potential commercial vacancies and "attract new commercial activities." (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 in this case.

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

The requested CUP to allow for the operation of a secondhand store would allow for the ongoing viability of the retail business within the City. With the adoption of the recommended conditions of approval for the requested CUP, Robin's World would be required to provide sufficient safeguards to deter public nuisance issues and protect public interest, health, safety, convenience and welfare. Noncompliance with the conditions of approval for an approved CUP for the operation of a secondhand store would require corrective action on behalf of the business owner and may result in revocation of the CUP. Thus, it is staff's assessment that this finding can be made in this case.

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 for the operation of secondhand store at 2039 Glenoaks Boulevard would facilitate the long term viability of the retail store while enhancing the shopping experience of patrons by allowing the sale of secondhand items that are not currently available within the City. Commission approval of the CUP would also promote the viability of the area and attract new commercial activity in a manner consistent with the General Plan's goals and objectives and the intent and purpose of the C-2 (Commercial) Zone.

Based on the above findings, the City Planning Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2015-008 to allow for the operation of a secondhand store pursuant to Planning and Preservation Commission Resolution 2016-004 and the Conditions of Approval attached as Exhibit "A" to the Resolution (Attachment No.1).

ATTACHMENTS:

1. Planning and Preservation Commission Resolution 2016-004 and Exhibit "A": Conditions of Approval
2. Conditional Use Permit Application – CUP 2015-008
3. Notice of Public Hearing Published in the *Los Angeles Daily News*
4. Zoning & Vicinity Map
5. Project Site Photos
6. Site Plan and Floor Plans

RESOLUTION NO. 2016-004**A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION APPROVING CONDITIONAL USE PERMIT 2015-008 TO ALLOW FOR THE OPERATION OF A SECONDHAND STORE, LOCATED AT 2039 GLENOAKS BOULEVARD**

WHEREAS, on February 10, 2016, a complete application has been filed by Robin Anderson to request review and approval of a conditional use permit to allow for operation of a secondhand store. The second hand store will occupy an approximately 2,271 square-foot tenant space within a multi-tenant commercial building located at 2039 Glenoaks Boulevard, within the C-2 (Commercial) Zone;

WHEREAS, the applicant has requested approval of a conditional use permit pursuant to City Sections 106-518 (1) and 106-488 (9) to allow for the operation of a secondhand store;

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 May 2016.

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 Planning and Preservation Commission's assessment that this project proposal qualifies for a Categorical Exemption under Class 1 (Existing Facilities) of San Fernando's CEQA Guidelines in that the proposed approval of the operation of a secondhand store at an existing retail facility ("Robin's World") will involve minor interior alterations (i.e., tenant improvement work) and minor exterior alterations (i.e., new signage, painting, window tinting) to an existing private commercial facility;

SECTION 2: The proposed project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan and the intent and purpose of the C-2 (Commercial) 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 2015-08 have been justified and upheld in the affirmative because of the recommended conditions of approval regarding operating procedures governing the operation of a secondhand store. The Planning and Preservation 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.

The requested conditional use permit to allow the operation of a secondhand store is a conditionally permitted use in the C-2 (Commercial) Zone. Pursuant to City Sections 106-518(1), all conditionally permitted uses in the C-1 (Limited Commercial) Zone are conditionally permitted in the C-2 (Commercial) Zone. As listed in Section 106-488(9), the requested CUP for the operation of a secondhand store is a conditionally permitted use within the C-1 (Limited Commercial) Zone. Pursuant to City Section 106-488(9) secondhand stores may operate within the subject zone through the review and approval of a conditional use permit.

Robin's World is a general retail store. The approval of the requested CUP for operation of a secondhand store would ensure consistency with the intent and purpose of the zone through the imposed conditions of approval (Conditions of approval are provided as Exhibit "A" to Attachment 1). Therefore, it is staff's assessment that the proposed CUP for the operation of a secondhand store is conditionally permitted within the subject zone and complies with all applicable sections of the City Zoning Ordinance. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

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

Robin's World is an established retail store that is a permitted use within the C-2 (Commercial) Zone. The retail store is occupying an approximate 2,721 square-foot tenant space located at 2039 Glenoaks Boulevard, within the City's C-2 (Commercial) Zone. The purpose of the C-2 (Commercial) Zone is to "provide areas for commercial uses which offer a wide range of goods and services including facilities for shopping, convenience goods and services, professional offices and recreation for the community. It is intended to promote an environment which will encourage maximum efficiency of the commercial area with maximum protection for nearby property and property values by permitting only those uses which are necessary for the city and excluding those uses which are incompatible with this goal and which should be located elsewhere." The establishment of a secondhand store would allow customers to shop secondhand goods sold in a retail environment in a manner that does not impair the integrity and character or the intent and purpose of the C-2 (Commercial) Zone. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made.

