



## PLANNING AND PRESERVATION COMMISSION

### REGULAR MEETING NOTICE AND AGENDA

NOVEMBER 4, 2014 – 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 Yvonne G. Mejia  
Commissioner Rodolfo Salinas, Jr.

#### **PLEDGE OF ALLEGIANCE**

Chairperson Theale E. Haupt

#### **APPROVAL OF AGENDA**

#### **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.



## PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – November 4, 2014

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**PROPOSAL:**

A request for approval of Planning Review 2014-038 to allow the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Planning and Preservation Commission's land use determination that "studios, including design professional and artist studios (all media), recording studios, television, movie, and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios", which includes the proposed art studio use that provides art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone.

**RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission approve Planning Review 2014-038, authorizing the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Commission's land use determination that "studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios", which includes the proposed art studio use that provides for art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone, pursuant to Planning and Preservation Commission Resolution 2014-13 (Attachment 1), including the conditions of approval noted therein as Exhibit "A".

*If, in the future, you wish to challenge the items listed above in Court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Planning and Preservation Commission at, or prior to, the Public Hearing. Decisions of Planning and Preservation Commission may be appealed to the City Council within 10 days following the final action.*

# PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – November 4, 2014

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## CONTINUED BUSINESS

None

## STAFF COMMUNICATIONS

- Update regarding upcoming Community Workshop (11-19-2014) for TOD Overlay Zone Project
- East San Fernando Valley Transit Corridor Project Community Meeting (11-06-2014)

## COMMISSIONER COMMENTS

## ADJOURNMENT

December 2, 2014

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

*Fred Ramirez*

*Signed and Posted: October 30, 2014 (5:16 p.m.)*

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*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](http://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](http://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.*

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

**DRAFT MINUTES OF THE  
MAY 6, 2014 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 IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by at 7:01 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Theale Haupt

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners Kevin Beaulieu, Y. Mejia, and Rudy Salinas

**ABSENT**

None

**ALSO PRESENT**

Community Development Director Fred Ramirez and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

Vice-chair A. Durham moved to approve the agenda for May 6, 2014. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, Y. Mejia, K. Beaulieu, T. Haupt and R. Salinas
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**PUBLIC STATEMENTS**

Fred Ramirez introduced the new City Manager Brian Saeki to the Planning and Preservation Commission.

Jessie Avila – 319 N. Workman Street, San Fernando, CA 91340 – Councilmember Avila informed the commission that the City Council will be conducting a study session to consider the possibility of the consolidation of city commission and/or change the structure of the commissions.

**CONSENT CALENDAR**

Vice-chair A. Durham moved to approve the minutes of the February 4, 2014 Planning and Preservation Commission meeting. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

## **UNFINISHED BUSINESS**

None

**PUBLIC HEARING 7A: Conditional Use Permit 2014-01 and Modification of Variance 1995-02 – 1242 Pico Street, San Fernando, CA 91340 – Janelle P. Williams Land Use Services (on behalf of Carrillo's Tortilleria), 2418 Honolulu Avenue, Unit B, Montrose, CA 91020 – The proposed project is a request for review and approval of a conditional use permit to allow an existing restaurant to sell beer and wine for on-site and off-site consumption. Pursuant to Code Sections 106-176, et al., sale of beer and wine for on-site or off-site consumption required the Planning and Preservation Commission's approval of a conditional use permit. The restaurant currently has a legal non-conforming entitlement to sell beer and wine for off-site consumption as the use was established at the C-2 (Commercial) zoned property as a permitted use prior to the City's 1985 Comprehensive zone code update (City Ordinance No. 1270; Adopted September 30, 1985). The 1985 zone code update required all future applicants seeking to sell alcoholic beverage for on-site or off-site consumption to obtain approval by City's Planning and Preservation Commission of a conditional use permit. Furthermore, the project includes a request to modify Variance 1995-02, which was previously approved by the City to allow a reduction in the required minimum number of on-site parking spaces from 10 to 6 (City Code Section 106-822(c)(2)). The current proposal would modify the existing variance to allow three of the six on-site parking spaces to be designed in a tandem parking configuration (City Code Section 106-822). The project site is an approximate 7,275 square foot lot improved with an approximate 5,026 square foot commercial building located at 1242 Pico Street; at the southeast corner of Pico Street and Kalisher Street within the City's C-2 (Commercial) zone.**

## **STAFF PRESENTATION**

Community Development Director Fred Ramirez gave the staff presentation recommending that the Planning and Preservation Commission approve Conditional Use Permit 2014-01, to allow for the ancillary sale and the on-site consumption of alcoholic beverages in conjunction with the operation of Carrillo's Tortilleria, a bona fide public eating place at 1242 Pico Street and approve a request to modify Variance 1995-02, which was previously approved to allow a reduction in the required minimum number of on-site parking spaces from 10 to 6 to now allow three of the on-site spaces to be designed in a tandem parking configuration, pursuant to Planning and Preservation Commission Resolution 2014-05 and the conditions of approval attached as Exhibit "A" to the resolution (Attachment 1).

## **PUBLIC TESTIMONY**

Janelle Williams (applicant) stated that the staff report was very detailed so she didn't have anything to add. She did indicate that the restaurant had a recent incident where an employee sold beer to an underage patron, but stated that it was the first and last time that violation was made.

William Luna (restaurant owner) stated that he is the third generation owner and that he has operated the establishment for 43 years. He stated that he has spoken to the employee who is apologetic about the incident and that she will be attending training to avoid this from happening again. Mr. Luna informed the commission

that all employees will be attending this same training in the near future. He stated that he agrees with all the conditions being asked of him.

### **COMMISSION DISCUSSION**

T. Haupt stated that he truly believes that it was just human error and poor math on behalf of the employee. He stated he has full confidence in that this would not happen again.

K. Beaulieu asked if the number of tandem parking spaces being requested is three and is there a maximum amount of two.

F. Ramirez reminded the commission that the recent applications approved by the commission were for three tandem spaces which were for Tricolor Auto Sales as well as the Mission Community Hospital.

K. Beaulieu stated that when you visit Carrillo's you know that you will need to park on the street. He recommended that the tandem parking be designated for employees.

