



**CITY OF SAN FERNANDO  
COUNCIL CHAMBERS  
NOVEMBER 19, 2013**

**PLANNING AND PRESERVATION COMMISSION AGENDA  
SPECIAL MEETING**

**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**

November 19, 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.

- None.

**7. NEW BUSINESS**

**A: Subject: Variance 2013-01 (Modification of Variance 2010-03)**

**Location: 131-133 Park Avenue, San Fernando, CA 91340**

**Applicant: Aszkenazy Development, Inc., 601 S. Brand Blvd. 3<sup>rd</sup>. Floor, San Fernando, CA 91340**

**Proposal:** The proposed project involves modification of a previously approved variance in order to deviate from the City's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue. The subject property is an approximate 30,756-square-foot through lot with street frontages along Jessie Street and Park Avenue. The subject property is located along the southerly portion of the 100 block of Jessie Street and the northerly portion of the 100 block of Park Avenue, within the R-3 (Multiple Family) zone.

The request variances would allow a perimeter block wall and wrought iron style fence structures to be constructed within the required front yard setback area along Jessie Street that exceeds the City's fence and wall regulations as it pertains to the 3-foot maximum height and amount of solid surface area coverage that is permitted for walls and fences within the city's residential zones. The proposed maximum height of the block wall is an approximate 4 feet and the wrought iron style fence height is an approximate 7.3 feet. The additional variance request within the front setback along Jessie Street includes the installation of artificial turf in lieu of live landscaping. Along the Park Avenue front setback, the project includes a request to allow the building structure to encroach into the previously approved 2-foot and 5-foot front setbacks by an additional 7.2 inches and 3 inches respectively.

**Recommendation:** Staff recommends that the Planning and Preservation Commission approve the Variance 2013-01, modification of a previously approved Variance 2010-03 in order to deviate from the City's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue, pursuant to Planning and Preservation Resolution 2013-15 and 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**

December 3, 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.

The request variances would allow a perimeter block wall and wrought iron style fence structures to be constructed within the required front yard setback area along Jessie Street that exceeds the City's fence and wall regulations as it pertains to the 3-foot maximum height and amount of solid surface area coverage that is permitted for walls and fences within the city's residential zones. The proposed maximum height of the block wall is an approximate 4 feet and the wrought iron style fence height is an approximate 7.3 feet. The additional variance request within the front setback along Jessie Street includes the installation of artificial turf in lieu of live landscaping. Along the Park Avenue front setback, the project includes a request to allow the building structure to encroach into the previously approved 2-foot and 5-foot front setbacks by an additional 7.2 inches and 3 inches respectively.

**Recommendation:** Staff recommends that the Planning and Preservation Commission approve the Variance 2013-01, modification of a previously approved Variance 2010-03 in order to deviate from the City's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue, pursuant to Planning and Preservation Resolution 2013-15 and conditions of approval attached as Exhibit "A" to the resolution (Attachment 1).

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**MEETING DATE:** November 19, 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 Variance 2013-01 to allow for the modification of previously approved Variance 2010-03 in order to deviate from the City’s fence and wall requirements, landscape standards, and building setback requirement for the San Fernando Community Housing Project at 131-133 Park Avenue, pursuant to Planning and Preservation Commission Resolution 2013-15”;

(b) **To Deny:**

“I move to deny Variance 2013-01, based on the following ...” (Roll Call Vote)

(c) **To Continue:**

“I move to continue consideration Variance 2013-01 to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

To Approve ( )

To Deny ( )

To Continue ( )

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

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

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

**Item 7A:**  
**Variance 2013-01 (Modification of 2010-03)**

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## PLANNING AND PRESERVATION COMMISSION STAFF REPORT

DATE: November 19, 2013

TO: SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

FROM: Fred Ramirez, Community Development Director

SUBJECT: **Variance 2013-01 (Modification of Variance 2010-03)**

131-133 Park Avenue, San Fernando, CA 91340  
(Los Angeles County Assessor's Parcel No.: 2519-020-037)

**PROPOSAL:** The proposed project involves modification of a previously approved variance in order to deviate from the City's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue. The subject property is an approximate 30,756-square-foot through lot with street frontages along Jessie Street and Park Avenue. The subject property is located along the southerly portion of the 100 block of Jessie Street and the northerly portion of the 100 block of Park Avenue, within the R-3 (Multiple Family) zone.

