



**CITY OF SAN FERNANDO  
COUNCIL CHAMBERS  
AUGUST 6, 2013**

**PLANNING AND PRESERVATION COMMISSION AGENDA**

**1. CALL TO ORDER**

7:00 P.M.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners, Kevin Beaulieu, Yvonne G. Mejia, and Rodolfo Salinas, Jr.

**4. APPROVAL OF AGENDA**

August 6, 2013

**5. PUBLIC STATEMENTS**

There will be a three (3) minute limitation per each member of the audience who wishes to make comments in order to provide a full opportunity to every person who wishes to address the Commission on community planning matters not pertaining to items on this agenda.

**6. CONSENT CALENDAR**

Items on the consent calendar are considered routine and may be acted on by a single motion to adopt the staff recommendation or report. If the Commission wishes to discuss any item, it should first be removed from the consent calendar.

- Planning and Preservation Commission minutes of the July 2, 2013 meeting.

**7. NEW BUSINESS**

**A: Subject: Conditional Use Permit 2013-03**

**Location: 2040 Glenoaks Blvd., San Fernando, CA 91340**

**Applicant: Kelly Hayes, Evergreen Development, Inc., 2390 E. Camelback Road, Suite 410, Phoenix, AZ 85016**

**Proposal: The proposed project is a request for review and approval of a conditional use permit (CUP) to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale alcohol permit"), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store to be located at 2040 Glenoaks Boulevard. The requested CUP would allow for the Walgreens to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 14,954 square-foot portion of an existing 38,609 square-foot commercial building at the subject property and provide various interior and exterior tenant improvements to the existing building and site. The**

**subject is an approximate 85,813 square-foot lot located on the southerly corner of Glenoaks Boulevard and Hubbard Street, within the C-2 (Commercial) zone.**

**Recommendation:** Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2013-03, to allow for the ancillary sale of alcoholic beverages for off-site consumption in conjunction with the proposed operation of Walgreens, a retail drug store at 2040 Glenoaks Blvd., pursuant to Planning and Preservation Commission Resolution 2013-06 and the conditions of approval attached as Exhibit “A” to the resolution (Attachment 1).

If, in the future, you wish to challenge the items listed above in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Planning 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.

8. **STAFF COMMUNICATIONS**

9. **COMMISSION COMMENTS**

10. **ADJOURNMENT**

September 10, 2013

*Any public writings distributed to the Planning and Preservation Commission regarding any item on this regular meeting agenda will also be made available at the Community Development Department public counter at City Hall 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 or accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department office at (818) 898-1227 at least 48 hours prior to the meeting.*



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

**DRAFT MEETING MINUTES  
JULY 2, 2013  
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 Chairperson 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Chairperson Theale Haupt

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

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

**ABSENT:**

None

**ALSO PRESENT:**

City Planner Fred Ramirez, Assistant Planner Edgar Arroyo, and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

Vice-chair A. Durham moved to approve the agenda of July 2, 2013. 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   |

**CONSENT CALENDAR**

Commissioner Y. Mejia moved to approve the minutes of June 18, 2013. Seconded by Vice-chair A. Durham, seconded, the motion carried with the following vote:

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

**UNFINISHED BUSINESS**

None

## **PUBLIC HEARING 7A:**

**Variance 2013-02 (VAR 2013-02) and Site Plan Review 2013-06 (SPR 2013-06) – 1600 San Fernando Road, San Fernando, CA 91340 – Cherry Huie, RBB Architects, 10980 Wilshire Boulevard, Los Angeles, CA 90024 and Kevin Haub, K.H.A. Architecture, 24868 Apple Street, Suite 201-B, Santa Clarita, CA 91321 – The proposed project is a request for review and approval of a Variance application to allow for the construction of a new 9,993 square-foot, two-story medical building on the campus of Northeast Valley Health Corporation, located at 1600 San Fernando Road with increased front and side setbacks, and the expansion of the parking lot with a street frontage of greater than 50-percent along San Fernando Road. The project site is an approximate 80,000 square-foot (1.83 acre), with street frontages along San Fernando Road, South Lazard Street, and Celis Street, within the Truman-San Fernando District (Workplace Commercial Sub-District) of the SP-4 (Corridors Specific Plan) zone.**

## **Staff Presentation**

Assistant Planner Edgar Arroyo gave the staff presentation recommending that the Planning and Preservation Commission approve Variance 2013-02, pursuant to Planning and Preservation Commission Resolution 2013-05 and the Conditions of Approval attached as Exhibit “A” to the resolution (Attachment1).

## **Public Testimony**

Mary Costopoulos – 1550 San Fernando Road – Ms. Costopoulos stated that she is the owner of the building directly across the street and she welcomes the improvements to the area.

## **Commission Discussion**

Kimberly Wyard, CEO, Northeast Valley Health Corporation (NEVHC)– 1172 N. Maclay Avenue, San Fernando, CA 91340 – Ms. Wyard gave a brief history on NEVHC and the population they serve. She stated that she wants this development to be a testament to the community

Y. Mejia asked how many employees currently work at the medical facility.

K. Wyard stated that there are approximately 70 employees working at the existing two buildings and that the new building would require an additional 21 employees that would be staggered throughout the day including evenings and weekends.

T. Haupt asked what the hours for biggest parking demands were.

K. Wyard indicated that it was from 8:30 a.m. to 5:00 p.m.

K. Beaulieu asked if the facility provide services to the uninsured.

K. Wyard stated that their patients are mostly insured through Healthy Families or Health Net but that there is such a high demand for adult services that they can no longer accept new patients.

A. Durham asked how many parking spaces are used by employees as opposed to patients.

K. Wyard stated that approximately 70 spaces will be used by employees at any given time since their work schedules are staggered. She also indicated that most patients ride either the metro or arrive by trolley.

K. Beaulieu asked if there were any other improvements that will take place other than the new building.

K. Wyard stated that there will be some interior remodeling done, specifically at the dental department, the expansion will take it from 6 chairs to 12 chairs.

T. Haupt asked about the sidewalk repair and where it will take place.

F. Ramirez indicated that Public Works identified it on their checklist.

T. Haupt asked about the Ficus trees and if they would be replaced since they are damaging the sidewalk.

F. Ramirez stated that the commission could make that recommendation to the Tree Commission.

T. Haupt inquired about the metal grates and if they would be repair or replaced. He stated that there are grates where there is no longer a tree and he stated that it is a safety issue and that decomposed granite should be looked at as an alternative.

F. Ramirez indicated that # 20 of the Public Works Checklist does identify the parkway trees.

T. Haupt stated that the meter boxes are creating a tripping hazard and the proposed Palo Verde tree in the courtyard is not pedestrian friendly.

K. Wyard indicated that she will keep that in mind for the final selection of tree species.

Subsequent to discussion, Chairperson T. Haupt moved to approve Variance 2013-02. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

## **STAFF COMMUNICATIONS**

F. Ramirez asked the commissioners if they would be available for a second meeting in August since there are a few projects pending review.

T. Haupt indicated that he would not be available for the October meeting.

Y. Mejia stated that she would not be available from August 28-September 13, 2013.

## **COMMISSION COMMENTS**

K. Beaulieu asked staff to inquire about a tree that is at N. Huntington and Fifth Street that is being consumed by ivy. He also asked if there was a landscape plan for 1500 Glenoaks Blvd and the transitional home on Griswold and how that is allowed to exist.

T. Haupt asked about the dirt field at 1245 San Fernando Road.

## **PUBLIC STATEMENTS**

None

### **ADJOURNMENT**

Vice-chair A. Durham moved to adjourn to the next regularly scheduled Planning and Preservation Commission meeting on August 6, 2013. Second by Commissioner K. Beaulieu, the motion carried with the following vote:

**AYES:** A. Durham, K. Beaulieu, T. Haupt, Y. Mejia, and R. Salinas

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

8:23P.M.

Fred Ramirez

Planning Commission Secretary

**MEETING DATE:** August 6, 2013

**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 Conditional Use Permit 2013-03, to allow for the ancillary sale of alcoholic beverages for off-site consumption in conjunction with the proposed operation of Walgreens, a retail drug store at 2040 Glenoaks Blvd., pursuant to Planning and Preservation Commission Resolution 2013-06 and the Conditions of Approval attached as Exhibit “A”

(b) **To Deny:**

“I move to deny Conditional Use Permit 2013-03, based on the following findings of fact...”  
(Roll Call Vote)

(c) **To Continue:**

“I move to continue consideration of Conditional Use Permit 2013-03 to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

To Approve ( )

To Deny ( )

To Continue ( )

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

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

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

**Item 7A:**  
**Conditional Use Permit 2013-03**

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## PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: August 6, 2013

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, City Planner   
Prepared by: Edgar Arroyo, Assistant Planner 

SUBJECT: **Conditional Use Permit 2013-03**  
2040 Glenoaks Boulevard, San Fernando, CA 91340  
(Los Angeles County Assessor's Parcel No's.: 2517-015-039)

PROPOSAL: The proposed project is a request for review and approval of a conditional use permit (CUP) to allow for the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale alcohol permit"), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store, at 2040 Glenoaks Boulevard. The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store, would be established with the requested CUP pursuant City Code Sections 106-145 and 106-176, et al.

APPLICANT: Kelly Hayes, Evergreen Development, Inc., 2390 E. Camelback Road, Suite 410, Phoenix, AZ 85016

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### RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2013-03, to allow for the ancillary sale of alcoholic beverages for off-site consumption in conjunction with the proposed operation of Walgreens, a retail drug store at 2040 Glenoaks Boulevard, pursuant to Planning and Preservation Commission Resolution 2013-06 and the conditions of approval attached as Exhibit "A" to the resolution (Attachment 1).

### PROJECT OVERVIEW:

On May 30, 2013, Kelly Hayes, the applicant for the project, submitted a Conditional Use Permit (CUP) application (Attachment 2) to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale alcohol permit"), in conjunction with the proposed occupancy and operation of Walgreens, a retail drug store at 2040 Glenoaks Boulevard. The requested CUP would allow for Walgreens to apply for a Type 21

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(Off-Sale General) alcohol license with the California Department of Alcoholic Beverage Control (ABC).

The new retail drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building at the subject property and provide various interior and exterior tenant improvements to the existing building and site. As part of the improvements to the building to accommodate the new retail drug store, a drive-thru pharmacy would be built along the northeasterly side elevation of the building facing Glenoaks Boulevard. Food 4 Less, the current tenant of the building, will be vacating the site in the near future, with Walgreens occupying a portion of the existing tenant space. The floor area of the existing building would be split into two tenant spaces, with a future tenant occupying the remaining approximate 23,655-square-foot portion of the building. The subject property is an approximate 85,813-square-foot lot located on the southerly corner of Glenoaks Boulevard and Hubbard Street, within the C-2 (Commercial) zone.

Concurrently with this CUP application, the city is reviewing an application for a Lot Line Adjustment to adjust the legal boundary lines of 2010 Glenoaks Boulevard (APN: 2517-015-040) and 2040 Glenoaks Boulevard (APN: 2517-015-039). The current lot size of 2010 and 2040 Glenoaks Boulevard is 85,813 square feet and 31,410 square feet, respectively. The requested adjustment in lot lines would reduce the size of the property at 2010 Glenoaks Boulevard and increase the size of the property at 2040 Glenoaks Boulevard by approximately 6,887 square feet to accommodate the planned drive-thru pharmacy for the project. This lot line adjustment would ensure that the drive-thru area is located on the same lot that the use and building is located on. Upon completion of staff's administrative review of the lot line adjustment application, the resulting square footages for each lot would result in an approximate 24,523 lot at 2010 Glenoaks Boulevard and an approximate 106,474 lot at 2040 Glenoaks Boulevard.