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

The existing 2,721 square-foot retail store is located within an existing multi-tenant commercial building located 2039 Glenoaks Boulevard and is located in the C-2 (Commercial) Zone. The project site is currently surrounded with similar commercial uses, including but not limited to: restaurants, retail shops, professional offices and other service commercial uses. The range of uses established in and around the project site and permitted in the C-2 (Commercial) Zone encourage the establishment of a mixture of uses that promote "maximum efficiency of the commercial area."

The project site is physically suitable for the requested CUP to allow for the operation of a secondhand store. The subject site is located in an approximately 16,529 square-foot multi-tenant commercial building located in a site that is approximately 37,848 square foot. The subject site will maintain a legal non-conforming entitlement for on-site parking. Nonetheless, parking for the subject site is provided by 50 off-street parking spaces. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made.

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

The proposed CUP to allow for the operation of secondhand store at an existing retail store at 2039 Glenoaks Boulevard would be compatible with the shopping experience offered to patrons of similar retail uses within the City of San Fernando. Additionally, the proposed operation of secondhand store is compatible with current land uses on the subject property. Thus, it is the Planning and Preservation Commission's assessment 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 operation of a secondhand store is compatible with the existing and conditionally permitted uses as well as future land uses within the C-2 (Commercial) Zone. The proposed secondhand store promotes and implements the purposes and intent of the C-2 (Commercial) Zone. The request to allow the operation of secondhand store would further augment the range of retail options available to the residents, while allowing the business to remain competitive with other retail establishments within the C-2 (Commercial) Zone. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

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 existing retail establishment will continue to be adequately served by water, sanitation and public utilities. The operation of a secondhand store will not adversely affect the water, sanitation and public utilities already serving the existing multi-tenant commercial building that houses the subject retail establishment. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made.

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

Robin's World has adequate provisions for public access through the primary pedestrian and vehicular entrances located along Glenoaks Boulevard. Patrons seeking to shop at the secondhand store have the ability to enter the retail store from the entrance to the multi-tenant shopping along Glenoaks Boulevard. Off-street parking is accessible off of Glenoaks Boulevard. The subject site will maintain a legal non-conforming entitlement for parking. Nonetheless, the multi-tenant commercial building is improved with an off-street parking lot that consists of 50 off-street parking spaces with associated drive aisles and pedestrian walkways for the exclusive use of the patrons of the multi-tenant commercial shopping center. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

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

Within the C-2 (Commercial) Zone, retail commercial uses are permitted by right. The operation of a secondhand store is permitted subject to the Commission's review and approval of a conditional use permit. The requested CUP for the operation of a secondhand store is an appropriate and compatible use for the types of currently established and potentially permitted retail and service-based uses the zone allows. Approval of the CUP for the operation of a secondhand store helps promote the economic viability of the commercial areas. CUP approval at the subject site facilitates the expansion of goods provided to potential patrons within the C-2 (Commercial) Zone in a manner that allows for the sale of items not currently available in the zone.

The requested CUP for the operation of a secondhand store would allow for Robin's World to augment its sales by including retail sales of secondhand merchandise. The sale of secondhand goods through the approval of a CUP promotes investment in the City, which meets the purpose and intent of the C-2 (Commercial) Zone. Therefore, the proposed CUP for the operation of a secondhand store at 2039 Glenoaks Boulevard would be appropriate in light of an established need for the use at the subject site. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

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

The subject site has a Multi-Use (Commercial, Office and Residential) land use designation in the City's General Plan. The proposed use is consistent with the General Plan Land Use Element to maintain an "identity that is distinct from the surrounding areas," the establishment of a secondhand store will allow for the creation of niche market that will "promote the viability of the area" and thus is consistent with City's General Plan objectives.

Furthermore, approval of the requested CUP, would help reduce potential commercial vacancies and "attract new commercial activities." (San Fernando General Plan Land Use Element Goals and Objectives, Pg. IV-6.). Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

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

The requested CUP to allow for the operation of a secondhand store would allow for the ongoing viability of the retail business within the City. With the adoption of the recommended conditions of approval for the requested CUP, Robin's World would be required to provide sufficient safeguards to deter public nuisance issues and protect public interest, health, safety, convenience and welfare. Noncompliance with the conditions of approval for an approved CUP for the operation of a secondhand store would require corrective action on behalf of the business

owner and may result in revocation of the CUP. Thus, it is the Planning and Preservation Commission's assessment that this finding can be made in this case.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves Conditional Use Permit 2015-08, subject to the conditions of approval attached as Exhibit "A".