The requested variances would allow perimeter block wall and wrought iron style fence structures to be constructed within the required front yard setback area along Jessie Street that exceed the City's fence and wall regulations as it pertains to the 3-foot maximum height and amount of solid surface area coverage that is permitted for walls and fences within the city's residential zones. The proposed maximum height of the block wall is an approximate 4 feet and the wrought iron style fence height is an approximate 7.3 feet. The additional variance request within the front setback along Jessie Street includes the installation of artificial turf in lieu of live landscaping. Along the Park Avenue front setback, the project includes a request to allow the building structure to encroach into the previously approved 2-foot and 5-foot front setbacks by an additional 7.2 inches and 3 inches, respectively.

**APPLICANT:** Aszkenazy Development, Inc., 601 S. Brand Boulevard, 3rd Floor, San Fernando, CA 91340

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### **RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission approve the Variance 2013-01, modification of a previously approved Variance 2010-03 in order to deviate from the City's

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fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue, pursuant to Planning and Preservation Commission Resolution 2013-15 and conditions of approval attached as Exhibit “A” to the resolution (Attachment 1).

## **PROJECT OVERVIEW:**

On March 10, 2010, the applicant submitted an application to construct a 79,000 square feet, four-story residential apartment building that includes 62 dwelling units and a structured parking facility with 64 parking spaces on an approximate 30,750 square foot “project site” (150’ by 205’) consisting of five contiguous parcels at 131-133 Park Avenue. In addition, the proposed project includes the development of 41 residential dwelling units for rent to qualifying low-income residents and 21 additional units to be rented at market rates. The subject project site is located within the 100 blocks of Park Avenue/Jessie Street, between First Street to the south and Fourth Street to the north.

On August 3, 2010, the Planning Commission approved Variance 2010-03, authorizing the projects deviation from the city’s applicable development standards for: density (87 dwelling units per acre versus the 43 dwelling units per acre allowed under the code); building setbacks (2-foot and 5-foot front setback along Park Avenue and 1-foot side yard setback along the northerly side property line versus the required 20-foot front and 5-foot side yard setbacks); building lot coverage (83.3 percent lot coverage versus the 40 percent maximum allowed); private open space (provided 1,426 square feet of private open space instead of the required 9,300 square feet); landscape (providing less than the minimum of 50 percent of the front yard areas along both Park Avenue and Jessie Street to be maintained with live landscaping); and, on-site parking requirements (62 provided on-site parking spaces versus the code required 93 on-site parking spaces) for similarly zoned R-3 (Multiple Family) property.

Furthermore, in accordance with the provisions of the California Environmental Quality Act (CEQA), the City as the “Lead Agency” and more particularly the Planning and Preservation Commission, determined that the proposed housing project would not have a significant adverse impact on the environment with the implementation of specific mitigation measures and therefore adopted a Mitigated Negative Declaration as part of the project approvals.

On April 10, 2013, the applicant submitted an application requesting modification of the previously approved variance in order to retain a perimeter block wall and wrought iron style fence structure that were constructed within the required front yard setback area along Jessie Street and which exceed the City’s fence and wall regulations as it pertains to the 3-foot maximum height and amount of solid surface area coverage that is permitted for walls and fences within the city’s residential zones. Furthermore, the applicant’s variance application also requested city approval to retain artificial turf in lieu of live landscaping within the required front yard setback area along Jessie Street.

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On October 9, 2013, the applicant submitted an application requesting a modification of the front setbacks along Park Avenue. The request seeks to modify the previous city-approved front setbacks of 2 feet and 5 feet along Park Avenue by allowing the building's tower and portion of parking structure to encroach an additional 7.2 inches and 3 inches, respectively. The request is in response to a post-construction survey of the project where it was determined that the building encroached into the previously approved setbacks along Park Avenue as noted in the Conditions of Approval for Variance 2010-03.