F. Ramirez pointed out that the conditions of approval request that all security metal doors that exist on the building shall be removed and installed on the interior of the building. Additionally he indicated that the barbed wire needs to be removed and the chain link fence can be raised an additional two feet.

K. Beaulieu asked about the landscaping on site.

F. Ramirez indicated that staff will work with the applicant regarding the above the ground planters placement, maintenance and species. He also recommended that the conditions of approval include language that staff must report to the commission if in one year's time there are any repeat offenses with regards to the conditional use permit for alcohol.

Subsequent to discussion Commission K. Beaulieu moved to approved Conditional Use Permit 2014-011 and the Modification of Variance 1995-02 with the added conditions that there be landscaping along Kalisher Street, the two Southeasterly tandem parking spaces to be designated as employee parking and that the project be reviewed in one year for any repeat offenses. Seconded by Vice-Chair A. Durham, the motion carried with the following vote:

<b>AYES:</b>	K. Beaulieu, A. Durham, T. Haupt, Y. Mejia, and R. Salinas
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

### **STAFF COMMUNICATIONS**

F. Ramirez informed the commission that staff is currently working on the following projects:

- Fiscal Year 2014-2015 Budget
- Council Priorities and Goal Setting
- JC Penny Apartments
- Metro Transit Authority
- Charter School student increase

## **COMMISSION COMMENTS**

T. Haupt asked staff for an update on the carports along Jessie Street

K. Beaulieu asked about the different types of advertisement allowed at the Library Plaza

A. Durham expressed his concern with the lack of chaperones provided for the student from the charter schools when traveling to the local park.

## **PUBLIC STATEMENTS**

None.

## **ADJOURNMENT**

Vice-chair A. Durham moved to adjourn to June 3, 2014. Second by Commissioner K. Beaulieu, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, K. Beaulieu, T. Haupt, Y. Mejia, and R. Salinas
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

8:48 P.M.  
Fred Ramirez  
Planning and Preservation Commission Secretary





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

**DRAFT MINUTES OF THE  
OCTOBER 7, 2014 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 IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Theale Haupt

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

Chairperson Theale Haupt, Vice-chair Alvin Durham, and Commissioners Rudy Salinas

**ABSENT**

Commissioners Kevin Beaulieu and Yvonne Mejia

**ALSO PRESENT**

Community Development Director Fred Ramirez and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

Vice-chair A. Durham moved to approve the agenda for the October 7, 2014 meeting. Seconded by Commissioner R. Salinas, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, R. Salinas, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	K. Beaulieu and Y. Mejia
<b>ABSTAIN:</b>	None

**CONSENT CALENDAR**

Vice-chair A. Durham moved to approve the minutes of the September 9, 2014 meeting. Seconded by Commissioner R. Salinas, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, R. Salinas, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	K. Beaulieu and Y. Mejia
<b>ABSTAIN:</b>	None

**UNFINISHED BUSINESS**

None

**PUBLIC HEARING 7A: Proposed change to the start times of the regular and special meetings of the Planning and Preservation Commission - Consideration of a proposed amendment to the start time of the regular and special meetings of the Planning and Preservation Commission from the existing start time of 7:00 p.m. to the new start time of 6:30 p.m. for regular and special meetings.**

**STAFF PRESENTATION**

Community Development Director Fred Ramirez gave the staff presentation recommended that subsequent to staff's presentation and consideration of any public comments, the Planning and Preservation Commission adopt Resolution 2014-11 (Attachment No. 1) establishing the new meeting times for regular and special meetings for the Planning and Preservation Commission.

F. Ramirez informed the commission that Commissioner Mejia called earlier in the day to voice her support for the time change.

**PUBLIC TESTIMONY**

None.

**COMMISSION DISCUSSION**

None.

Vice-chair A. Durham moved to approve the new start time of the Planning and Preservation Commission regular and special meetings. Seconded by Commissioner R. Salinas, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, R. Salinas, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	K. Beaulieu and Y. Mejia
<b>ABSTAIN:</b>	None.

**STAFF COMMUNICATIONS**

F. Ramirez provided the commission with an update for the following projects and upcoming meetings:

- 1500 Glenoaks Blvd., transmission tower;
- 650 Glenoaks Blvd., carports;
- November 3, 2014 City Council meeting and consideration of the Development Agreement;
- Los Angeles County Board of Supervisor's consideration of the lease agreement for the pool;
- Chipotle construction;
- WSS plancheck status; and,
- Seventh Street apartment construction.

**COMMISSION COMMENTS**

None.

**PUBLIC STATEMENTS**

None.

**ADJOURNMENT:**

Vice-chair A. Durham moved to adjourn to November 4, 2014 at 6:30 p.m. Second by Commissioner R. Salinas, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, R. Salinas, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	K. Beaulieu and Y. Mejia
<b>ABSTAIN:</b>	None

7:46 P.M.  
Fred Ramirez  
Planning Commission Secretary

**MEETING DATE:** November 4, 2014

**PUBLIC HEARING:**

1. CHAIRPERSON TO OPEN THE ITEM AND REQUEST STAFF REPORT
2. STAFF PRESENTS REPORT
3. COMMISSION QUESTIONS ON STAFF REPORT
4. OPEN FOR PUBLIC HEARING
5. CLOSE PUBLIC HEARING
6. PLANNING AND PRESERVATION COMMISSION DISCUSSION
7. RECOMMENDED ACTION:
  - (a) To Approve:  
“I move to approve a request to operate a Large Family Day Care (LFDC) Home 2014-001 at 2008 Phillippi Street, pursuant to Planning and Preservation Commission Resolution 2014-12, including the conditions of approval noted therein as Exhibit “A”” (Roll Call Vote)
  - (b) To Deny:  
“I move to deny Large Family Day Care Home Permit 2014-001, based on the following ...” (Roll Call Vote)
  - (c) To Continue:  
“I move to continue consideration of Large Family Day Care Home Permit 2014-001, to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call: \_\_\_\_\_

**Item 3:**

**Large Family Day Care Home Permit 2014-001**



**To:** Planning and Preservation Commission Chairperson Haupt and Commissioners

**From:** Fred Ramirez, Community Development Director  
By: Yalini Sivapathasundaram, Associate Planner

**Date:** November 4, 2014

**Subject:** **Operation of Large Family Day Care Home (LFDC Permit No. 2014-001),** at 2008 Phillippi Street (APN 2517-005-014)

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

**Applicant:** Norma Lizarraras Rosales, 2008 Phillippi Street, San Fernando, CA 91340

### **RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission approve the request to operate a large family day care home within the R-1 (Single Family Residential) zone, pursuant to Planning and Preservation Commission Resolution 2014-12 (Attachment 1), including the conditions of approval noted therein as Exhibit “A”.