PASSED, APPROVED AND ADOPTED this 3rd day of May 2016.

THEALE E. HAUPT, CHAIRPERSON

ATTEST:

FRED RAMIREZ, SECRETARY TO THE PLANNING
AND PRESERVATION COMMISSION

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

I, FRED 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 May 2016; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

FRED RAMIREZ, SECRETARY TO THE PLANNING AND
PRESERVATION COMMISSION

EXHIBIT “A”
CONDITIONS OF APPROVAL

PROJECT NO. : **Conditional Use Permit 2015-08**

PROJECT ADDRESS : 2039 Glenoaks Boulevard, San Fernando, CA 91340
Los Angeles County Assessor’s Parcel No.: 2517-013-013

PROJECT DESCRIPTION : The proposed project is a request for review and approval of a Conditional Use Permit, to allow for the operation of a secondhand store, located at 2039 Glenoaks Boulevard. The proposed secondhand store occupies a tenant of approximately 2,721 sq. ft. within a multi-tenant commercial building. The subject property is located along the north side of the 2000 block of Glenoaks Boulevard, between Hubbard Street and Orange Grove Avenue; within the C-2 (Commercial) Zone.

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 is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on May 3, 2016, except as herein modified to comply with these Conditions of Approval.
2. Operation. The secondhand store shall operate under the following business practices:
 - a. The secondhand store shall have an appearance and operate in a manner compatible with a thriving, stable and attractive commercial district conducive of retail shopping;
 - b. The applicant shall utilize marketing and merchandise display techniques generally comparable to those used by retail stores selling only merchandise;
 - c. All merchandise, except for items such as furniture and large appliances shall be displayed on standard retail shelves and/or rack and all merchandise shall be kept in a neat and organized manner;
 - d. All store deliveries shall occur during store hours. All deliveries shall be immediately brought inside the building. All merchandise or donated goods shall be delivered to, stored and processed within the interior of the building. The exterior storage of merchandise and/or donated material is prohibited;
 - e. The use of exterior donation drop off bins or areas shall be prohibited;
 - f. The use of tractor trailers, pods, shipping containers and similar portable storage units for merchandise or donated good storage of processing is prohibited;

- g. The outdoor areas of the site (parking lot, street frontages) shall be cleaned daily to maintain the property free of outdoor storage and trash;
 - h. “No dumping” signs with the appropriate penal code reference shall be installed on the building face the parking lot;
 - i. 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;
 - j. A security camera system approved by the police department shall be installed on the exterior of the premises and shall be maintained in proper working order at all times. The security camera system shall be subject to periodic inspection by the police department. The system must be capable of producing retrievable images on film or tape that can be made a permanent record and 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 at least 30 days;
 - k. 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;
 - l. 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 comply with city regulations and shall be removed from the premises within 24 hours of its discovery;
 - n. Within 30 days of approval of this conditional use permit, the applicant shall certify his or her acceptance of the conditions placed on the approval by signing a statement that he or she accepts and shall be bound by all of the conditions and said conditions of approval shall be recorded against the property with the Los Angeles Registrar Recorder/County Clerk’s Office
 - o. Violation of, or noncompliance with, any of the conditions of approval shall constitute grounds for revocation of this conditional use permit;
 - p. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to review by the Community Development Department as part of the conditional use permit approval process.
3. Hours of Operation. The second hand store shall operate during the hours of 9:00 A.M to 8:30 P.M. Changes in the hours of operation beyond the hours provided above shall be subject to review and approval by the Director of Community Development or his or her designee.
4. Revocation. Violation of, or noncompliance with, any of these conditions of approval shall constitute grounds for revocation this conditional use permit, as provided below:

This conditional use permit may also be revoked as provided in City Code Sections 106-148. If at any time the operation of the business 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 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.

5. Property Maintenance. The subject site and its immediate surrounding area shall be maintained in a clean, neat and orderly manner at all times and shall comply with the property maintenance standards as set forth in the San Fernando City Code.
6. Site Inspections. The community development department shall inspect the site to assure compliance with these conditions of approval. The restaurant 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.
7. Modifications. Unless the Director of Community Development or his or her designee 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.
8. Acceptance. Within thirty (30) days of approval of this conditional use permit, the restaurant 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 that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.
9. 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.
10. 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 restaurant and shall be made available for viewing upon public request or upon request by any city official. Employees of the restaurant shall not prohibit a request of the public to view the conditions of approval for this entitlement.
11. Expiration. This conditional use permit 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.