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

As currently proposed, the area dedicated to display and sale of alcoholic beverages would occupy an approximate 100-square-foot area within the 14,954-square-foot tenant space, or 0.66-percent of the overall floor area of the tenant space. As provided by City Code Section 106-177, the maximum floor area that can be dedicated to the sale and display of alcoholic beverages is

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10-percent, or a total of 1,495.4 square feet, as it pertains to the proposed tenant space. The new retail drug store would provide an area for alcohol sale and display less than the maximum allowed, in compliance with city code requirements. However, if at a later date the tenant desires to increase the area for alcohol beverage sale and display above what is currently proposed, the tenant may do so without exceeding the maximum 10-percent floor area requirement. Additional discussion regarding the requested CUP and the required findings for approval of the project is provided in the analysis section of this report.

## **BACKGROUND:**

1. **General Plan Land Use and Zoning Designation:** The subject property at 2040 Glenoaks Boulevard is located within the C-2 (Commercial) zone (Attachment 3) and maintains a Commercial (COM) land use designation in the General Plan Land Use Element.
2. **Site Location and Description:** The subject property at 2040 Glenoaks Boulevard is an approximate 85,813-square-foot lot (Los Angeles County Assessor Parcel No.: 2517-015-039) located on the corner of Hubbard Street and Glenoaks Boulevard (Attachment 4). The property is currently improved with an approximate 38,609-square-foot commercial building currently occupied by Food 4 Less. Parking for the project site is provided on lots located within the City of San Fernando (APNs.: 2517-015-036, 039, and 040) and the City of Los Angeles (APNs.: 2517-015-029 and 031) through a shared parking agreement between 2010 and 2040 Glenoaks Boulevard.
3. **Environmental Review:** This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). It is staff's assessment that this project proposal qualifies for a Categorical Exemption under Class 1 (Existing Facilities) of San Fernando's CEQA Guidelines. If the Planning and Preservation Commission concurs with staff's determination, no further environmental assessment is necessary.
4. **Legal Notification:** On July 25, 2013, the public hearing notice was posted at two City Hall bulletins, at the County Public Library bulletin, and at the project site. A notice was also published in the July 27, 2013, print and online legal advertisement section of the *Los Angeles Daily News*. In addition, notices of this hearing were mailed to all property owners of record within 500 feet of the subject site (Attachment 5).
5. **Public Comments:** As of the date of preparation of this staff report, no comments were received from the public regarding this conditional use permit request. Any comments received after the distribution of this report shall be read into the record at the public hearing.

## **ANALYSIS:**

1. **General Plan Consistency.** The requested CUP to allow for the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises
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(“off-sale alcohol permit”), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store at 2040 Glenoaks Boulevard, is consistent with the following goals and objectives of the San Fernando General Plan Land Use Element by:

- ✓ Promoting economic viability of commercial areas;
- ✓ Maintaining an identity that is distinct from surrounding communities; and,
- ✓ Attracting new commercial activities.

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

The requested CUP to allow for the ancillary sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store at the subject property, would allow for building and site improvements that would upgrade the aesthetic character of a commercial property located on a major commercial intersection at Hubbard Street and Glenoaks Boulevard. The planned new tenant in Walgreens achieves the general plan land use element’s goals by promoting economic viability of commercial areas and attracting new commercial activities in the city’s C-2 (Commercial) zone. Additionally, the planned improvements to the existing commercial building, through the renovation of the building’s façade, assists in modernizing the appearance of the existing dated façade and encourages additional investment within the surrounding commercial corridor.

2. **Zoning Consistency.** Pursuant to City Code Section 106-488(6), the off-site sale of alcoholic beverages is a use that is permitted within the C-1 (Limited Commercial) zone, subject to the review and approval of a conditional use permit by the Planning and Preservation Commission. Additionally, pursuant to City Code Section 106-518(1), uses that are conditionally permitted in the C-1 zone are also applicable to the C-2 zone. The location of the subject property within the city’s C-2 zone provides the ability for an applicant to request and the commission to consider approval of a CUP to allow for the sale of alcoholic beverages for consumption off the premises at the subject property at 2040 Glenoaks Boulevard.

Furthermore, in compliance with City Code Section 106-177, Walgreens, the planned retail drug store, would provide a sale and display area for alcoholic beverages of 0.66-percent of the floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments. Therefore, it is staff’s assessment that the requested CUP for the sale of alcohol for off-site consumption, with the recommended conditions of approval, is consistent with the city’s zoning code.

3. **Distance Separation Requirements.** As previously noted, City Code Section 106-179(c)(2) allows for drug stores, along with grocery stores, supermarkets, or specialty food stores to be exempt from distance separation requirements that would otherwise apply to liquor stores or similar alcohol retailers establishments. A retail drug store is provided an exception from distance separation requirements provided that the business does not exceed the maximum floor area allowed for the sale and display of alcoholic beverages. As discussed above, the new business would provide a sale and display area for alcoholic
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beverages of 0.66-percent of the floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments.

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

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

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

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

In evaluating whether undue concentration exists within the reporting area of the subject property, city staff has assessed crime statistics received from the San Fernando Police Department, as well as evaluated the concentration of alcohol licenses in relation to county and local population available from the United States Census Bureau.

Data from the police department groups the information available for United States Census Tracts 3202.01 and 3202.02 as one complete reporting area, referred to as Police Department Track 2. Track 2 encompasses an area bounded by Hubbard Street to the northwest, Glenoaks Boulevard to the northeast, Arroyo Avenue to the southeast, and First Street to the southwest. Based on the reporting data available from the San Fernando Police

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Department, since January 1, 2010, 39 percent of all incidents reported were generated from Track 2.

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

Furthermore, the subject property at 2040 Glenoaks Boulevard is located within Census Tract No. 3202.02 and has a published total population of 5,797 residents as of the 2010 United States Census. There are a total of eight (8) on-sale and off-sale alcohol licenses within the census tract.

A review of city and ABC records indicates that there are five (5) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 1,159 residents) within Census Tract No. 3202.02. The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 28,642 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one license for every 342 residents. Since the ratio of off-sale licenses within Census Tract No. 3202.02 is less than the ratio for Los Angeles County, Census Tract No. 3202.02 does not have an undue concentration of off-sale licenses and would therefore qualify for the issuance of an alcohol permit with ABC.

It is anticipated that approval of the requested CUP to allow for establishment of a retail drug store at the subject property with the ancillary sale of alcoholic beverages for off-site consumption, would not have the effect of increasing incident reporting percentages for this reporting track. Additionally, it is staff's assessment that no undue concentration exists within the Census Tract 3202.02, and that the requested alcohol CUP will not create an instance of undue concentration within the census tract. Therefore, findings of public convenience and necessity are not required in this case.

- 5. Conditional Use Permit Findings.** As the name implies, a Conditional Use Permit (CUP) allows the city 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 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.

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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 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.**

Pursuant to City Code Sections 106-488(6) and 106-518(1), the requested conditional use permit to allow for the ancillary sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store at the subject property at 2040 Glenoaks Boulevard, is a use that is conditionally permitted within the city's C-2 (Commercial) zone. Furthermore, in compliance with City Code Section 106-177, the new business would provide a sale and display area for alcoholic beverages of 0.66-percent of the floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments. Therefore, it is staff's assessment that the requested CUP, subject to the conditions of approval for the ancillary sale of alcoholic beverages for off-site consumption, in conjunction with the operation of a retail drug store is one conditionally permitted within C-2 zone and complies with all applicable sections of the 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.**

The proposed use of the subject property as a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption and the adoption of the recommended conditions of approval, would not impair the integrity and character of the C-2 zone. Walgreens, the proposed new tenant, would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building. Currently, the subject property operates a supermarket out of the commercial building that also provides the sale of alcoholic beverages, including beer, wine, and distilled spirits, as an ancillary use. The new drug store would provide similar ancillary sales of alcoholic beverages while not exceeding the maximum floor area permitted for the sale and display of alcoholic beverages. Furthermore, the introduction of a drug store at the subject property, with the proposed improvements to the existing building and site,

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allows for additional investment within the city's commercial zones while providing a location for residents of the city and neighboring communities to access prescription and non-prescription medicine to improve personal health and welfare. Thus, it is staff's assessment that this finding can be made.

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

The subject property at 2040 Glenoaks Boulevard is physically suitable for the proposed retail drug store with ancillary sale of alcoholic beverages for off-site consumption. The new drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building currently developed at the subject property. In addition, the proposed use would not have any impacts on parking, as no new square footage would be added to the existing building. The proposed physical improvements to the building and the site would upgrade the aesthetic character of a commercial property located on a major intersection of Hubbard Street and Glenoaks Boulevard, encouraging additional investment in neighboring commercial corridors. Thus, it is staff's assessment that this finding can be made.

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

The proposed use of the subject property as a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption, is compatible with land uses that presently exist at the subject property at 2040 Glenoaks Boulevard. Currently, the existing commercial building at the subject property is occupied by a supermarket that also maintains an active license from the California Department of Alcoholic Beverage Control for the sale of alcohol for consumption off the premises ("off-sale alcohol permit"). The proposed use of a portion of the existing building as a retail drug store, in conjunction with the ancillary sale of alcoholic beverages for off-site consumption, would complement neighboring uses within the surrounding commercial district and the abutting commercial center at 2010 Glenoaks Boulevard. In addition, pursuant to City Code Sections 106-487(5) and 106-517(1), retail businesses, including retail drug stores, are permitted within the C-2 zone, with the ancillary sale of alcohol beverages conditionally permitted pursuant to City Code Sections 106-488(6) and 106-518(1). Thus, it is staff's assessment that this finding can be made.

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

The city's C-2 (Commercial) zones are developed with a variety of commercial uses that help serve the needs of residents of the city and surrounding communities. Among those commercial uses established within the vicinity of the subject property, which maintain a similar C-2 zoning, are a mix of retail stores, restaurants, service uses, dental and medical offices, and professional and administrative offices. As such, the proposed retail drug store would be compatible with existing commercial land uses

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within the vicinity of the project site. The requested CUP to provide for the sale of alcoholic beverages as an ancillary use, in conjunction with the operation of the drug store, would also include a service customarily provided by similar drug stores, grocery stores, supermarkets, and specialty food stores. Furthermore, a retail business that includes the operation of a drug store and the sale of alcoholic beverages conditionally permitted within the C-2 at the subject property would also be consistent with future land uses envisioned for the zone. Thus, it is staff's assessment that this finding can be made

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

The new retail drug store would be adequately served by existing water, sanitation and public utilities that are currently in use for the tenant of the commercial building. While no infrastructure and utility upgrades are necessary at this time for the new tenant to conduct business activity at the subject property, any future improvements would be required to be developed in compliance with the requirements of the city's building codes, including any requirements from the Public Works Department. Thus, it is staff's assessment that this finding can be made.