### **PROJECT OVERVIEW:**

On August 27, 2008, the State of California Department of Social Services issued the applicant, Norma L. Rosales, a license to operate and maintain a small family day care home at the current residence located at 2008 Phillippi Street, under the name of Rosales Family Child Care. The applicant’s State license permits the day care supervision of up to eight (8) children.

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

### **BACKGROUND:**

1. Zoning Designation and General Plan: The subject site is located within the R-1 (Single Family Residential) zone and has a Low-Density Residential (LDR) General Plan land use designation.

2. Site Location and Description: The subject property is located east of Hubbard Street and north of Chivers Street on Phillippi Street. The site is located in a neighborhood with similarly zoned R-1 properties developed with single-family dwellings. The approximate 7,301 square foot property is currently improved with an approximate 1,110 square foot dwelling, a 640 square foot accessory dwelling unit and 3-car garage located to the rear of the primary dwelling.
3. Environmental Review: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, it has been determined that this proposal is Statutorily Exempt under CEQA, pursuant to Section 15274(a): Family Day Care Home of the CEQA Guidelines and no further environmental assessment is necessary.
4. Legal Notification: On October 24, 2014, a notice of the application for operation of a Large Family Day Care Home Permit was posted at two City Hall bulletin boards and the County Public Library bulletin board. In addition, notices of this application were mailed to all property owners of record within 100 feet of the subject site on October 24, 2014, pursuant to City Code Section 106-1276(a) and California Government Code requirements and a notice was posted at the site. The notice identifies the applicant, describes the project and its location, and gives the earliest possible decision date.
5. Public Comments: As of the date of preparation of this staff report, no comments were received from the public regarding the subject request. Any comments received after the distribution of this report shall be read into the record at the public hearing.

#### **ANALYSIS:**

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

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

The City's Zoning Code has implemented the use of option three listed above in providing for issuance of large family day care home permits. Pursuant to City Code Section 106-1275, the Planning and Preservation Commission has the authority to review and approve a large family day care home permit application. However, a large family day care home permit is not subject to discretionary denial by the Planning and Preservation Commission if the home complies with all City ordinances and with fire and life safety standards provided by State law. In issuing a large family day care home permit, the Planning and Preservation Commission may apply generally applicable conditions pertaining to health and safety, building standards, environmental impact standards, or any other area within the City's jurisdiction. Nuisance abatement, also within the purview of the City, can be applied provided such condition to abate a nuisance does not differentiate large family day care homes from other single-family dwellings unless specifically allowed by State law. These conditions may include standards for spacing and concentration, traffic control, parking and noise control.

Staff Assessment. It is staff's assessment that the operation of a large family day care home at this location will not have any adverse effect on neighboring properties or the neighborhood. Moreover, conditions of approval applicable to the operation of the facility shall be consistent with current standards applicable to operation of such facilities.

Should the applicant adhere to all conditions of approval and additional State requirements, the increase in number of children present on-site will not impede or provide for cause of significant effects on the surrounding neighborhood.

Pursuant to the recommended conditions of approval (Attachment 1, Exhibit "A"), the applicant is required to use the driveway along Phillippi Street as the designated drop-off and pick-up area for the Large Family Day Care home ("LFDC"). Also, as listed in the conditions of approval, the applicant shall reside on the single-family residence and comply with all State, Federal and local regulations, applicable to LFDC facilities. In addition, this requirement is consistent with the City's Accessory Dwelling Unit regulations that also provide for the property owner to live on-site.

In light of the above analysis, it is staff's assessment that the proposed operation, subject to the conditions of approval recommended by staff, will maintain use of a large family day care home facility at the subject site with conditions of approval providing for compatibility with surrounding residential land uses.

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

- **The facility's use subject to the proposed conditions of approval is properly designed and complies with the requirements of the zone in which it is proposed.**

The subject property is developed with an approximate 1,100 square foot single-family, a 640 square foot accessory dwelling unit and 3-car garage located to the rear of the primary dwelling within the R-1 (Single Family Residential) zone. The residence will continue to be the primary use of

the property and the Large Family Day Care (LFDC) facility will be an accessory use, in addition to the previously permitted accessory dwelling unit located to the rear of the primary dwelling. A LFDC home is a permitted use within a residentially zoned property. An existing small family day care currently exists on the subject site and the current proposal is to increase the number of family day care patrons. In addition, pursuant to the California Health and Safety Code, the LFDC home shall be considered an accessory use within a single-family residence and site and shall not be differentiated from other similar single-family residences. Furthermore, the recommended conditions of approval require continued compliance with San Fernando City Code regulations, including those generally applicable to residentially zoned properties. In addition, as a condition of approval, outdoor activity is permitted to begin no earlier than 8:00 AM each day, in conformance with Division 1, Article II of Chapter 34 (noise regulations) of the San Fernando City Code. It is staff's assessment that the proposed operation of the LFDC facility is properly designated and is a permitted use at the subject site within the R-1 (Single Family Residential) zone and therefore this finding can be made in this case.

- **The facility's use subject to the proposed conditions of approval is in harmony with the various elements or objectives of the General Plan and is not economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area.**

The proposed operation of an existing LFDC home is an approved accessory use to the single-family residential land use that is principally permitted within the R-1 (Single Family Residential) zone. The proposed operation of a LFDC facility at the subject site will continue to be in conformance with the various elements and objectives of the General Plan by adherence to the recommended conditions of approval. Therefore, it is staff's assessment that this finding can be made in this case.