## **BACKGROUND:**

1. **Zoning and General Plan Designations:** The project site is located within the R-3 (Multiple Family) zone and has a High Density Residential (HDR) land use designation in the city general plan.
2. **Site Location and Description:** The project is proposed on an approximate 30,750 square foot project site (150' by 205') at 131-133 Park Avenue. The project site is located within the 100 blocks of Park Avenue/Jessie Street, between First Street to the south and Fourth Street to the north; the project site has primary street frontages along Jessie Street and Park Avenue. The subject property is bound by similarly zoned R-3 (Multiple Family) properties to the north and south. Similarly zoned R-3 properties are located to the west along Jessie Street and to the east along Park Avenue, which include San Fernando Middle School and San Fernando Recreation Park.
3. **Environmental Review:** This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). In accordance with the provisions of the CEQA Guidelines, the City of San Fernando as the "Lead Agency" has determined that the proposed variance application will not have a significant adverse impact and therefore qualifies for a Categorical Exemption under Class 32 (In-Fill Development Project) 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 November 7, 2013, the public hearing notice for Variance 2013-01 was posted at two City Hall bulletins, at the County Public Library bulletin, and at the project site. The same public notice was published in the November 8, 2013, legal advertisement section of the *Los Angeles Daily News* and on the on-line version 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.

## **ANALYSIS:**

1. **General Plan Consistency.** The proposed project would allow for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 7.3-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street. In addition, the
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project request seeks to modify the previously approved 5 foot front setback of the parking structure and 2-foot front setback of the tower structure along Park Avenue to encroach an additional 3 inches and 7.2 inches, respectively. Furthermore the requested variance request seeks city approval to retain artificial turf in lieu of live landscaping within the required front yard setback area along Jessie Street. Collectively, the Planning and Preservation Commission's approval of these variances from the city's development standards for similarly zoned R-3 (Multiple Family) zoned property would allow continued operation of the 62-unit affordable housing development at the subject property while facilitating retention of the existing artificial turf ground cover and decorative block wall and fence structures along Jessie Street as well as allow the existing building footprint and façade treatments of the parking and tower structure along Park Avenue to remain as they were finally constructed. In addition, approval of the variance would result in significant physical improvements to the project site effectively eliminating physical blight associated with the prior condition of the subject site.

As proposed, the variance approval will allow deviation from the City's applicable residential development standards related to front yard setbacks, wall and fence heights, and live-landscaping requirements within the front yard setback area facilitating the ongoing operation of an affordable housing project at the subject site that is consistent with the goals and objectives of the San Fernando General Plan Land Use Element by "retaining the small town character of San Fernando and maintaining an identity that is distinct from surrounding communities." (General Plan Land Use Element Goal No1 and 3, Pg. IV-6). The architectural design of the proposed block wall and wrought iron style fencing along Jessie Street and the existing building's parking and tower façade elevations along Park Avenue are reminiscent of existing architectural styles (e.g., Spanish, Mediterranean, Craftsman, Modern, etc.) that are found throughout the city's residential neighborhoods. The modern and eclectic design of the building incorporates various architectural features from these diverse architectural styles in a manner that promotes compatibility of building design with existing residential structures while still retaining the uniqueness of the multi-story residential building.

Approval of the proposed variance will also help promote the city's affordable housing development goals and objectives by continuing to allow the operation of a housing development that provides for an infill development project that meets the city's overall redevelopment strategies for the neighborhood, promoting land consolidation, and providing a range of housing types at different affordability levels that help the city fulfill regional housing needs. (City of San Fernando General Plan 2008-2014 Housing Element Goal 2.0 and Policies 2.1-2.5, Pg. V-11.)

The variance approval will also promote the city's revitalization efforts within the Park Avenue/Jessie Street neighborhood, which has historically suffered from disinvestment, overcrowding, and deteriorated rental housing conditions by providing for the elimination of deteriorated housing stock and the construction of new housing units that meet the city's housing quality standards. The project would also be consistent with the San Fernando General Plan Housing Element by enhancing the quality of existing neighborhoods and

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health of residents through the elimination of property maintenance issues, addressing public health and safety issues through the elimination of physical blight, and by providing for new housing that is consistent with the character, scale, and quality of established residential neighborhoods. (City of San Fernando General Plan 2008-2014 Housing Element Goal 1.0, and Policies 1.1-1.4, and 1.6, Pg. V-8.)