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

The subject property, with the proposed physical improvements to facilitate the new tenant at the subject property, would improve the condition of the site while retaining existing driveways that provide vehicular ingress and egress that are located along Hubbard Street and Glenoaks Boulevard. A new path of travel would be created for pedestrians to access the entrances of each tenant space along Hubbard Street. Furthermore, the project site would also be accessible to vehicles through a parking and through access agreement with the neighboring property owner at 2010 Glenoaks Boulevard previously approved by the city to allow for shared parking and off-site parking facilities for the project as part of Variance 2011-06. 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.**

The proposed retail drug store would allow for the improvement of the subject property at 2040 Glenoaks Boulevard through the renovation of the existing commercial building and various site improvements to the parking lot and landscape areas. The proposed improvements to the site would allow for an upgraded appearance to replace the dated façade of the existing commercial building. Additionally, as the current supermarket tenant is anticipated to be vacating the property, the new use would allow for a future vacant commercial building to be occupied by Walgreens.

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The requested CUP to allow for the sale of alcoholic beverages in conjunction with the operation of the retail drug store would allow Walgreens to provide an ancillary service customary of retail drug store and pharmacy establishments in neighboring communities. Furthermore, the establishment of the drug store would provide residents of the city and surrounding communities with safe access to prescription and non-prescription medicine to improve public health and welfare. Thus, it is staff's assessment that this finding can be made in this case.

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

The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store at the subject property would allow for building and site improvements that upgrade the aesthetic character of a commercial property located on a major commercial intersection at Hubbard Street and Glenoaks Boulevard. The planned Walgreens occupancy achieves the general plan land use element's goals by promoting economic viability of commercial areas and attracting new commercial activities in the city's C-2 (Commercial) zone. Additionally, the planned improvements to the existing commercial building, through the renovation of the building's façade, assists in modernizing the appearance of the dated façade and encourages additional investment within the surrounding commercial corridor. (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 proposed use of the subject property as a retail drug store would not be detrimental to the public interest, health, safety, convenience or welfare. The proposed occupancy of the proposed drug store would provide residents of the city and surrounding communities safe access to prescription and non-prescription medicine to improve public health and welfare, while providing a new tenant to replace a vacating business at the subject property. The establishment of Walgreens, a reputable nationwide pharmacy, would result in new investment at the subject property that would improve the overall appearance of the site through the proposed building façade upgrades and improvements to the parking lot and landscape areas. The requested CUP permit to allow for the ancillary sale of alcoholic beverages for off-site consumption, with the adoption of the recommended conditions of approval, would allow the new tenant the ability to provide a service that is customary of similar establishments located in neighboring communities. Additionally, by providing a sale and display area for alcoholic beverages that is less than 10-percent of the total floor area of the unit, the proposed use would ensure that the sale of alcohol is strictly ancillary to the primary activity of a retail drug store/pharmacy at the subject property. Furthermore, approval of the requested CUP with the recommended conditions of

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approval, would allow for the abatement of public nuisances associated with sale of alcohol at the subject property, with potential CUP revocation if public nuisances are not corrected in order to ensure that the use is not detrimental to the public interest, health, safety, convenience or welfare. Thus, it is staff's assessment that this finding can be made in this case.

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

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

Data from the San Fernando Police Department group the information available for United States Census Tracts 3202.01 and 3202.02 as one complete reporting area, referred to as Police Department Track 2. Track 2 encompasses an area bounded by Hubbard Street to the northwest, Glenoaks Boulevard to the northeast, Arroyo Avenue to the southeast, and First Street to the southwest. Based on the reporting data available from the police department, since January 1, 2010, 39 percent of all incidents reported were generated from Track 2.

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

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

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

The proposed use of the subject property as a retail drug store with the ancillary sale of alcoholic beverages for off-site consumption, with the recommended conditions of approval for the project, is not anticipated to adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area of the project site. As part of the conditions of approval for the requested CUP, the applicant would be responsible for issues relating to loitering in the public right-of-way, parking area, and in front of the property, along with ensuring the consumption of alcoholic beverages does not occur on-site. Failure to address public nuisances issues associated with sale of alcoholic beverages would result in city abatement action, including possible revocation of the CUP for repeated noncompliance. Thus, it is staff's assessment that this finding can be made.

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

Pursuant to City Code Section 106-179(c)(2), drug stores, grocery stores, supermarkets, and specialty food stores are exempt from distance separation requirements that would otherwise apply to other types businesses seeking a CUP for the sale of alcoholic beverages for off-site consumption. Walgreens, the proposed retail drug store at the subject property, would qualify for the exemption in distance separation provided in the city code. Thus, it is staff's assessment that this finding can be made in this case.

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

As discussed previously, based on the reporting data available from the San Fernando Police Department, since January 1, 2010, 39 percent of all incidents reported were generated from Track 2. This rate is proportional with the rest of the city, as this reporting track covers the largest area of land, approximately 0.96 square miles. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.65 square miles, respectively. Additionally, the subject property is not within a reporting district that has a 20-percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracts, with the percentage of crime being relatively proportional throughout the city.

Additionally, the subject property at 2040 Glenoaks Boulevard is located within Census Tract No. 3202.02 and has a published total population of 5,797 residents as of the 2010 United States Census. There are a total of eight (8) on-sale and off-sale alcohol licenses within the census tract. A review of city and California Department of Alcoholic Beverage Control records indicates that there are five (5) off-sale alcohol

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outlets (one (1) off-sale alcohol outlet for every 1,159 residents) within Census Tract No. 3202.02

The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 28,642 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one license for every 342 residents. Since the ratio of off-sale licenses within Census Tract No. 3202.02 is less than the ratio for Los Angeles County, Census Tract No. 3202.02 does not have an undue concentration of off-sale alcohol licenses and would therefore qualify for the issuance of an alcohol permit with ABC.

It is staff's assessment that no undue concentration exists within Census Tract 3202.02 and that the requested alcohol CUP would not create an instance of undue concentration within the census tract. Therefore, it is staff's assessment that findings of public convenience and necessity, pursuant to City Code Section 106-180, are not required in this case.

## **CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that Commission's approval of the requested CUP to allow for the operation of Walgreens, a retail drug store, with the ancillary sale of alcoholic beverages and all proposed on-site improvements, would foster investment in the city's commercial zones. City approval would also facilitate redevelopment of the building and site and provide safe access to residents of the city and surrounding communities to prescription and non-prescription medicine, in a manner consistent with the General Plan's goals and objectives and development standards applicable to commercially zoned property in the C-2 zone.

Based on the above findings, staff recommends that the Planning and Preservation Commission approve Conditional Use Permit 2013-03, to allow for the ancillary sale of alcoholic beverages for off-site consumption in conjunction with the proposed operation of Walgreens, a retail drug store at 2040 San Fernando Road, pursuant to Planning and Preservation Commission Resolution 2013-06 and the conditions of approval attached as Exhibit "A" to the resolution (Attachment 1)

## **Attachments (7):**

1. Planning and Preservation Commission Resolution 2013-06 and Exhibit "A": Conditions of Approval
  2. Conditional Use Permit Application – CUP 2013-03
  3. Zoning Map
  4. Vicinity Map
  5. Notice of Public Hearing
  6. Project Site Photos
  7. Site Plan, Floor Plan, and Colored Building Elevations
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**ATTACHMENT 1:**

**Planning and Preservation Commission  
Resolution 2013-06 and  
Exhibit “A”: Conditions of Approval**

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## **RESOLUTION NO. 2013-06**

### **A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO APPROVING CONDITIONAL USE PERMIT 2013-03 TO ALLOW FOR THE ANCILLARY SALE OF ALCOHOLIC BEVERAGES, INCLUDING BEER, WINE, AND DISTILLED SPIRITS, FOR OFF-SITE CONSUMPTION, IN CONJUNCTION WITH THE OPERATION OF A RETAIL DRUG STORE AT 2040 GLENOAKS BOULEVARD.**

WHEREAS, an application has been filed by Kelly Hayes of Evergreen Development, Inc., on behalf of Walgreens, to request review and approval of a conditional use permit to allow for the ancillary sale of alcoholic beverages for consumption off-site, in conjunction with the operation of a retail drug store/pharmacy at 2040 Glenoaks Boulevard. The proposed retail drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building at the subject property located within the C-2 (Commercial) zone.

WHEREAS, the applicant has requested approval of the requested conditional use permit pursuant to City Code Sections 106-145, 106-176, 106-488(6) and 106-518(1), to allow for the sale of alcoholic beverages for off-site consumption (Type 21 License – General: Beer, Wine, and Distilled Spirits) as an ancillary use to a proposed retail drug 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 6th day of August 2013.

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;

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 applicable development standards for commercially zoned property within the C-2 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 2013-03 have been justified and upheld in the affirmative because of the recommended conditions of approval regarding operating procedures governing the sale of alcoholic beverages for off-site consumption. The Planning and Preservation Commission findings are as followed:

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

Pursuant to City Code Sections 106-488(6) and 106-518(1), the requested conditional use permit to allow for the ancillary sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store at the subject property at 2040 Glenoaks Boulevard, is a use that is conditionally permitted within the city's C-2 (Commercial) zone. Furthermore, in compliance with City Code Section 106-177, the new business would provide a sale and display area for alcoholic beverages of 0.66-percent of the floor area for the tenant space, less than the maximum of 10-percent permitted for these types of establishments. Therefore, it is the commission's assessment that the requested CUP, subject to the conditions of approval for the ancillary sale of alcoholic beverages for off-site consumption, in conjunction with the operation of a retail drug store is one conditionally permitted within C-2 zone and complies with all applicable sections of the zoning ordinance. Thus, it is the commission's determination 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.**

The proposed use of the subject property as a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption and the adoption of the recommended conditions of approval, would not impair the integrity and character of the C-2 zone. Walgreens, the proposed new tenant, would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building. Currently, the subject property operates a supermarket out of the commercial building that also provides the sale of alcoholic beverages, including beer, wine, and distilled spirits, as an ancillary use. The new drug store would provide similar ancillary sales of alcoholic beverages while not exceeding the maximum floor area permitted for the sale and display of alcoholic beverages. Furthermore, the introduction of a drug store at the subject property, with the proposed improvements to the existing building and site, allows for additional investment within the city's commercial zones while providing a location for residents of the city and neighboring communities to access prescription and non-prescription medicine to improve personal health and welfare. Thus, it is the commission's determination that this finding can be made in this case.

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

The subject property at 2040 Glenoaks Boulevard is physically suitable for the proposed retail drug store with ancillary sale of alcoholic beverages for off-site consumption. The new drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building currently developed at the subject property. In addition, the proposed use would not have any impacts on parking, as no new square footage would be added to the existing building. The proposed physical improvements to the building and the site would upgrade the aesthetic character of a commercial property located on a major intersection of Hubbard Street and Glenoaks Boulevard, encouraging additional investment in neighboring commercial corridors. Thus, it is the commission's determination that this finding can be made in this case.

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

The proposed use of the subject property as a retail drug store, with the ancillary sale of alcoholic beverages for off-site consumption, is compatible with land uses that presently exist at the subject property at 2040 Glenoaks Boulevard. Currently, the existing commercial building at the subject property is occupied by a supermarket that also maintains an active license from the California Department of Alcoholic Beverage Control for the sale of alcohol for consumption off the premises (“off-sale alcohol permit”). The proposed use of a portion of the existing building as a retail drug store, in conjunction with the ancillary sale of alcoholic beverages for off-site consumption, would complement neighboring uses within the surrounding commercial district and the abutting commercial center at 2010 Glenoaks Boulevard. In addition, pursuant to City Code Sections 106-487(5) and 106-517(1), retail businesses, including retail drug stores, are permitted within the C-2 zone, with the ancillary sale of alcohol beverages conditionally permitted pursuant to City Code Sections 106-488(6) and 106-518(1). Thus, it is the commission’s determination that this finding can be made in this case.