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) 2029 Glenoaks Blvd. San Fernando, CA 91340	
Assessor's Parcel Number(s) 'APN' 2517-013-013	
Lot Size 37,868sq ft	Existing Building (Square Footage) 2,610 sq ft
Proposed Addition (Square Footage) n/a	Total Parking Spaces (On-site/Off-site) 48
Proposed Use(s) Retail store at 2039 Glenoaks	Landscaping (Square Footage) n/a
Project Description/Type of Conditional Use Permit Request <i>(include any additional information on separate sheet and attach to the back of this application.)</i>	
<p>Conditional Use Permit to open a Retail Store at 2039 Glenoaks Blvd. 3 year lease is for Total space size of 2,610sqft. Floor Space to be used for Retail sales is 1,500 sqft. Retail items are New and used HOUSEHOLD GOODS, ANTIQUES, MUSICAL INSTRUMENTS, PICTURES, PAINTINGS, mscl and Copy & FAX</p>	

APPLICANT INFORMATION

Applicant Name Robin Anderson	ROBIN'S WORLD, LLC	Phone Number 213-482-3700 (day)
Mailing Address 962 North Workman Street	SAN FERNANDO, CA 91340	818-445-3973 (cell)
Fax Number 213) 482-9666	Email Address mcclosangeles@sbcglobal.net	Signature <i>Robin Anderson</i>

PROPERTY OWNER INFORMATION

Applicant Name 2029 GLENOAKS, LLC	Phone Number (213) 680-9212
Mailing Address 800 WILSHIRE BLVD. STE. 1500, LOS ANGELES CA 90017	
Fax Number (213) 891-2910	Email Address gphillips@phillipslawpartners.com
Signature <i>Aimee Phillips</i> MANAGER	

For Office Use Only

CUP Application \$3,005.00	Zone C2 (Commercial)	General Plan Area	File Number
AIMS Surcharge \$ 300.50	Date Filed		CUP No. 2015-008
Environmental \$ 204.00	Accepted By		AIMS No. _____
Notification \$ 120.00			Cross Reference
Publishing \$ 600.00			SPR No. _____
Total Fee \$4,229.50			VAR No. _____
Comments			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, May 3, 2016

TIME: 6:30 p.m.

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

PROJECT LOCATION: 2039 Glenoaks Boulevard, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No.: 2517-013-013)

APPLICATION: Conditional Use Permit 2015-008

PROJECT PROPONENT: Robins World, LLC "c/o Robin Anderson", 962 Workman Street, San Fernando, CA 91340

PROJECT DESCRIPTION:

The project is a request for the approval of a conditional use permit to allow for the operation of a second hand store, at the property located at 2039 Glenoaks Blvd. The subject property is located along the north side of the 2000 block of Glenoaks Boulevard, between Hubbard Street and Orange Grove Avenue; within the Commercial (C-2) Zone.