- **The facility's use subject to the proposed conditions of approval is compatible with other uses and structures in the surrounding area.**

The subject property and the surrounding neighborhood are developed and occupied as single-family residential land uses. The single-family residence will continue to be the primary use of the subject property and the LFDC facility will be an accessory use. There will be no physical changes to the residential dwelling or site as part of the proposed operation pursuant to the conditions of approval. The LFDC home will continue to use the existing residence and designated play area without any physical alterations. Therefore, the subject site complies with the requirements for R-1 (Single Family Residential) zoned properties. In addition, adherence to the recommended conditions of approval will provide continued compatibility through implementation of reasonable standards, restrictions, and requirements regarding traffic control, parking, noise control and fire and life safety. Thus, it is staff's assessment that this finding can be made in this case.

- **The facility's use subject to the proposed conditions of approval shall be conducted only by the residents of the proposed location.**

The LFDC home will be operated and maintained by Norma L. Rosales (dba Rosales Family Day Care) who is the tenant of the residence. Thus, it is staff's assessment that this finding can be made in this case.



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

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

#### **CONCLUSION:**

In light of the foregoing analysis and findings, it is staff's assessment that the proposed operation of an LFDC home permit at the subject site to be consistent with General Plan and the applicable zoning regulations. It is staff's determination that approval is warranted for the operation of an LFDC home at 2008 Phillippi Street in order to allow a suitable alternative for parents with children seeking day care in the community. Therefore, staff recommends that based on the aforementioned findings of fact that the Planning and Preservation Commission approve the request to allow the operation and maintenance of a LFDC home permit within the R-1 (Single Family Residential) zone at 2008 Phillippi Street. Planning and Preservation Commission approval is pursuant to Commission Resolution 2014-12 and the attached conditions of approval.

#### **ATTACHMENTS (5):**

1. Planning and Preservation Commission Resolution 2014-12
2. Vicinity Map
3. Project Application
4. Public Notice and Radius Map
5. Site Plan and Floor Plan



**ATTACHMENT 1:**  
**Resolution No. 2014-12**



**RESOLUTION NO. 2014-12**

**A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION  
OF THE CITY OF SAN FERNANDO APPROVING THE OPERATION OF A  
LARGE FAMILY DAY CARE HOME FOR THE SUBJECT PROPERTY  
LOCATED AT 2008 PHILLIPPI STREET.**

WHEREAS, an application has been filed by Norma L. Rosales with the City to operate a Large Family Day Care (LFDC) home at the subject property located at 2008 Phillippi Street. The approximate 7,300 square foot property is currently improved with an approximate 1,110 square foot dwelling, a 640 square foot accessory dwelling unit and 3-car garage located to the rear of the primary dwelling, within the R-1 (Single Family Residential Zone); and

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 4<sup>th</sup> day of November 2014.

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

SECTION 1: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). It is staff's assessment that this project proposal is Statutorily Exempt under CEQA, pursuant to Section 15274(a): Family Day Care Home of the CEQA Guidelines; and

SECTION 2: The proposed project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan Land Use Element and Housing Element; and

SECTION 3: Pursuant to City Code §106-1274, the Planning and Preservation Commission finds that the following findings for LFDC 2014-001, to approve the proposed operation of a large family day care home permit, have been justified and upheld in the affirmative. The Planning and Preservation Commission findings are as follows:

- 1) The facility's use subject to the proposed conditions of approval is properly designed and complies with the requirements of the zone in which it is proposed.**

The subject property is developed with an approximate 1,100 square foot single-family, a 640 square foot accessory dwelling unit and 3-car garage located to the rear of the primary dwelling within the R-1 (Single Family Residential) zone. The residence will continue to be the primary use of the property and the Large Family Day Care (LFDC) facility will be an accessory use, in addition to the previously permitted accessory dwelling unit located to the rear of the primary dwelling. A LFDC home is a permitted use within a residentially zoned property. An existing small family day care currently exists on the subject site and the current proposal is to increase the number of family day care patrons. In addition, pursuant to the California Health and Safety Code, the LFDC home shall be considered an accessory use within a single-family residence and site and shall not be differentiated from other similar single-family residences. Furthermore, the

recommended conditions of approval require continued compliance with San Fernando City Code regulations, including those generally applicable to residentially zoned properties. In addition, as a condition of approval, outdoor activity is permitted to begin no earlier than 8:00 AM each day, in conformance with Division 1, Article II of Chapter 34 (noise regulations) of the San Fernando City Code. It is the Commission's assessment that the proposed operation of the LFDC facility is properly designated and is a permitted use at the subject site within the R-1 (Single Family Residential) zone and therefore this finding can be made in this case.

- 2) The facility's use subject to the proposed conditions of approval is in harmony with the various elements or objectives of the General Plan and is not economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area.**

The proposed operation of an existing LFDC home is an approved accessory use to the single-family residential land use that is principally permitted within the R-1 (Single Family Residential) zone. The proposed operation of a LFDC facility at the subject site will continue to be in conformance with the various elements and objectives of the General Plan by adherence to the recommended conditions of approval. Therefore, it is the Commission's assessment that this finding can be made in this case.

- 3) The facility's use subject to the proposed conditions of approval is compatible with other uses and structures in the surrounding area.**

The subject property and the surrounding neighborhood are developed and occupied as single-family residential land uses. The single-family residence will continue to be the primary use of the subject property and the LFDC facility will be an accessory use. There will be no physical changes to the residential dwelling or site as part of the proposed operation pursuant to the conditions of approval. The LFDC home will continue to use the existing residence and designated play area without any physical alterations. Therefore, the subject site complies with the requirements for R-1 (Single Family Residential) zoned properties. In addition, adherence to the recommended conditions of approval will provide continued compatibility through implementation of reasonable standards, restrictions, and requirements regarding traffic control, parking, noise control and fire and life safety. Thus, it is the Commission's assessment that this finding can be made in this case.

- 4) The facility's use subject to the proposed conditions of approval shall be conducted only by the residents of the proposed location.**

The LFDC home will be operated and maintained by Norma L. Rosales (dba Rosales Family Day Care) who is the tenant of the residence. Thus, it is the Commission's assessment that this finding can be made in this case.