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

The city’s C-2 (Commercial) zones are developed with a variety of commercial uses that help serve the needs of residents of the city and surrounding communities. Among those commercial uses established within the vicinity of the subject property, which maintain a similar C-2 zoning, are a mix of retail stores, restaurants, service uses, dental and medical offices, and professional and administrative offices. As such, the proposed retail drug store would be compatible with existing commercial land uses within the vicinity of the project site. The requested CUP to provide for the sale of alcoholic beverages as an ancillary use, in conjunction with the operation of the drug store, would also include a service customarily provided by similar drug stores, grocery stores, supermarkets, and specialty food stores. Furthermore, a retail business that includes the operation of a drug store and the sale of alcoholic beverages conditionally permitted within the C-2 at the subject property would also be consistent with future land uses envisioned for the zone. Thus, it is the commission’s determination 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 new retail drug store would be adequately served by existing water, sanitation and public utilities that are currently in use for the tenant of the commercial building. While no infrastructure and utility upgrades are necessary at this time for the new tenant to conduct business activity at the subject property, any future improvements would be required to be developed in compliance with the requirements of the city’s building codes, including any requirements from the Public Works Department. Thus, it is the commission’s determination that this finding can be made in this case.

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

The subject property, with the proposed physical improvements to facilitate the new tenant at the subject property, would improve the condition of the site while retaining existing driveways that provide vehicular ingress and egress that are located along Hubbard Street and Glenoaks Boulevard. A new path of travel would be created for pedestrians to access the entrances of each tenant space along Hubbard Street. Furthermore, the project site would also be accessible to vehicles through a parking and through access agreement with the neighboring property owner at 2010 Glenoaks Boulevard previously approved by the city to allow for shared parking and off-site parking facilities for the project as part of Variance 2011-06. Thus, it is the commission's determination 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.**

The proposed retail drug store would allow for the improvement of the subject property at 2040 Glenoaks Boulevard through the renovation of the existing commercial building and various site improvements to the parking lot and landscape areas. The proposed improvements to the site would allow for an upgraded appearance to replace the dated façade of the existing commercial building. Additionally, as the current supermarket tenant is anticipated to be vacating the property, the new use would allow for a future vacant commercial building to be occupied by Walgreens. The requested CUP to allow for the sale of alcoholic beverages in conjunction with the operation of the retail drug store would allow Walgreens to provide an ancillary service customary of retail drug store and pharmacy establishments in neighboring communities. Furthermore, the establishment of the drug store would provide residents of the city and surrounding communities with safe access to prescription and non-prescription medicine to improve public health and welfare. Thus, it is the commission's determination that this finding can be made 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 requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store at the subject property would allow for building and site improvements that upgrade the aesthetic character of a commercial property located on a major commercial intersection at Hubbard Street and Glenoaks Boulevard. The planned Walgreens occupancy achieves the general plan land use element's goals by promoting economic viability of commercial areas and attracting new commercial activities in the city's C-2 (Commercial) zone. Additionally, the planned improvements to the existing commercial building, through the renovation of the building's façade, assists in modernizing the appearance of the dated façade and encourages additional investment within the surrounding commercial corridor. (San Fernando General Plan Land Use Element Goals and Objectives, Pg. IV-6.) Thus, it is the commission's determination that this finding can be made in this case.

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

The proposed use of the subject property as a retail drug store would not be detrimental to the public interest, health, safety, convenience or welfare. The proposed occupancy of the proposed drug store would provide residents of the city and surrounding communities safe access to prescription and non-prescription medicine to improve public health and welfare, while providing a new tenant to replace a vacating business at the subject property. The establishment of Walgreens, a reputable nationwide pharmacy, would result in new investment at the subject property that would improve the overall appearance of the site through the proposed building façade upgrades and improvements to the parking lot and landscape areas. The requested CUP permit to allow for the ancillary sale of alcoholic beverages for off-site consumption, with the adoption of the recommended conditions of approval, would allow the new tenant the ability to provide a service that is customary of similar establishments located in neighboring communities. Additionally, by providing a sale and display area for alcoholic beverages that is less than 10-percent of the total floor area of the unit, the proposed use would ensure that the sale of alcohol is strictly ancillary to the primary activity of a retail drug store/pharmacy at the subject property. Furthermore, approval of the requested CUP with the recommended conditions of approval, would allow for the abatement of public nuisances associated with sale of alcohol at the subject property, with potential CUP revocation if public nuisances are not corrected in order to ensure that the use is not detrimental to the public interest, health, safety, convenience or welfare. Thus, it is the commission's determination that this finding can be made in this case.

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

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

Data from the San Fernando Police Department group the information available for United States Census Tracts 3202.01 and 3202.02 as one complete reporting area, referred to as Police Department Track 2. Track 2 encompasses an area bounded by Hubbard Street to the northwest, Glenoaks Boulevard to the northeast, Arroyo Avenue to the southeast, and First Street to the southwest. Based on the reporting data available from the police department, since January 1, 2010, 39 percent of all incidents reported were generated from Track 2.

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

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

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

The proposed use of the subject property as a retail drug store with the ancillary sale of alcoholic beverages for off-site consumption, with the recommended conditions of approval for the project, is not anticipated to adversely impact any residential use, church, hospital, educational institution, day care facility, park, or library within the surrounding area of the project site. As part of the conditions of approval for the requested CUP, the applicant would be responsible for issues relating to loitering in the public right-of-way, parking area, and in front of the property, along with ensuring the consumption of alcoholic beverages does not occur on-site. Failure to address public nuisances issues associated with sale of alcoholic beverages would result in city abatement action, including possible revocation of the CUP for repeated noncompliance. Thus, it is the commission's determination that this finding can be made in this case.

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

Pursuant to City Code Section 106-179(c)(2), drug stores, grocery stores, supermarkets, and specialty food stores are exempt from distance separation requirements that would otherwise apply to other types businesses seeking a CUP for the sale of alcoholic beverages for off-site consumption. Walgreens, the proposed retail drug store at the subject property, would qualify for the exemption in distance separation provided in the city code. Thus, it is the commission's determination that this finding can be made in this case.

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

As discussed previously, based on the reporting data available from the San Fernando Police Department, since January 1, 2010, 39 percent of all incidents reported were generated from Track 2. This rate is proportional with the rest of the city, as this reporting track covers the largest area of land, approximately 0.96 square miles. In comparison, Tracks 1 and 2 are comprised of an area of approximately 0.73 square miles and 0.65 square miles, respectively. Additionally, the subject property is not within a reporting district that has a 20-percent greater number of reported crimes than the average number of reported crimes for the three crime reporting tracts, with the percentage of crime being relatively proportional throughout the city.

Additionally, the subject property at 2040 Glenoaks Boulevard is located within Census Tract No. 3202.02 and has a published total population of 5,797 residents as of the 2010 United States Census. There are a total of eight (8) on-sale and off-sale alcohol licenses within the census tract. A review of city and California Department of Alcoholic Beverage Control records indicates that there are five (5) off-sale alcohol outlets (one (1) off-sale alcohol outlet for every 1,159 residents) within Census Tract No. 3202.02

The population in Los Angeles County is 9,818,605, with ABC records showing that a total of 28,642 off-sale alcohol licenses are active countywide. The ratio of off-sale licenses to population in Los Angeles County is one license for every 342 residents. Since the ratio of off-sale licenses within Census Tract No. 3202.02 is less than the ratio for Los Angeles County, Census Tract No. 3202.02 does not have an undue concentration of off-sale alcohol licenses and would therefore qualify for the issuance of an alcohol permit with ABC.

It is the commission's determination that no undue concentration exists within Census Tract 3202.02 and that the requested alcohol CUP would not create an instance of undue concentration within the census tract. Therefore, it is the commission's determination that findings of public convenience and necessity, pursuant to City Code Section 106-180, are not required in this case.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves Conditional Use Permit 2013-03, subject to the conditions of approval attached as Exhibit "A".

PASSED, APPROVED AND ADOPTED this 6th day of August 2013.

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THEALE E. 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 6th day of August 2013; 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



**EXHIBIT “A”**  
**CONDITIONS OF APPROVAL**

- PROJECT NO.** : **Conditional Use Permit 2013-03**
- PROJECT ADDRESS** : 2040 Glenoaks Boulevard, San Fernando, CA 91340  
(Los Angeles County Assessor’s Parcel No’s.: 2517-015-039)
- PROJECT DESCRIPTION** : The proposed project is a request for review and approval of a conditional use permit (CUP) to allow for the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises (“off-sale alcohol permit”), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store, at 2040 Glenoaks Boulevard. The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store, would be established with the requested CUP pursuant City Code Sections 106-145 and 106-176, et al.

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 August 6, 2013, except as herein modified to comply with these Conditions of Approval.
2. Licensing. The Planning and Preservation Commission’s approval of this conditional use permit shall permit the applicant to apply for a “Type 21 License” (Off-sale – General) with ABC. A Type 21 License shall authorize the ancillary sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises where sold.
3. Standard Conditions for Off-Sale Alcohol Establishments. In addition to those conditions of approval, which the Planning and Preservation Commission may otherwise impose, all off-sale conditional use permits for alcoholic beverage sales shall be subject to the following standard conditions, as required by City Code Section 106-182:
  - a. No beer or wine shall be displayed within five feet of the cash register or the front door unless such item is in a permanently affixed cooler.
  - b. No display or sale of alcoholic beverages shall be made from an ice tub. An "ice tub" is a vessel filled with ice that displays single servings of alcoholic beverages for customer self-service.
  - c. No sale of alcoholic beverages shall be made from a walk-up or drive-in window.
  - d. Alcoholic beverages and non-alcoholic beverages shall be stocked and displayed separately.

- e. The sales area shall be located so that the clerk and customer are fully visible from the street at the time of the sales transaction.
- f. The cash register and sales area shall be illuminated so as to provide clear observation for law enforcement surveillance.
- g. Alcoholic beverages shall not be consumed on the premises.
- h. No off-sale outlet selling alcohol may use a self-service checkout system.
- i. Interior and exterior signs stating the consumption of alcoholic beverages on the premises is prohibited by law shall be conspicuously posted onsite.
- j. Loitering in the public right-of-way, parking area and in front of adjacent properties is prohibited.
- k. The following signs shall be conspicuously posted onsite:
  - a. Exterior signs referencing Penal Code § 602.1. Such signs shall be clearly visible from the establishment's parking area and shall include the police department's phone number.
  - b. An interior sign in English and Spanish stating: "We ID everyone under 26 years of age for alcohol sales" with minimum dimensions of eight inches by 11 inches.
- l. Exterior public telephones that permit incoming calls shall not be located on the premises.
- m. Electronic games, including video games, shall not be located on the premises.
- n. Exterior lighting of the parking area shall provide adequate lighting for patrons while not producing glare or light spillover disturbing surrounding residential or commercial areas.
- o. The establishment shall implement preventive architectural design features as approved by the chief of police and the chief planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns.
- p. Special security measures such as security guards, door monitors, and burglar alarms systems may be required as a condition of approval with final determination made by the chief of police and the chief planning official on a case-by-case basis.
- q. Litter and trash receptacles shall be located at convenient locations both inside and outside the establishment, and trash and debris shall be removed on a daily basis.
- r. The exterior of the establishment, including all signs, accessory buildings and structures shall be maintained free of litter and graffiti at all times. All graffiti shall be removed from the premises within 24 hours of its discovery.