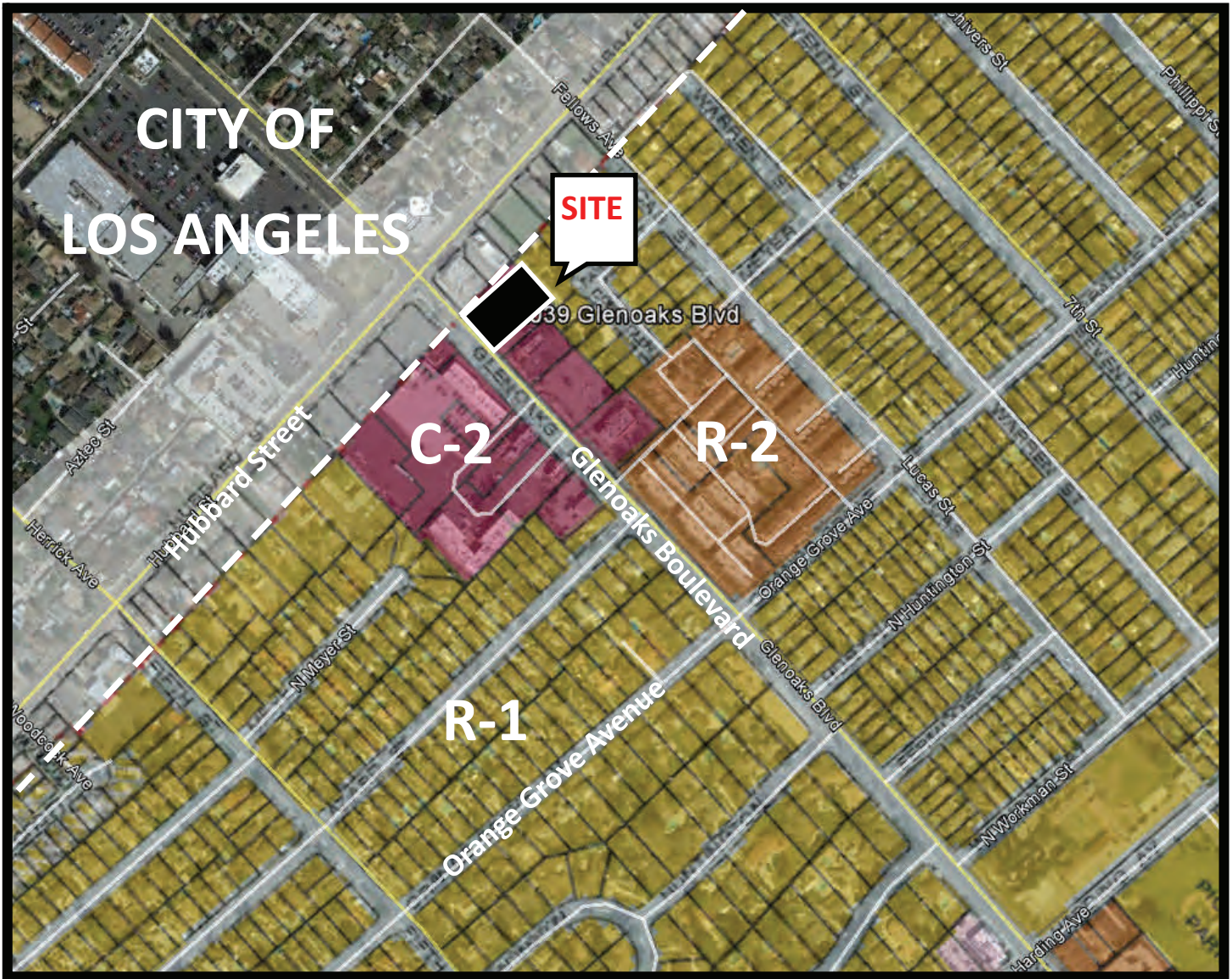
This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, the project has been determined to be Categorically Exempt under Class 1 (Existing Facilities) of the City's adopted local CEQA Guidelines.

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 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.

FRED RAMIREZ

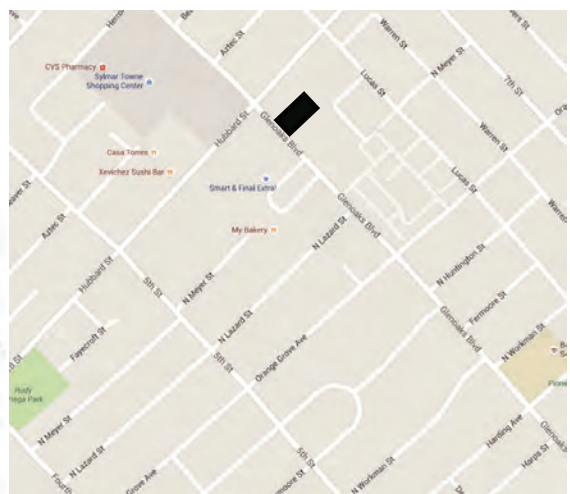
Community Development Director



Zoning & Vicinity Map

CASE NO: CUP 2015-08

ADDRESS: 2039 Glenoaks Blvd.