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

City and State records have identified no other permitted large family day care home within a 500-foot radius of the subject site. Thus, it is the 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 Large Family Day Care Home (LFDC Permit No. 2014-001), subject to the conditions attached as Exhibit "A".

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of November 2014.

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THEALE HAUPT, CHAIRPERSON

ATTEST:

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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 4<sup>th</sup> day of November 2014; 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.** : **Large Family Day Care 2014-001**  
**PROJECT ADDRESS** : 2008 Phillippi Street (APN 2517-005-014)  
**PROJECT DESCRIPTION** : The proposed project is a request to operate a “large family day care home”. The licensed operator of an approved large family day care home is permitted to provide supervision for up to a maximum of fourteen (14) children, pursuant to the provision of Division 10 of Chapter 106 (Zoning) of the San Fernando City Code.

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

1. Large Family Day Care Home Entitlement. The large family day care home permit is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on November 4, 2014, except as herein modified to comply with these Conditions of Approval. Special Note: Approval of the large family day care home permit does not super cede any and all conditions of approval previously issued by the City as it pertains to the existing Accessory Dwelling Unit at the subject property at 2008 Phillippi Street.
2. Indemnification. The property owner and developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the property owner and developer of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. The property owner and developer shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report or related environmental assessment) if made necessary through the initiation of the project.
3. General Conditions. In addition to those conditions of approval, which the Planning and Preservation Commission may otherwise impose, the large family day care home shall be subject to the following general conditions:
  - a. The applicant/operator of the large family day care home and any future operator shall reside on the property, and the subject property shall be maintained as a single-family dwelling. The operator shall be validly licensed, and shall comply with all requirements of applicable federal, State and local law, ordinances, or regulations (ie., California Health and Safety Code, State Fire Marshall, City of Los Angeles Fire Department, San Fernando City Code, etc.) for operation of a large family day care home at this location.

- b. Pursuant to Division 10 of Article VI (Large Family Day Care Home Permit) of the San Fernando City Code (Chapter 106) and the Conditions of approval, the operator is allowed to provide the licensed care for up to 14 children at the project address in conformance with California Health and Safety Code Section 1597.46.
  - c. The applicant/operator is permitted to operate 24 hours per day, seven days per week. Outdoor activity is permitted to begin no earlier than 8:00 a.m. each day (in conformance with Division 1, Article II of Chapter 34: Noise of San Fernando Municipal Code).
  - d. The applicant/operator shall provide all patrons with written notification of the parking limitations on Phillippi Street and encourage the compliance with all parking, speed and traffic regulations.
  - e. There shall be no signage on site other than that permitted by the City Code.
  - f. The applicant/operator shall provide all patrons with written notification that patrons dropping-off or picking-up children are not permitted to double park on the street at any time and that the driveway for the large family day care home shall be used as the means for dropping-off or picking-up children.
  - g. Driveway shall be maintained unobstructed and paved surface shall be maintained in good condition.
4. Property Maintenance. The subject site and its immediate surrounding area shall be maintained in a clean, neat and orderly manner at all times and shall comply with the property maintenance standards as set forth in the San Fernando City Code.
5. Site Inspections. The Community Development Department shall have the authority to inspect the site to assure compliance with these conditions of approval. The applicant and all successors shall grant the right of access to authorized agents of the City of San Fernando to conduct periodic inspections of the property.
6. Revocation. Violation of, or noncompliance with, any of these conditions of approval may constitute grounds for revocation this large family day care home permit, subject to City Code Section 106-1279 (Revocation). If at any time the operation of large family day care home becomes a nuisance, is detrimental to the public health, safety, or welfare, or results in undesirable activities, the Planning and Preservation Commission, after a public hearing, as hereinafter provided, may revoke the large family day care home permit herein granted or may modify and amend the same in such manner as it may determine necessary to abate the nuisance or preclude the undesirable activities or behaviors.
7. Acceptance. Within thirty (30) days of approval of this large family day care home permit, the applicant shall certify the acceptance of the conditions of approval by signing a statement using an acceptance affidavit form provided by the City of San Fernando that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.

**ATTACHMENT 2:**

**Vicinity Map**





VICINITY MAP  
2008 Phillippi Street



**ATTACHMENT 3:**

**Project Application**





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

**LARGE FAMILY DAY CARE HOME PERMIT APPLICATION**

**Applicant** Norma Lizarrarás Rosales

**Site Address** 2008 Phillippi St. San Fernando, Ca. 91340  
(Please type or print.)

**Large Day Care Facility Description** LARGE FAMILY DAY CARE FACILITY -USE PERMIT

**Number of children** (including the applicant's own) 14

**Hours of Operation** 24-horas; 7 días a la semana

**Assessor's Parcel Number (APN)** 2517-005-014

**Property Size** (In square feet) 7,301.34

**Building Size** PRIMARY HOUSE = 1,116 sq ft; 2ND UNIT 640 sq ft

**Parking Available** (Number) 1ST UNIT 2 CAR GARAGE; 2ND UNIT 1 CAR GARAGE

**Applicant's Signature**

818 365-1582

**Applicant Telephone No.**

**Applicant Mailing Address:**

2008 Phillippi St.  
San Fernando, Ca.  
91340

**Fax Number:** \_\_\_\_\_

**Email Address:** norma.lizarraras@gmail.com

**Property Owner's Signature**

Norma Lizarrarás Rosales

**Property Owner's Name** (type or print)

818 365-1582

**Property Owner's Telephone No.**

**Owner Mailing Address:**

2008 Phillippi St.  
San Fernando, Ca.  
91340

**OFFICE USE ONLY**

**Date filed:** 10/10/2014

**Accepted by:** Fred Ramirez

**Case Number:** LFDC 2014-001

**Zoning:** SFR **GPA:** LDR



**ATTACHMENT 4:**

**Public Notice and Radius Map**





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## PUBLIC NOTICE OF PROPOSED USE

### APPLICATION TO OPERATE AND MAINTAIN A LARGE FAMILY DAY CARE HOME (UP TO 14 CHILDREN)

An application for a Large Family Day Care Home Permit will be considered by the City of San Fernando Planning and Preservation Commission on:

DATE: **Tuesday, November 4, 2014**

TIME: **6:30 p.m.**

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

PROJECT LOCATION: **2008 Phillippi Street (APN 2517-005-014)**

APPLICATION: **Operation of Large Family Day Care Home Permit (LFDC Permit No. 2014-001)**

APPLICANT: **Norma Lizarraras Rosales (Rosales Family Day Care), 2008 Phillippi Street, San Fernando, CA 91340**

#### PROJECT DESCRIPTION:

An application to operate a "Large Family Day Care Home", at 2008 Phillippi Street, will be considered by the Planning and Preservation Commission on November 4, 2014. If approved, conditions of approval would apply to the use of this single-family residential zoned lot, yard at this location as a "Large Family Day Care Home" providing licensed day care during specified hours for up to a maximum of fourteen (14) children. The house would continue to be used as single-family residence of the day care services provider at all times during and after the hours of operation of the "Large Family Day Care Home."