2. **Wall and Fence Height.** Per City Code Section 106-970(a)(1), “in a required front yard setback, a fence, wall or combination thereof, shall not exceed a maximum height of 36 inches (including pillars, spikes, lights or similar ornamentation) as measured from existing finish grade, and shall be non-view obscuring”. In addition, City Code Section 106-970(2), notes that in a side or rear yard, no fence or wall shall exceed a height of six feet as measured from existing finish grade”. City Code Section 106-970(j)(1) defines non-view obscuring fence as “a fence or wall whose solid component portions are evenly distributed, and do not constitute more than ten percent of the total surface area of the face of the fence or wall”. City Code Section 106-970(j)(2) defines existing finish grade as “the natural or existing grade of the property prior to excavation, construction or grading of undisturbed soil”.

The decorative, perimeter block wall that is capped with wrought iron style fencing spans approximately 129 feet of the 150-foot portion of the project site’s front property line along Jessie Street. The block wall with wrought iron style fencing varies in height from the its lowest point at 35 inches, which is measured at 21 feet in from the northern property line to the maximum height of approximately 48 inches at the project site’s southwest corner. In addition, the metal posts that form the support structure for the new screen fence panels at the northwest corner of the property have an existing maximum height of 7.3 feet. The proposed screen fence is intended to secure access to the enclosed trash area as well as the ground mounted utility equipment. The decorative block wall with wrought iron style fencing, which includes a stucco and stone veneer finish consistent with the overall design of the existing multi-story building not only establishes the defined “edge of the property” but more importantly, it helps to camouflage the portion of the underground parking structure that extends above sidewalk level at the southwest corner of the project site. In addition, the increased wall height that functions as a “guard rail-type” structure at the southwest corner of the property helps address a possible safety concern attributed to having an adjacent pedestrian pathway adjacent to an exposed parking structure wall and podium flooring that is more than 2 feet above the sidewalk level along Jessie Street.

Collectively, the aforementioned architectural features of the block wall and fence structures along Jessie Street are consistent with the design principles encouraged as part of the design guidelines for multi-family residential buildings resulting in attractive residential character that compliments the surrounding neighborhood. However, staff is recommending that the overall height of the fence structure and support posts used to limit access and secure equipment at the northwest corner of the property be reduced to an overall height of six feet, which results in an overall design that is more consistent with the fencing allowed in similarly zoned residential properties.

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3. **Building Setbacks.** City Code defines setbacks as the “shortest horizontal distance, measured at ground level and above, between a building or structure and a lot line.” Per the city’s residential development standards for R-3 (Multiple Family) zoned property, the following are the applicable required setbacks for the subject interior lot with two primary street frontages:

- ✓ Front setback = 20 feet (City Code Section 106-696)
- ✓ Side setbacks = 5 feet (City Code Section 106-697)
- ✓ Rear setback = 15 feet (City Code Section 106-697)

Pursuant to the previously approved Variance 2010-03, the multi-family building would have a 20-foot front yard setback along Jessie Street and a front yard setback along Park Avenue that varies from 5 feet at its southernmost point to 2 feet at the buildings northeast corner.

Under the current variance request, and in response to a post-construction survey, the applicant is seeking to modify the existing front setbacks of 2 feet and 5 feet along Park Avenue by allowing the building’s tower and a portion of parking structure to encroach into the front setback area an additional 7.2 inches and 3 inches, respectively. In addition, the post-construction survey noted that the existing metal awning overhanging the pedestrian entry extends approximately 4 inches into the public right of way along Park Avenue. Pursuant to city planning staff’s discussion with the applicant, staff is recommending that the Planning and Preservation Commission require as a condition of approval for the variance that the metal awning be modified in order to ensure that the entire structure is located within the property.

It is staff’s assessment that approval of the proposed variance to modify the existing front setbacks of 2 feet and 5 feet along Park Avenue is warranted. The Commission’s approval of Variance 2013-01 would allow the existing building’s tower and a portion of parking structure to encroach into the front setback area an additional 7.2 inches and 3 inches making the new setbacks for each structural detail 1.4 feet (tower) and 4.8 feet (parking structure), respectively. Allowing the existing building to be retained as built with the modified front setbacks along Park Avenue will retain the building’s overall design, which includes perimeter landscaping, building articulation, and a high level of building façade details along all four building elevations that have been integrated into a cohesive design that reduced the potential visual impact of a multi-story residential structure. The existing buildings setbacks have also allowed the density necessary to develop a mix of affordable and market rate units on the subject property.