- s. With regard to those CUP applications that are approved based in part upon the fact that alcohol sales on the premises are incidental to the sale of other products, proof satisfactory to the chief planning official shall be annually submitted to show that the sale of alcohol has remained incidental to the sale of other products.
  - t. Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the CUP.
  - u. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP approval process.
4. Alcohol Sale and Display Area. The total square footage dedicated to the sale and display of alcoholic beverages shall not exceed 10-percent of the floor area of the commercial tenant space.
5. Signage. Windows shall comply with the city's sign regulations in order to provide clear and unobstructed view of the cash register and sales area from the parking lot and street.
6. Surveillance. A security camera system approved by the police department shall be installed on the premises and shall be maintained in proper working order at all times. The security camera system shall be subject to inspection by the police department. The system must be capable of producing retrievable images on film or tape that can be enlarged through projection or other means. The video or digital recordings generated by the system shall be maintained for a period of 30 days. Special security measures such as security guards, door monitors, and burglar alarms systems may be required as a condition of approval with final determination made by the chief of police and the chief planning official on a case-by-case basis. In addition, the establishment shall implement preventive architectural design features as approved by the chief of police and the chief planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns.
7. Revocation. Violation of, or noncompliance with, any of these conditions of approval shall constitute grounds for revocation this conditional use permit, as provided below:
- a. Upon the issuance of, and conviction for, three zoning violation citations;
  - b. Upon the revocation of the alcoholic license by ABC;
  - c. Upon any two disciplinary actions by ABC in the form of a fine or suspension of the alcoholic license, during the term of the CUP; or
  - d. Where conditions and activities on and/or adjacent to an off-sale or on-sale outlet, as defined herein, interfere with the quiet enjoyment of life and property in the neighborhood, or are or tend to be, injurious to health and safety of persons in the neighborhood. These include, but are not limited to the following:
    - i. Excessive noise, noxious smells or fumes, loitering, littering, curfew violations, disturbing the peace, illegal drug activity, public drunkenness, drinking in public, public urination,

public vandalism, graffiti, lewd conduct, gambling, harassment of passersby, prostitution, sale of stolen merchandise, illegal parking, traffic violations, theft, assaults, batteries;

- ii. Illegal sale, manufacture, storing, possession, distribution of alcoholic beverages; or,
- iii. Police detention, citation, and/or arrests for these or any other unlawful activity attributed to the sale and/or consumption of alcoholic beverages declared by the city to be a public nuisance.

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

- 8. Trash Enclosure. All trash bins shall be kept free of trash overflow and maintained in a clean manner at all times. Litter and trash receptacles shall be located at convenient locations both inside and outside the establishment, and trash and debris shall be removed on a daily basis.
- 9. 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.
- 10. Graffiti Removal. Unless ptherwise specified in the conditions of approval, the property owner(s), operator and all successors shall comply with the graffiti removal and deterrence requirements of the San Fernando City Code. The property owner(s), operator and all successors shall provide for the immediate removal of any graffiti vandalism occurring on the property and, where applicable, the restoration of the surface on which the graffiti exists. Such restoration shall entail repainting or refinishing of the surface with a color or finish that matches the color or finish of the remaining portions of the structure being painted, and including treatment of the surface or site with measures to deter future graffiti vandalism as approved or required by the community development department. Unless removed by the property owner or their designee within the specified time frame required by city code, property owner(s), operator and all successors shall grant the right of access to authorized agents of the City of San Fernando to remove graffiti from any surface on the property that is open and accessible from city property or public right-of-way, at the expense of the owner(s) or operator and all successors.
- 11. Site Inspections. The Community Development Department shall inspect the site to assure compliance with these conditions of approval. The drug store/pharmacy operator and all successors shall grant the right of access to authorized agents of the City of San Fernando to conduct periodic inspections of the property.
- 12. Modifications. Unless the chief planning official deems a proposed change to the approved plans and

operation a minor modification, any and all other modifications to the development plan, including these conditions of approval, shall require review and approval by the Planning and Preservation Commission. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP modification approval process.

13. Acceptance. Within thirty (30) days of approval of this conditional use permit, the drug store/pharmacy operator(s) or their duly authorized representatives shall certify the acceptance of the conditions of approval by signing a statement using an acceptance affidavit form provided by the City of San Fernando that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.
14. 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.
15. Public Review of Conditions of Approval. A copy of these conditions of approval shall be retained on-site at all times during the hours of operation of the business and shall be made available for viewing upon public request or upon request by any city official and representative of ABC. Employees of the business shall not prohibit a request of the public to view the conditions of approval for this entitlement.
16. 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.

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**ATTACHMENT 2:**  
**Conditional Use Permit  
Application**

Conditional Use Permit Application

PROJECT INFORMATION

|  |  |
|--|--|
| Site Address(es) <b>2040 Glenoaks Blvd</b>   |  |
| Assessors Parcel Number(s) 'APN' <b>2517-015-039</b>   |  |
| Lot Size <b>85,813 Sq. Ft.</b>   | Existing Building (Square Footage) <b>38,609</b>   |
| Proposed Addition (Square Footage) <b>Walgreens Portion = 14,864 SF.</b>   | Total Parking Spaces (On-site/Off-site) <b>172</b> |
| Proposed Use(s) <b>Retail</b>  | Landscaping (Square Footage)                       |
| Project Description/Type of Conditional Use Permit Request (Include any additional information on separate sheet and attach to the back of this application.)<br><b>Remodel portion of existing Food 4 Less building for Walgreens pharmacy with drive-thru. CUP required for sale of alcohol on premises.</b><br><b>Type 21 Alcohol License (Beer, Wine, Distilled Spirits)</b> |  |

APPLICANT INFORMATION

|   |  |                                  |
|---|--|----------------------------------|
| Applicant Name <b>Kelly Hayes-Evergreen Devco, Inc.</b>           |  | Phone Number <b>602.567.7112</b> |
| Mailing Address <b>2390 E. Camelback, #410, Phoenix, AZ 85016</b> |  |                                  |
| Fax Number <b>602.808.9100</b>                                    | Email Address <b>khayese@evgre.com</b> | Signature <b>Kelly Hayes</b>     |

PROPERTY OWNER INFORMATION

|  |   |                                    |
|--|---|------------------------------------|
| Applicant Name <b>Frigger Associates, Ltd.</b>               |   | Phone Number <b>(310) 200-6488</b> |
| Mailing Address <b>P.O. Box 7096, Santa Monica, CA 90406</b> |   |                                    |
| Fax Number <b>(310) 200-6422</b>                             | Email Address <b>jgortikov@gortikointerprises.com</b> | Signature <b>J. Gortikov</b>       |

For Office Use Only

|   |                             |                              |  |
|---|-----------------------------|------------------------------|--|
| CUP Application \$3,005.00<br>AIMS Surcharge \$ 300.50<br>Environmental \$ 204.00<br>Notification \$ 120.00<br>Publishing \$ 600.00<br>Total Fee \$4,229.50 | Zone <b>C-2</b>             | General Plan Area <b>COM</b> | File Number  |
|   | Date Filed <b>5/30/2013</b> |                              | CUP No. <b>2013-03</b>   |
|   | Accepted By <b>E. Anaya</b> |                              | AIMS No. <b>PL/30/575</b>  |
|   | Comments                    |                              | Cross Reference<br>SPR No. _____<br>VAR No. _____<br>OTHER _____ |

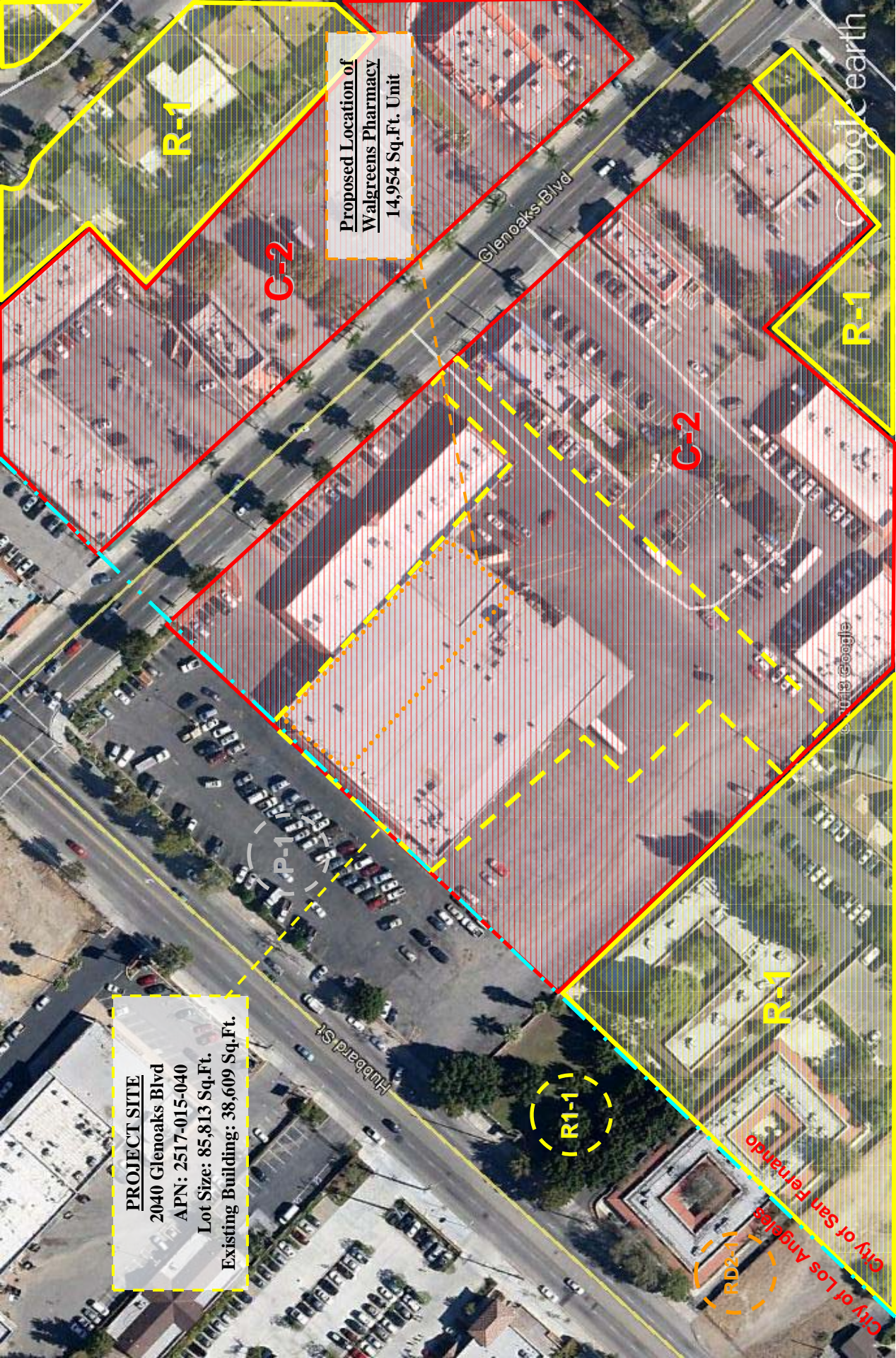


**ATTACHMENT 3:**

**Zoning Map**

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Proposed Location of  
Walgreens Pharmacy  
14,954 Sq. Ft. Unit

PROJECT SITE  
2040 Glenoaks Blvd  
APN: 2517-015-040  
Lot Size: 85,813 Sq. Ft.  
Existing Building: 38,609 Sq. Ft.