During the Planning and Preservation Commission meeting on November 4, 2014, there will be an opportunity for members of the public to ask questions and comment on the proposed use.

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

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

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Fred Ramirez  
Community Development Director



LEGAL: LOT 73, TRACT NO. 8719, M.B. 112-51

SITE ADDRESS:

2008 PHILLIPPI ST  
SAN FERNANDO CA 91340

#### LEGEND

OWNER NUMBER

1.

LOT NUMBER

73

ASSESSOR PARCEL NUMBER

2517-005-014

ADDRESS

2008

## 100' RADIUS MAP

CAD GRAPHICS BY



JPL Zoning Services  
6257 Van Nuys Bl, Ste 101  
Van Nuys, CA 91401  
(818)781-0016

CASE NO:

DATE: 10-01-14

DRAWN BY: JPL ZONING SERVICES

SCALE: 1"=100'

USES: FIELD

CONTACT

PERSON: NORMA LIZARRARAS ROSALES

PHONE NO: 818-365-1582



JPL-7499R1

**MEETING DATE:** November 4, 2014

**PUBLIC HEARING:**

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

“I move to approve Planning Review 2014-038, authorizing the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Commission’s land use determination that “studios, including design professional and artist studios (all media), recording studios, television, movie, and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone, pursuant to Planning and Preservation Commission Resolution 2014-13 (Attachment 1), including the conditions of approval noted therein as Exhibit “A”....” (Roll Call Vote)
  - (b) To Deny:

“I move to Planning Review 2014-038, based on the following ...” (Roll Call Vote)
  - (c) To Continue:

“I move to continue consideration Planning Review 2014-038 to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call: \_\_\_\_\_

**Item 4:**

**Planning Review 2014-038: Land Use Determination 2014-001**







## AGENDA REPORT

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**To:** Planning and Preservation Commission Chairperson Haupt and Commissioners

**From:** Fred Ramirez, Community Development Director  
By: Yalini Sivapathasundaram, Associate Planner

**Date:** November 4, 2014

**Subject:** **Planning Review 2014-038: Land Use Determination 2014-001**  
451 S. Brand Boulevard (APN 2522-013-024)

**Proposal:** A request for approval of Planning Review 2014-038 to allow the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Planning and Preservation Commission's land use determination that "studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios", which includes the proposed art studio use that provides art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone.

**APPLICANT:** Cynthia Alvarez, 14152 Foothill Boulevard #27, Sylmar, CA 91342

**RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission approve Planning Review 2014-038, authorizing the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Commission's land use determination that "studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios", which includes the proposed art studio use that provides for art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone, pursuant to Planning and Preservation Commission Resolution 2014-13 (Attachment 1).

**PROJECT OVERVIEW:**

On September 26, 2014, the applicant submitted a Commercial Business Occupancy Permit application to allow the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard.

The proposed approximate 619 square foot tenant space would be located on the second floor of an existing commercial building situated at the southwest corner of South Brand Boulevard and Coronel

Street. The applicant is proposing to operate an art studio and would also provide for art lessons, available to children, teens and adults. Art lessons for children aged between ten and twelve years of age would last one and a half hours and teen/adult lessons would last up to three hours. Art lessons would contain a maximum of six students at any given time and would be held Tuesday through Saturday.

A land use determination by the Planning and Preservation Commission is necessary for this proposal because the primary use of an art studio is permitted in this zone as a “service business,” but the ancillary use of art lessons is not explicitly listed in the City Zoning Code’s C-1 (Limited Commercial) and C-2 (Commercial) zones. However, the City’s C-1 (Limited Commercial) zoning regulations do provide for the Planning and Preservation Commission to consider permitting other uses which, per City Code Section 106-487(7), are “similar to and no more objectionable than” any of the uses listed as permitted uses in the zoning district.

The Mixed Use Transition Sub-District, within the Truman/San Fernando District, as a part of the San Fernando Corridors Specific Plan, allows for “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studio.”

Although the subject project site is not located within the San Fernando Corridors Specific Plan, it is however, located approximately 400 feet from properties located within the Mixed Use Transition Sub-District of the Truman/San Fernando District in the San Fernando Corridors Specific Plan. The proposed operation of art studio with ancillary use of art lessons would not cause any significant effects on land uses found at the project site and the surrounding area. The permitted use of art studios and art lessons in the Corridors Specific Plan is evidence that the City can encourage similar uses in other portions of the City’s commercial corridors in a manner that is supportive of a diverse commercial base and inclusive of studios that may or may not have an educational component.

#### **BACKGROUND:**

1. Zoning Designation and General Plan: The subject site is located within the C-1 (Limited Commercial) zone and has a General Plan Central Business District (CBD) land use designation.
2. Location: The subject site is located at 451 South Brand Boulevard. It is located in that portion of the City of San Fernando bound by Carlisle Street to the west, South Brand Boulevard to the east, Coronel Street to the north, and Hollister Street to the south.
3. Site Description: The 619 square foot tenant space at the subject site is located on the second floor of an existing commercial building that fronts onto South Brand Boulevard and provides for seven (7) on-site parking spaces. Public Parking Lot No. 9 with 60 on-site parking spaces is located to the rear of the property across Carlisle Street with additional on-street parking available along South Brand Boulevard, Hollister Street and Coronel Street. A previously paid fee in lieu of on-site parking entitles the existing commercial building at 451 S. Brand Boulevard and all current and future tenants within the subject site to use the public parking lot for off-site parking.