Scale: NTS



View of Subject site looking north from Glenoaks Boulevard



View of Subject site looking south from Glenoaks Boulevard

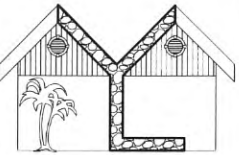


Subject Site Photos

CASE NO: CUP 2015-08

ADDRESS: 2039 Glenoaks Boulevard

REVISIONS	BY



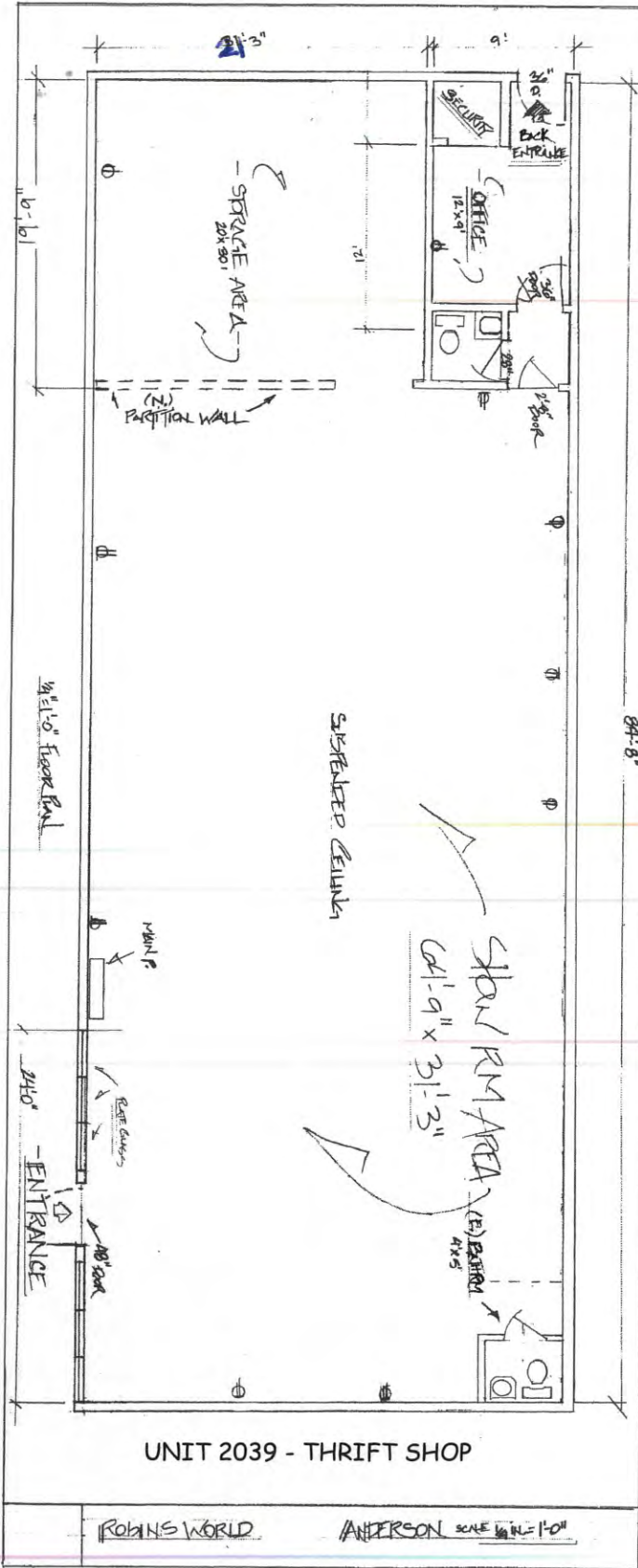
LARIA'S DESIGN AND DRAFTING
Yunien Lana
12991 Correnti St
Pacoima, CA 91331
yunienlana@yahoo.com
TEL: (818) 438-2896

LEGAL DISCLAIMER:
THESE DRAWINGS ARE PREPARED BY THE ARCHITECT FOR THE CLIENT'S USE ONLY. THEY ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE DRAWINGS. THE CLIENT ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE DRAWINGS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER SOURCE. THE ARCHITECT'S WORK IS SUBJECT TO THE APPROVAL AND SIGNATURE OF THE ARCHITECT. THE ARCHITECT'S WORK IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