ZONING MAP  
2040 Glenoaks Boulevard

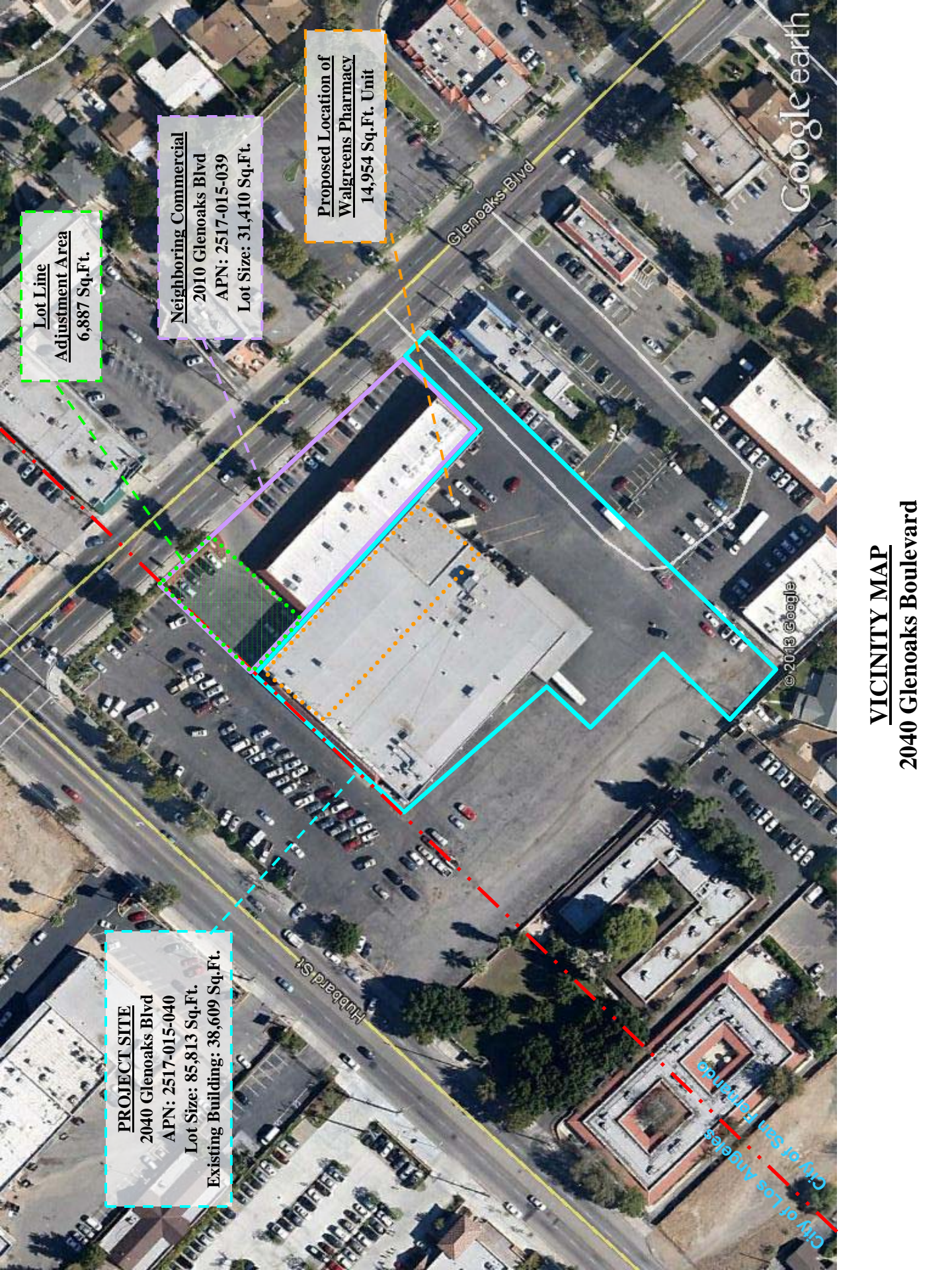


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**ATTACHMENT 4:**

**Vicinity Map**

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Lot Line  
Adjustment Area  
6,887 Sq.Ft.

Neighboring Commercial  
2010 Glenoaks Blvd  
APN: 2517-015-039  
Lot Size: 31,410 Sq.Ft.

Proposed Location of  
Walgreens Pharmacy  
14,954 Sq.Ft. Unit

PROJECT SITE  
2040 Glenoaks Blvd  
APN: 2517-015-040  
Lot Size: 85,813 Sq.Ft.  
Existing Building: 38,609 Sq.Ft.

VICINITY MAP  
2040 Glenoaks Boulevard

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**ATTACHMENT 5:**

**Notice of Public Hearing**



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**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, August 6, 2013

**TIME:** 7:00 p.m.

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

**PROJECT LOCATION:** 2040 Glenoaks Boulevard, San Fernando, CA 91340  
(Los Angeles County Assessor's Parcel Nos.: 2517-015-039)

**APPLICATION:** Conditional Use Permit 2013-03

**PROJECT PROPONENT:** Kelly Hayes, Evergreen Development, Inc. 2390 E. Camelback Road, Suite 410,  
Phoenix, AZ 85016

**PROJECT DESCRIPTION:**

The proposed project is a request for review and approval of a conditional use permit (CUP) to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale alcohol permit"), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store to be located at 2040 Glenoaks Boulevard. The requested CUP would allow for Walgreens to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building at the subject property and provide various interior and exterior tenant improvements to the existing building and site. The subject property is an approximate 85,813-square-foot lot located on the southerly corner of Glenoaks Boulevard and Hubbard Street, within the C-2 (Commercial) zone.

The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store, would be established with the requested CUP pursuant City Code Sections 106-145 and 106-176, et al.

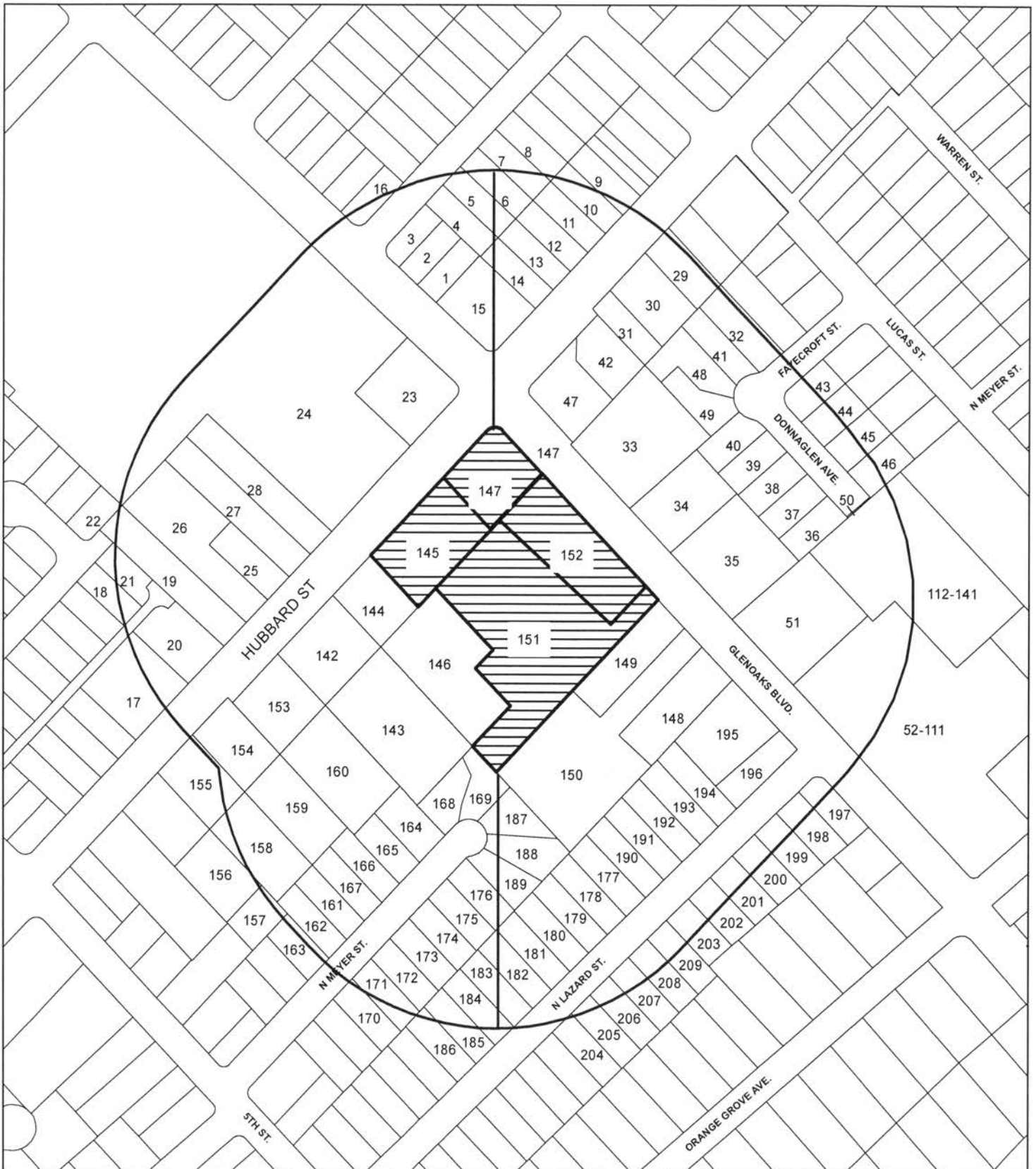
This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, the project has been determined to be Categorically Exempt under Class 1 (Existing Facilities) of the City's adopted local CEQA Guidelines.

**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 Edgar Arroyo, Assistant Planner, at (818) 837-1540 or by written correspondence to: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993.