4. Environmental Review: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, it has been determined that this project proposal is categorically exempt from the provisions of CEQA pursuant to Guidelines Section 15301, Existing Facilities and is determined not to have a significant effect on the environment.

**ANALYSIS:**

1. General Plan Consistency. The proposed operation “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons at 451 South Brand Boulevard is consistent with the goals and objectives of the San Fernando General Plan Land Use Element by providing an ancillary use in conjunction with the principal retail and/or service uses that “attracts new commercial activities,” while “promoting economic viability of commercial areas.” (See San Fernando General Plan Land Use Element Goals and Objectives, Pg. IV-6.)
2. Zoning Consistency. The proposed operation “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons at the subject site and within the C-1 (Limited Commercial) zone is a permitted use pursuant to City Code Section 106-487(6) Service businesses. The proposed ancillary art studio use that includes art lessons as well as other studio uses previously noted are not currently listed as permitted uses in the City Zoning Code. Furthermore, pursuant to City Code Section 106-517(1) uses permitted in the C-1 Zone are also permitted uses in the C-2 Zone.

It is staff’s assessment that the proposed art studio and ancillary art lesson uses would be compatible with the office and other service-type commercial uses that are permitted within the C-1 (Limited Commercial) zone at this location.

Approval of the attached draft resolution by the commission, subject to such conditions, would permit the operation of “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons at the subject site is warranted. It is not anticipated that the proposed studio land use at the subject site or allowing similar studio-type uses with or without an educational component would create any adverse impacts to the subject site or other sites within the C-1 (Limited Commercial) and C-2 (Commercial) zones where these uses would be subsequently allowed. Therefore, approval to operate the art studio use with ancillary art lessons would be based on the commission’s land use determination that the proposed business operation is “similar to and no more objectionable than” those permitted within the C-1 zone.

**CONCLUSION:**

In light of the above analysis, it is staff's determination that the proposed operation of "studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios", which includes the proposed art studio use that provides for art lessons at the subject site is "similar to and no more objectionable than" other uses permitted within the C-1 (Limited Commercial) and C-2 (Commercial) zones. Therefore, staff recommends that the Commission determine that the proposed studio use as previously defined is a permitted use at this location and throughout the C-1 (Limited Commercial) and C-2 (Commercial) zones pursuant to Planning and Preservation Commission Resolution 2014-13.

**ATTACHMENTS (4):**

1. Planning and Preservation Commission Resolution 2014-13
2. Vicinity Map
3. Project Application
4. September 26, 2014 Applicant Letter

**ATTACHMENT 1:**  
**Resolution No. 2014-13**



**RESOLUTION NO. 2014-13**

**A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO ALLOWING THE OPERATION OF AN ARTIST STUDIO, INCLUDING DRAWING, PAINTING AND ART LESSONS AT 451 S. BRAND BOULEVARD BASED ON THE PLANNING AND PRESERVATION COMMISSION'S LAND USE DETERMINATION THAT STUDIOS, INCLUDING DESIGN PROFESSIONAL AND ARTIST STUDIOS (ALL MEDIA), RECORDING STUDIOS, TELEVISION, MOVIE AND MEDIA ARTS PRODUCTIONS STUDIOS, PHOTOGRAPHY STUDIOS, POST-PRODUCTION STUDIOS, DANCE, EXERCISE AND MARTIAL ARTS STUDIOS, WHICH INCLUDES THE PROPOSED ART STUDIO USE THAT PROVIDES ART LESSONS, ARE SIMILAR TO AND NO MORE OBJECTIONABLE THAN THE PRIMARY SERVICE USE AND OTHER PERMITTED USES WITHIN THE C-1 (LIMITED COMMERCIAL) AND C02 (COMMERCIAL) ZONES**

WHEREAS, an application has been filed by Cynthia Alvarez with the City to operate an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on a request that the Planning and Preservation Commission make a land use determination that “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) zone; and

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 4<sup>th</sup> day of November 2014.

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

**SECTION 1:** The Planning and Preservation Commission approves Planning Review 2014-038 and Land Use Determination 2014-001, determining that the operation of “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons at the subject site is “similar to and no more objectionable than” other uses permitted within the C-1 (Limited Commercial) and C-2 (Commercial) zones, subject to any corrections and/or modifications by the Planning and Preservation Commission; and

**SECTION 2:** This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, it has been determined that this project proposal is categorically exempt from the provisions of CEQA pursuant to Guidelines Section 15301, Existing Facilities and is determined not to have a significant effect on the environment; and

**SECTION 3:** The proposed project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan Land Use Element; and

SECTION 4: Pursuant to City Code §106-487(7), the Planning and Preservation Commission finds that the proposed studio-type uses that “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides for art lessons at 451 S. Brand Blvd. is “similar to and no more objectionable than” other uses permitted within the C-1 (Limited Commercial) and C-2 (Commercial) zones.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves the operation of an artist studio, including drawing, painting and art lessons at 451 S. Brand Boulevard based on the Planning and Preservation Commission’s land use determination that “studios, including design professional and artist studios (all media), recording studios, television, movie and media arts productions studios, photography studios, post-production studios, dance, exercise and martial arts studios”, which includes the proposed art studio use that provides art lessons, are similar to and no more objectionable than the primary service use and other permitted uses within the C-1 (Limited Commercial) and C-2 (Commercial) zones.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of November 2014.