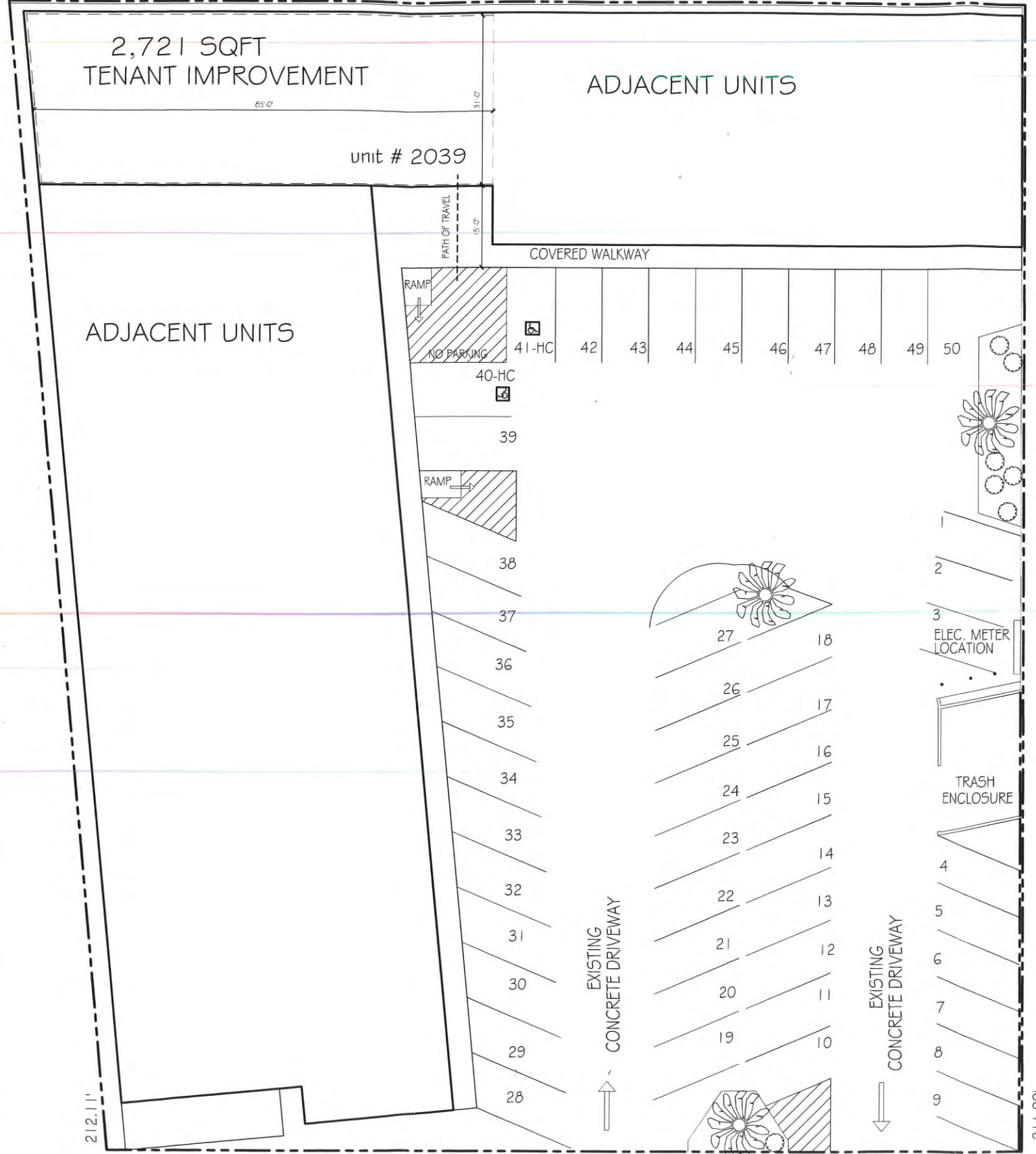
TENANT:
ROBIN'S WORLD, LLC
PH: 818-445-3973

SCOPE OF WORK:
TENANT IMPROVEMENT
2039 GLENOAKS BLVD
SAN FERNANDO, CA 91340

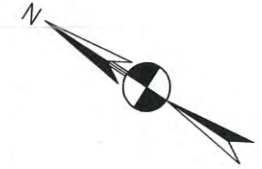
DRAWN
CHECKED
DATE 06/16/2015
SCALE JOB NO.
SHEET A-1
OF SHEETS



FLOOR PLAN
SCALE: 3/16" = 1'




2039 GLENOAKS BLVD
SITE PLAN
SCALE: 3/32" = 1'-0"





AGENDA REPORT

To: Planning and Preservation Commission Chairperson Haupt and Commissioners

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

Date: May 3, 2016

Subject: **UPDATE - Conditional Use Permit 2014-004**
1245 San Fernando Road, Unit #100, San Fernando, CA 91340
(Los Angeles County Assessor's Parcel No.: 2521-017-021)

RECOMMENDATION:

It is recommended that the Planning and Preservation Commission receive and file this update regarding Conditional Use Permit 2014-004.

BACKGROUND:

On September 24, 2014 City Planning Staff received a request for the aforementioned modification to the existing CUP from the applicant, Valley Wing Pit, LLC ("Valley Wing Pit"). City planning staff reviewed the initial application and deemed it incomplete on October 22, 2014 due to required corrections on submitted plans and also due to outstanding fines imposed by the California Department of Alcoholic Beverage Control ("ABC"). These outstanding fines resulted from two citations identified by the ABC Task Force. The outstanding ABC fines were paid in September and October of 2014 and revised plans were submitted to City planning staff on November 13, 2014.

On December 8, 2014, City planning staff sent a letter to the business owners of Valley Wing Pit, LLC providing them with a summary of the Commission's action at the December 2, 2014 meeting and requesting a meeting with City planning and police personnel. The purpose of the meeting was to facilitate discussion between both parties in order to identify possible changes to the CUP modification request by the business owner that would address the City staff, Commission, and community concerns voiced at the December 2, 2014 meeting.

On January 7, 2015, City planning and police personnel met with Valley Wing Pit, LLC representatives to discuss possible changes to their CUP modification request. Subsequent to discussion, the project applicant agreed to the following changes:

- (1) Hired a full time restaurant manager with prior experience in managing and operating similar facilities;
- (2) Agreed to hire BSIS-licensed security guards and provide BSIS proof of licenses to the City's police department prior to the April 7, 2015 meeting;
- (3) Limit future special outdoor events request to no more than four (4) times in a calendar year and without the sale of any alcoholic beverages at said special outdoor events; and,
- (4) Modify proposed hours request extending current business hours from 10 a.m. to 10 p.m. to 11 a.m. to 12:30 a.m. with the sale of alcoholic beverages ending at 12:00 a.m., midnight.