4. **Landscaping.** City Code Section 106-967 requires that a minimum of 50 percent of the front yard areas along both Park Avenue and Jessie Street be maintained with live landscaping. The proposed variance includes a request for “artificial turf” within the front yard area in excess of the 50 percent provision noted above along Jessie Street. Under Variance 2010-03, the Planning and Preservation Commission had already approved a
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reduction in the amount of live landscaping area that needed to be retained along both street frontages. As a result, landscape pockets planters were constructed long the Park Avenue front yard setback and a similar design provided for ground cover vegetation and trees to be installed along the Jessie Street front yard setback. Additional landscaping was provided as part of the required off-site parkway improvements and street tree installations along Park Avenue and Jessie Street. The overall design focused on introducing drought tolerant plant species, ground cover, and vertical landscape features as a way of addressing city regulations, addressing the deficiency in landscaped area, and reducing water consumption attributed to landscape maintenance.

It is staff's assessment that the use of artificial turf in lieu of live landscaping improves the aesthetic qualities of the front yard setback area along Jessie Street while reducing the private water consumption associated with the maintenance of live landscaping within the front yard setback area.

5. **Variance.** A variance is a discretionary permit issued by the Planning and Preservation Commission allowing a property owner to deviate from a development standard or to build a structure not otherwise permitted under the applicable development standards. The statutory justification for a variance is that the owner would otherwise suffer a unique hardship under the general zoning regulations because the particular parcel is different from the others to which the regulation applies due to its size, shape, topography, location and/or surroundings.

A variance is subject to discretionary review by the Planning and Preservation Commission. The variance review process allows the commission the opportunity to assess the proposal's consistency with the city's general plan policies, redevelopment plan goals and objectives, zoning development standards, and the design guidelines for multiple family residential structures. This process provides for a review of the quality of site design and building layout, and of compatibility of the proposed development with the immediate surroundings.

Conditions imposed on the applicant through the discretionary review process may call for any measures that are reasonably related to the project. This principal is applied in the form of seven findings of fact, which the commission must consider in making its decision. All findings must be justified and upheld in the affirmative for approval of the variance; a negative determination on any single finding will uphold a denial.

If the commission concurs with staff's assessment, it would be the commission's determination that the findings for approval of the variance could be made in this instance based on the aforementioned discussion, and as explained below.

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- **There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.**

It is staff's assessment that the variances from the city's applicable development standards in order to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property are warranted based on the lots physical constraints that limit the ability to develop a 62-unit multi-story, residential structure that includes 64 on-site parking spaces within an subterranean parking structure. The "through lot" configuration with two front setbacks and a substantial grade change of approximately 10 feet in a west to east direction from Jessie Street down toward Park Avenue create significant physical constraints that require reduced setbacks, underground parking structures and reduced landscaped areas within the front yards that limit the ability to build a multi-story apartment building with sufficient area for on-site parking and public utilities. Due to these physical constraints, the variance approval is necessary in order to camouflage the portion of exposed parking structure at the southwest corner of the property along Jessie Street and secure on-site utilities at the northwest corner of the property along Jessie Street.

Furthermore, the variance approval addresses the post construction survey issue that resulted from the encroachment of the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively. Approval of the variance will allow retention of the structures in the current location and therefore retain the architectural design of the building and associated finishes of the multi-family residential project that is consistent with the City of San Fernando General Plan Housing Element goals and policies. These general plan goals and policies encourage the development of a range of housing types to meet community needs including facilitating infill development projects that meet the city's overall redevelopment strategies for the neighborhood, promote land consolidation, and provide a range of housing types at different affordability levels that help the city fulfill regional housing needs. (City of San Fernando General Plan 2008-2014 Housing Element Goal 2.0 and Policies 2.1-2.5, Pg. V-11.)

Approval of the variance would allow physical improvements that are of a complimentary mass and scale that does not visually overpower the site and surrounding neighborhood. Collectively, all of the on-site improvements to the subject site have resulted in new private investment that adds to the overall character of the community. Thus, it is the staff's recommendation that this finding can be made in this case.