(SIGNATURES ON THE FOLLOWING PAGE)



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THEALE HAUPT, CHAIRPERSON

ATTEST:

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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 4<sup>th</sup> day of November 2014; and that the same was passed by the following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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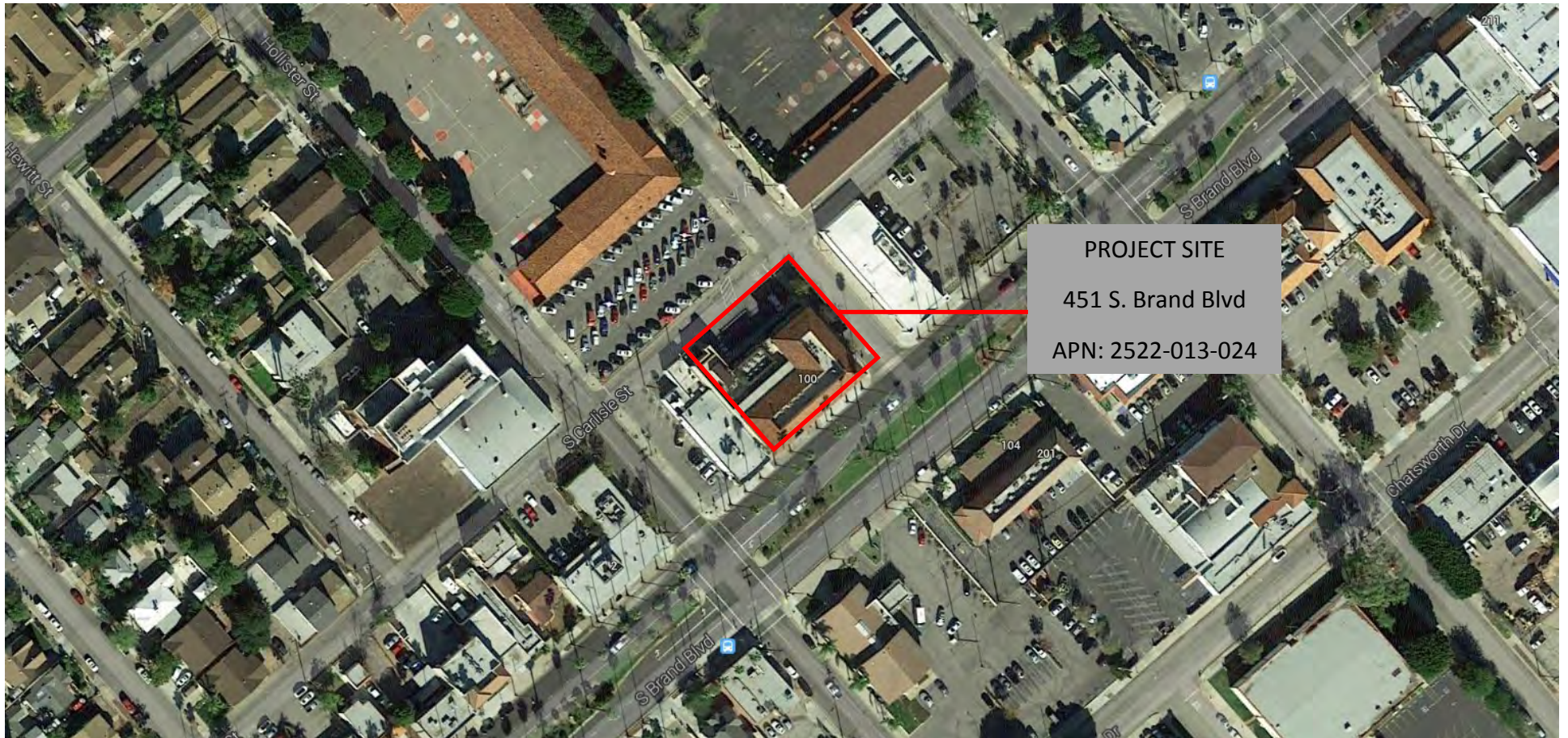
FRED RAMIREZ, SECRETARY TO THE PLANNING AND  
PRESERVATION COMMISSION



**ATTACHMENT 2:**

**Vicinity Map**





VICINITY MAP  
451 S. Brand Blvd.



**ATTACHMENT 3:**

**Project Application**





**SITE PLAN REVIEW APPLICATION**

Applicant Cynthia Alvarez

Site Address 451 S. Brand 91340 #202 (Please type or print)

Request (What is being applied for): Classification of Use.

To use the space as an artist studio for drawing & painting, and to teach others the same.

Assessor's Parcel Number (APN) 2522-013-024

Property Size (In square feet) 16,687.5 SF

Building Size 16,969 SF

Building Addition (If any) NA

Parking Available (Number) 7 on site

Landscaping Provided (In square feet) \_\_\_\_\_

Applicant's Signature Cynthia Alvarez

818-675-2370

Applicant Telephone Number

Applicant Mailing Address:

14152 Foothill Blvd #27

Sylmar, CA 91342

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_

Serenity Askenazy

Property Owner's Name (type or print)

(818) 270-9070

Property Owner's Telephone No.

Owner Mailing Address:

601 S Brand Blvd

3rd Floor

San Fernando, CA 91340

**OFFICE USE ONLY**

Date filed: \_\_\_\_\_

Accepted by: Humberto Quintana

Case Number: PR 2014-0350

Zoning: C-1 (limited Commercial) GPA: \_\_\_\_\_

106-487(7)



**ATTACHMENT 4:**

**September 26, 2014 Applicant Letter**



Dear City of San Fernando  
Community Development Department

My name is Cynthia Alvarez a resident of the San Fernando area for 9 years and this is my letter of intent to open an Art studio and program at 451 S. Brand 91340. Currently the space is not zoned specifically for the use of an art program, but I'm hoping that with this outline an exception can be made. The art studio program will be structured as follows.

- Teaching students (age's approx. 10-Adults) the basics of Classical Drawing and Painting. Skills that not only promote creativity but more importantly analytical problem solving skills.
- Class times will be 1.5 hrs for children age range 10-12. 3 hrs for Teen/Adult classes.
- Class sizes: No more than 6 students at any given class time.
- There will be either 1-2 classes held Tuesday through Saturday.
- Classes will run year around. With the exception of holidays.
- **The location has perfect north facing windows that let in an abundant amount of natural light, a highly sought after feature for classical artists.**

This will be the only program of this kind in the area. Any other formal art programs are more than a 10 mile radius from the location that I am petitioning for. I believe I will be providing an exceptional service to the area where extra curricular activities of this type are limited to other parts of the valley.

I have 10 years experience teaching art to children, teens and adults and want nothing more than to teach and make a positive impact to this community. Thank you for your consideration and hope that this can be worked out. If you have any further questions, I can be reached at 818-675-2370.

Sincerely,  
Cynthia Alvarez