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**FRED RAMIREZ,**  
City Planner



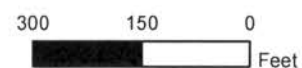
## **PROJECT SITE**

2040 GLENOAKS BOULEVARD

CONDITIONAL USE PERMIT 2013-03

## **500-FOOT RADIUS MAP**

 - PROJECT SITE



# (DAILY NEWS) NOTICE OF A PUBLIC HEARING THE CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION A...

**Source: Los Angeles Daily News**

**Category: Legal & Public Notices**

<http://dailynews.kaango.com/ads/view?adid=22278605>

## Ad Details:

|          |              |
|----------|--------------|
| Ad ID:   | 22278605     |
| Created: | Jul 27, 2013 |
| Expires: | Aug 3, 2013  |

(DAILY NEWS) 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, August 6, 2013 TIME: 7:00 p.m. HEARING LOCATION: City Hall Council Chambers, 117 Macneil Street, San Fernando, CA 91340 PROJECT LOCATION: 2040 Glenoaks Boulevard, San Fernando, CA 91340 (Los Angeles County Assessor's Parcel Nos.: 2517-015-039) APPLICATION: Conditional Use Permit 2013-03 PROJECT PROPONENT: Kelly Hayes, Evergreen Development, Inc. 2390 E. Camelback Road, Suite 410, Phoenix, AZ 85016 PROJECT DESCRIPTION: The proposed project is a request for review and approval of a conditional use permit (CUP) to allow for the sale of alcoholic beverages, including beer, wine, and distilled spirits, for consumption off the premises ("off-sale alcohol permit"), in conjunction with the planned occupancy and operation of Walgreens, a retail drug store to be located at 2040 Glenoaks Boulevard. The requested CUP would allow for Walgreens to apply for a Type 21 alcohol license with the California Department of Alcoholic Beverage Control. The new retail drug store would occupy an approximate 14,954-square-foot portion of an existing 38,609-square-foot commercial building at the subject property and provide various interior and exterior tenant improvements to the existing building and site. The subject property is an approximate 85,813-square-foot lot located on the southerly corner of Glenoaks Boulevard and Hubbard Street, within the C-2 (Commercial) zone. The requested CUP to allow for the sale of alcoholic beverages for consumption off the premises, in conjunction with the planned occupancy and operation of a retail drug store, would be established with the requested CUP pursuant City Code Sections 106-145 and 106-176, et al. 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 Edgar Arroyo, Assistant Planner, at (818) 837-1540 or by written correspondence to: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993. /s/ FRED RAMIREZ, City Planner Publish July 27, 2013

**ATTACHMENT 6:**

**Project Site Photos**

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HUBBARD ST VIEW - 2040 GLENOAKS BLVD



NEIGHBORING PROPERTY - 2010 GLENOAKS BLVD

## SITE PHOTOS

### 2040 Glenoaks Boulevard



VIEW FROM CORNER OF HUBBARD AND GLENOAKS



REAR OF SITE FACING CELIS ST

VIEW OF VACANT LOT ABUTTING SITE

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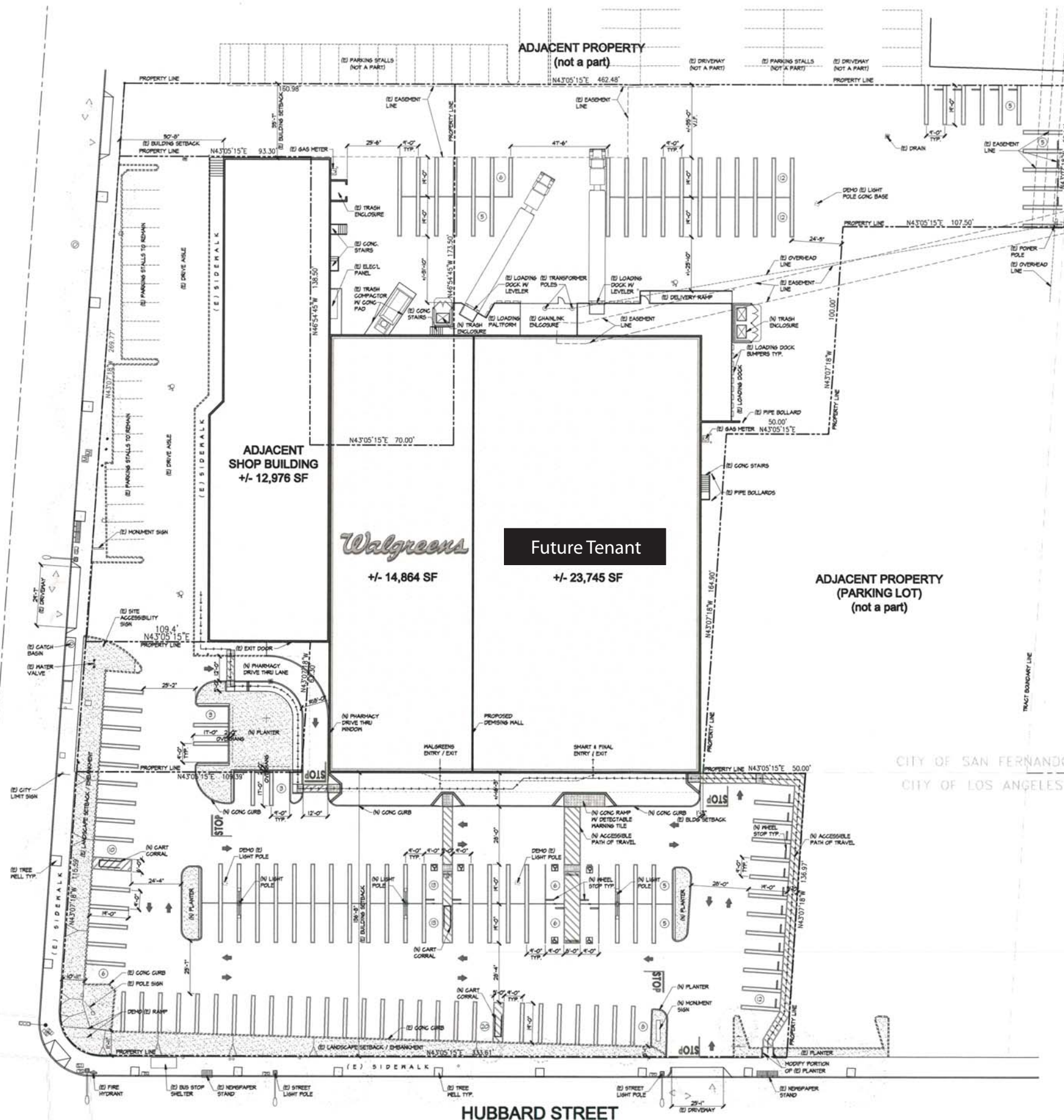


**ATTACHMENT 7:**

**Site Plan, Floor Plan, and  
Colored Building Elevations**

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GLENOAKS BOULEVARD



# VICINITY MAP



## SITE DATA

ADJACENT PARCEL NUMBER:  
251-015-020, 251-015-025

LOT AREA: 17,743 SF or 3,930 AC

ZONING:  
P-1 (AUTOMOBILE PARKING ZONE)  
C-2 (GENERAL COMMERCIAL)

LAND USE REGULATION:  
FUTURE TENANT: +/- 23,745 SF  
WALGREENS: +/- 14,864 SF  
ADJACENT SHOP: +/- 12,976 SF  
TOTAL FLOOR AREA: +/- 51,585 SF

HEIGHT LIMITATION: 45'-0" MAX.

PARKING:  
STANDARD STALL: 8'-0" X 14'-0"  
COMPACT STALL: 5'-0" X 10'-0" (STANDARD)  
PARALLEL STALL: 8'-0" X 24'-0" (STANDARD)  
TRUCK LOADING AREA: 8'-0" X 21'-0" (COMPACT)  
14'-0" X 40'-0"

\* MINIMUM WIDTH FOR END STALL WITH OBSTRUCTION = 10'-4"  
\* 30% MAX. COMPACT STALLS OF REQUIRED SPACES

PARKING PROVIDED:  
STANDARD STALL: 166 STALLS  
ACCESSIBLE STALL: 5 STALLS  
VAN ACCESSIBLE: 1 STALL  
TOTAL PARKING PROVIDED: 172 STALLS

DRIVE AISLE: 24'-0" MIN. (TYP. MAX) & 50' - 90'

LANDSCAPE REQUIRED:  
- 2% MIN. OF PARKING AREA SHALL BE LANDSCAPED. SIDEWALK, BORDER PLANTING ADJACENT BUILDING AND LANDSCAPE SETBACK SHALL NOT BE INCLUDED IN THE COMPUTATION OF REQUIRED 2%.

LIGHTING:  
1' FOOT CANDLE OF ILLUMINATION THROUGHOUT THE PARKING AREA  
\* LOW PRESSURE SODIUM IS NOT ALLOWED

| REVISIONS: |          |        |
|------------|----------|--------|
| DATE:      | 05/09/19 | BY: ID |
| DATE:      |          | BY:    |
| DATE:      |          | BY:    |
| DATE:      |          | BY:    |
| DATE:      |          | BY:    |
| DATE:      |          | BY:    |
| DATE:      |          | BY:    |

OWNER:  
**Walgreens**  
FACILITIES PLANNING, DESIGN & ENGINEERING  
306 WILSON RD. GLENVIEW, IL 60048

CLIENT:  
**Evergreen**  
Development | Services | Investments

2200 EAST GABLEBACK ROAD, SUITE 410  
PASADENA, CA 91106  
1 800-887-7788  
1 800-887-7084

PROJECT:  
**WALGREENS PHARMACY #XXX SAN FERNANDO**

LOCATION:  
SWC GLENOAKS BLVD. & HUBBARD STREET  
SAN FERNANDO, CA

CONSULTANT:

SHEET TITLE:  
**SITE PLAN**

PROJECT ARCHITECT: TC  
PROJECT MANAGER: JL  
DRAWN BY: ED  
CHECKED BY: JL  
DRAWING SCALE: 1/8"=1'-0"

COURTNEY+LE ARCHITECTS

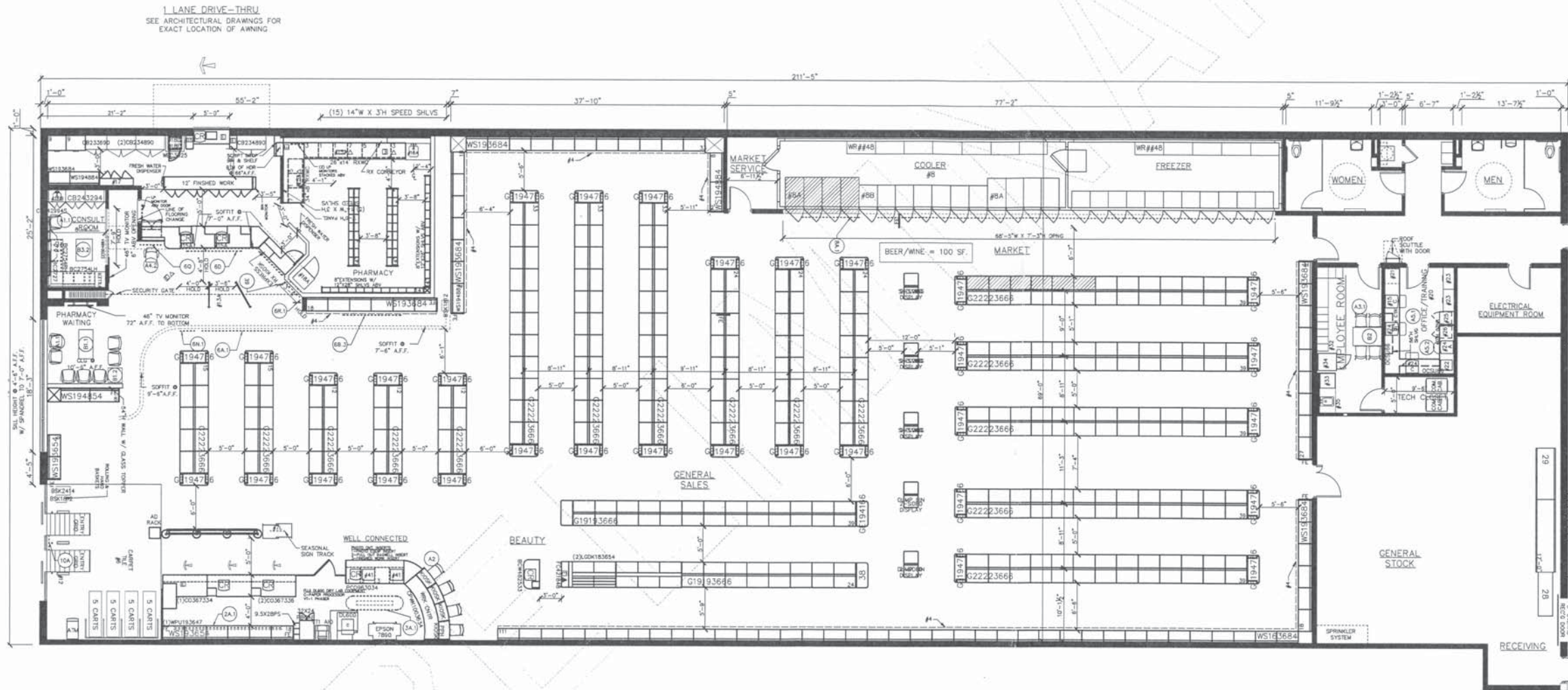
601 South Myrtle Avenue  
Pasadena, California 91106  
(818) 775-4600 (818) 775-4601 FAX  
info@courtney-le-architects.com