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- **The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.**

The granting of a variance to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property would allow for the completion of all required improvements associated with the construction and ongoing operation of a new 62-unit residential apartment building that includes 41 rental units designated as affordable to eligible low-income households as well as an additional 21 units available at market rent. All proposed physical improvements under the variance request would be built in compliance with the city's building codes ensuring that the new rental units are maintained in a manner that meets the city's Housing Element Goal of enhancing the quality of housing available to all economic segments of the community. In addition, the proposed physical improvements that include new perimeter fencing and walls along Jessie Street will facilitate the protection of the public interest, safety, health, and welfare and will not be detrimental or injurious to neighboring public and private properties by securing utilities and creating safe on-site walkways that are built to applicable city building codes.

Therefore, approval of the variance to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property would not be detrimental or injurious to the property and is consistent with the pattern of residential development encouraged within the R-3 (Multiple Family) zone. Thus, it is the staff's recommendation that this finding can be made.

- **The granting of such variance will not be contrary to or in conflict with the general purposes and intent of the zoning ordinance, nor to the goals and programs of the General Plan.**

Variance approval will result in physical improvements to the site that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively. These physical improvements would finalize the redevelopment of the site and the abatement of all property maintenance issues that previously existed on the site. The resulting new residential development would be of a high quality architectural design.

The proposed physical improvements, which include new perimeter block wall and wrought iron style fencing and artificial turf within the front yard area along Jessie Street, and the retention of the as-built footprint of the building along the Park Avenue street frontage ensures continued operation of the mixed income affordable housing project in a manner consistent with the goals and objectives of the San Fernando General Plan Land Use Element. These city general plan goals and objectives include "retaining the small

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town character of San Fernando and maintaining an identity that is distinct from surrounding communities.” (General Plan Land Use Element Goal No. 1 and 3, Pg. IV-6).

The physical improvements under the variance application are consistent with the modern and eclectic design of the building, which incorporates various architectural features from these diverse architectural styles found throughout the city’s neighborhoods in a manner that promotes compatibility of building design with existing residential structures while still retaining the uniqueness of the multi-story residential apartment building. Thus, it is the staff’s recommendation that this finding can be made.

- **The variance request is consistent with the purpose and intent of the zone in which the site is located.**

The proposed physical improvements under the variance request are consistent with the purpose and intent of the R-3 (Multiple Family) zone by allowing new perimeter block wall and fences, artificial turf ground cover, and retention of as-built parking and tower structures that ensure securing of on-site utilities and providing safe pedestrian pathways while allowing ongoing operation of the 62-unit residential apartment building at 131-133 Park Avenue, which is at a scale and mass that maintains compatibility with the surrounding neighborhood. Additionally, the existing building footprint, new block wall and fencing, and artificial turf groundcover within the existing street frontages on Jessie Street and Park Avenue is consistent with the San Fernando General Plan’s Land Use purpose and Housing Elements goals and objectives of “establishing a pattern for compatible land uses to reflect existing conditions and to guide future development and maintaining and enhancing the quality of existing housing, neighborhoods and health of residents.” (General Plan Land Use Element, Purpose and Function, Pg. IV-1; Housing Element Goal II, Pg. V-11.)

Furthermore, granting the variance facilitates additional private investment at an overall mass and scale within project area that significantly improves the site, while meeting the purpose and intent of the R-3 (Multiple Family Dwelling) zone to provide new multiple family residential housing in a manner that does not infringe upon the adjoining property owners’ and residents’ use and enjoyment of their property. Thus, it is staff’s recommendation that this finding can be made.

- **The subject site is physically suitable for the proposed variance.**

The subject property is an approximate 30,750 square foot site (150 feet in width by 205 feet in length) that is currently developed with a 62-unit multi-story, residential structure that includes 64 on-site parking spaces within a subterranean parking structure accessible from Park Avenue. By approving a variance to allow the project to deviate from the city’s fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property, the project site will provide needed on-site improvements along Jessie Street and retain the existing as-built footprint of the newly constructed multi-

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story building with underground parking structure while at the same time continuing to provide 41 new affordable rental units and 21 new market rate rental units.