Subsequent to this meeting, City planning staff made the determination that the project applicant should modify the proposed request to allow for three (3) special outdoor events per calendar year, which would be required to be spaced out evenly through a calendar year.

On April 7, 2015, the Planning and Preservation Commission held a meeting to consider the proposed request to amend CUP 2005-01. Subsequent to Planning and Preservation Commission discussion and public comments the Commission voted to continue the item to their next regularly scheduled meeting on May 5, 2015.

On May 5, 2015, the Planning and Preservation Commission held a meeting and reviewed and approved the proposed request to amend CUP 2005-01 (i.e., CUP 2014-004). During Commission Discussion the commission directed staff to come back to the Commission within a year's time to provide a performance review of the business operation.

On March 8, 2016, the property was completely vacated by the operator and applicant of the requested CUP, the Valley Wing Pit. On the same date a new operator obtained a Commercial Business Occupancy for the subject site. The location is currently not in operation. The business owner will open its doors for business pending approval from Alcohol Beverage Control for a beer and wine liquor license.

The following section notes the calls for police service that occurred since the May 5, 2015 Planning and Preservation Commission Meeting until April 26, 2016 related to the aforementioned referenced establishment known as the "Valley Wing Pit" located at 1245 San Fernando Road.

The San Fernando Police Department and reporting data identifies that there have been a total of 12 service calls. Included in the 12 service calls were: four (4) service calls reported fights in progress; one (1) disturbance call; two (2) calls for lost property and petty theft; and one (1) service call for "shots fired" in the immediate vicinity that upon officer arrival they were unable to locate any evidence of said occurrence.

On March 8, 2016, the property was completely vacated by the business operator and original CUP applicant (Valley Wing Pit). Conditional use permits like variances are quasi-judicial, administrative functions that run with the land. (*County of Imperial v. McDougal*, 19 Cal. 3d 505, 510 (1977); Pgs. 54-55, *Curtin's California Land Use and Planning Law* (34th edition).) Therefore, a future restaurant use seeking to occupy the subject site that abides by the conditions of approval of said discretionary permit is allowed to operate a similar restaurant use.

On March 8, 2016, a new operator ("Quieres Tacos Way" Restaurant) signed a lease and obtained a Commercial Business Occupancy to operate a new restaurant at the subject site pursuant to the amended Conditional Use Permit 2014-004 and the associated Conditions of Approval. The location is currently not in operation and is undergoing tenant improvement work. The new business owner and tenant is projected to open its doors for business pending approval from Alcohol Beverage Control for a beer and wine liquor license.

ATTACHMENT:

1. San Fernando Police Department Memorandum (4/26/2016)



MEMORANDUM

To: Humberto Quintana, Associate Planner

From: Jorge Cervantes, Police Detective

Date: April 26, 2016

Subject: 1245 San Fernando Road

I am the liaison officer between the San Fernando Police Department, (SFPD) and the Department of Alcoholic Beverage Control, (ABC). I have been directly involved with the enforcement of ABC Rules & Regulations, and ensuring that the forty one ABC licensees in the City of San Fernando are in compliance. In reference to the establishment formerly located at 1245 San Fernando Road, (Valley Wing Pit LLC), there were a total of twelve calls for service to the location from May 5, 2015 to February 10, 2016.

The calls for service consisted of a fight in progress on May 27, 2015, (Incident number 150527-0053), a battery report on the same date at approximately 2341 hours, (DR# 15-1128), a fight in progress on July 29, 2015, (Incident number 150729-0046), a battery report on July 30, 2015, (Incident number 170730-0040), a lost property report on August 8, 2015, (Incident number 150808-0006), a petty theft report on August 13, 2015, (DR# 15-1739), a fight in progress on September 27, 2015, (Incident number 150927-0001), a group of subjects creating a disturbance on November 07, 2015, (Incident number 151107-0052), and a disturbance on December 23, 2015, (Incident number 151223-0004).

On January 11, 2016, the San Fernando Police Department received a telephone call of shots fired in the area; however, upon the officers' arrival, they were unable to locate any evidence. On January 17, 2016, officers responded to the location for reports of a fight in progress outside the location, (Incident number 160118-0001), and on February 10, 2016, officers responded to the location for a subject bothering customers, (incident number 160210-0051). Please refer to the attached Call Log Report.