PROJECT NO.: 13059.02  
OWNERS/AGENCY:  
NO ISSUE  
CONSTRUCTION ISSUE:

SD.1

0 10 20 40 80  
**1 SITE PLAN**  
1"=20'-0"





1 FIXTURE FLOOR PLAN  
1/8" = 1'-0"

| PROJECT DATA   |         |  |       |   |  |                          |
|--|---------|--|-------|---|--|--------------------------|
| TYPE   |         | GENERAL SALES                                |       | MARKET  |  |                          |
| NEW LOCATION   |         | <input checked="" type="checkbox"/> PHARMACY |       | <input checked="" type="checkbox"/> SECURITY      |  | <input type="checkbox"/> |
| NEW LOCATION EXIST'G BLDG  |         | <input type="checkbox"/> PHOTO               |       | <input checked="" type="checkbox"/> 24 HOUR STORE |  | <input type="checkbox"/> |
| REMODEL  |         | <input type="checkbox"/> LIQUOR              |       | <input type="checkbox"/> OTHER                    |  | <input type="checkbox"/> |
| SQUARE FOOT AREA SUMMARY   |         |  |       |   |  |                          |
| DEPARTMENT   |         | SALES  | STOCK | SERVICE   | TOTAL EXIST'G  | TOTAL NEW                |
| GEN SALES  | NEW     | 9444   | 1252  | 1431  |  | 12,127                   |
|  | EXIST'G |  |       |   |  |                          |
| MARKET   | NEW     | 900  |       |   |  | 900                      |
|  | EXIST'G |  |       |   |  |                          |
| RX   | NEW     | 902  |       | 185   |  | 1091                     |
|  | EXIST'G |  |       |   |  |                          |
| RX WAITG   | NEW     | 375  |       |   |  | 375                      |
|  | EXIST'G |  |       |   |  |                          |
| PHOTO  | NEW     | 315  |       |   |  | 315                      |
|  | EXIST'G |  |       |   |  |                          |
| BEER& WINE   | NEW     | 100  | 0     | 0   |  | 100                      |
|  | EXIST'G |  |       |   |  |                          |
| CLINIC   | NEW     | 0  |       |   |  | 0                        |
|  | EXIST'G |  |       |   |  |                          |
| HHC  | NEW     | 0  | 0     | 0   |  | 0                        |
|  | EXIST'G |  |       |   |  |                          |
| BSMT   | NEW     | 0  | 0     | 0   |  | 0                        |
|  | EXIST'G |  |       |   |  |                          |
| 2ND FLOOR  | NEW     | 0  | 0     | 0   |  | 0                        |
|  | EXIST'G |  |       |   |  |                          |
| TOTAL NEW  |         | 12,086                                       | 1252  | 1616  |  | 14,954                   |
| TOTAL EXST'G   |         |  |       |   |  |                          |
| TOTAL AREA: FIRST FLOOR  |         |  |       |   | 14,954 SQ. FT.   |                          |
| TOTAL AREA: OTHER LEVELS   |         |  |       |   | SQ. FT.  |                          |
| GROSS AREA INCLUDING ALL DEPARTMENTS & ALL LEVELS:               |         |  |       |   | SQ. FT.  |                          |
| RX SHELVING LINEAL FEET:   |         |  |       |   | 94 LN. FT.   |                          |
| LINEAL FOOTAGE   |         |  |       |   |  |                          |
| TOTAL LINEAL FOOTAGE   |         |  |       |   | 1,318 in ft  |                          |
|  |         |  |       |   | PROPOSED   |                          |
| SHELVING   |         |  |       |   | 1,252 in ft  |                          |
| GREETING CARDS   |         |  |       |   |  |                          |
| COOLERS  |         |  |       |   | 38 in ft   |                          |
| FREEZERS   |         |  |       |   | 28 in ft   |                          |
| PROMO FOOTAGE  |         |  |       |   |  |                          |
|  |         |  |       |   | PROPOSED   |                          |
| END STAND QTY  |         |  |       |   | 35 qty   |                          |
| SIDE PANEL QTY   |         |  |       |   | 64 qty   |                          |
| TABLE QTY  |         |  |       |   | 4 qty  |                          |
| QUEUING  |         |  |       |   | 16 in ft   |                          |
| BEAUTY   |         |  |       |   | 25 in ft   |                          |
| SQUARE FOOTAGE   |         |  |       |   |  |                          |
|  |         |  |       |   | PROPOSED   |                          |
|  |         |  |       |   | 1,509 sq ft  |                          |
| HEALTHCARE SQ. FT.   |         |  |       |   | 1,585 sq ft  |                          |
| DAILY LIVING SQ. FT.   |         |  |       |   | 9,972 sq ft  |                          |
| FIXTURE LEGEND   |         |  |       |   |  |                          |
| O GONDOLA (EA. SIDE)   |         | 18   | 36    | 66"   | ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT DEPTH BY WIDTH. EXAMPLE: |                          |
| GE GONDOLA END   |         | 18   | 39    | 66"   |  |                          |
| WE WALL SHLVG  |         | 18   | 36    | 84"   |  |                          |
|  |         | D.   | W.    | H.  |  |                          |
|  |         |  |       |   | DT DISPLAY TABLE   | 30 D. 48 W.              |
| *DOES NOT INCLUDE STANDARDS, WOOD GROUNDS OR FINISHED END PANELS |         |  |       |   |  |                          |
| EXECUTIVE APPROVAL   |         |  |       |   | DATE   |                          |
| VICE PRESIDENT FACILITIES DEVELOPMENT                            |         |  |       |   |  |                          |
| CORPORATE OPERATIONS VICE PRESIDENT                              |         |  |       |   |  |                          |
| MARKET VICE PRESIDENT  |         |  |       |   |  |                          |
| REVIEWED BY:   |         |  |       |   |  |                          |



100 WALMOT ROAD  
DEERFIELD, IL 60015-5105

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER IN THE STATE OF CALIFORNIA AS SIGNED BY MY HAND AND SEAL

| NO. | DATE | BY | DESCRIPTION | REVISIONS |
|-----|------|----|-------------|-----------|
|     |      |    |             |           |
|     |      |    |             |           |
|     |      |    |             |           |

FIXTURE FLOOR PLAN

PROJECT ID: XXXXXX  
STORE NUMBER 15530

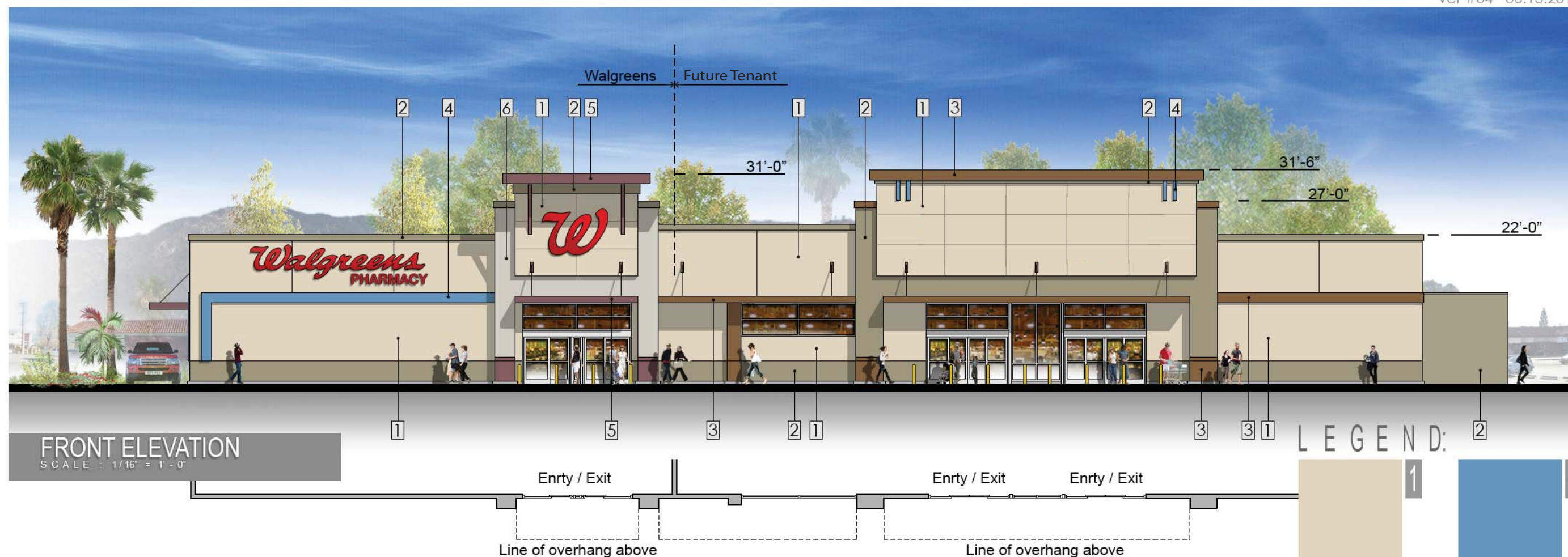
**WALGREENS**  
GLEN OAKS & HUBBARD  
SAN FERNANDO, CALIFORNIA

FILE NAME: 15530-0111-01-17JUN13  
DRAWN BY: C. BURTON  
DATE: 05/26/13  
REVIEWED:

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EXISTING ELEVATION  
NOT TO SCALE



| LEGEND:  |   |  |   |
|--|---|--|---|
|  | 1 |  | 4 |
| Dunn Edwards Paint<br>DE 6178 "Boutique Beige" |   | Pantone<br>542 c                                   |   |
|  | 2 |  | 5 |
| Dunn Edwards Paint<br>DE 6222 "Weather Board"  |   | Sherwin Williams Paint<br>SW7579 "Alaea"           |   |
|  | 3 |  | 6 |
| Dunn Edwards Paint<br>DEA 164 "Autumn Bark"    |   | Sherwin Williams Paint<br>SW 7029 "Agreeable Gray" |   |