Development of the project pursuant to the proposed conceptual plans that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively is consistent with the pattern of development that currently exist along Park Avenue. The existing pattern of development includes carport and garage structures as well as residential dwellings that are located at, or in close proximity to, the properties' easterly property lines.

Furthermore, the proposed architectural design of the new structures is consistent with the overall design of the existing building, which is visually attractive to pedestrians and is in keeping with the character of the surrounding residential neighborhood. Thus, it is the staff's recommendation that this finding can be made.

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

The variance to allow for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively would not have an adverse impact to water, sanitation and public utilities and services and would not be detrimental to public health and safety. The recently constructed multi-story apartment building has already resulted in upgraded water, sewer, and electrical infrastructure for the project site.

Furthermore, all previously constructed green building design features would not be adversely impacted by the proposed variance request. These green building design features include, but are not limited to: energy and water reduction strategies; building strategies that maximize sunlight for heat and light, and maximize air flow for natural cooling; selection of building materials made from renewable resources; solid waste reduction technologies; storm water mitigation; and, gray water recycling technologies. (City of San Fernando Housing Element Goal No. 1, Implementation Program No. 13: Green Building, Pg. V-17.) Thus, it is the staff's recommendation that this finding can be made.

- **There will be adequate provisions for public access to service the property which is the subject of the variance.**
-



The proposed physical improvements to the site that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively will not have an adverse impact on the ongoing provision for public service to the subject property. The proposed improvements under the variance request would retain all previously constructed improvements which include improved pedestrian and vehicular access to the subject site. Thus, it is the staff's recommendation that this finding can be made.

## **CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that approval of Variance 2013-01 in order to deviate from City's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue is warranted. Approval of the project would allow the existing block wall and wrought iron style fence structures and artificial turf to remain as currently installed along the Jessie Street frontage of the 62-unit affordable housing project. Furthermore, the Commission's approval of Variance 2013-01 would allow the existing building's tower and a portion of parking structure to encroach into the front setback area an additional 7.2 inches and 3 inches making the new setbacks for each structural detail 1.4 feet (tower) and 4.8 feet (parking structure), respectively.

Approval of the variance request will retain the overall design the building as currently constructed and allow continued operation of the affordable housing project in a manner consistent with the city's general plan housing element goals while still ensuring that the new multi-story apartment building is consistent with the character, scale, and quality of the city's established residential neighborhoods. (City of San Fernando General Plan 2008-2014 Housing Element Goal 1.0, and Policies 1.1-1.4, and 1.6, Pg. V-8.)

Therefore, staff recommends that, based on the above findings, the Planning and Preservation Commission approve Variance 2013-01, pursuant to Planning and Preservation Commission Resolution 2013-15 and conditions of approval attached as Exhibit "A".

## **ATTACHMENTS:**

1. Resolution 2013-15 and Exhibit A: Conditions of Approval
  2. Project Applications
  3. Vicinity Map
  4. Zoning Map
  5. Project Site Photos
  6. Exterior Elevations, As-built Landscape Plan, Post-construction Surveys
-

**ATTACHMENT 1:**

**Planning and Preservation Commission  
Resolution 2013-15 and  
Exhibit “A”: Conditions of Approval**

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## **RESOLUTION NO. 2013-15**

### **A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO APPROVING VARIANCE 2013-01 FOR THE SAN FERNANDO COMMUNITY HOUSING PROJECT AT 131-133 PARK AVENUE.**

WHEREAS, an application has been filed by Aszkenazy Development, Inc. with the city to modify Variance 2010-03 and allow for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 7.3-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street. Also, the project request seeks to modify the previously approved 5 foot front setback of the parking structure and 2-foot front setback of the tower structure along Park Avenue to encroach an additional 3 inches and 7.2 inches, respectively. Furthermore the requested variance request seeks city approval to retain artificial turf in lieu of live landscaping within the required front yard setback area along Jessie Street. The prior variance approval by the city facilitated the construction of a 62-unit multiple-family structure that includes 64 on-site covered parking spaces for residents and guests on an existing approximate 30,750 square feet site at 131-133 Park Avenue within the R-3 (Multiple Family) zone with forty-one of the apartment units designated for rent to low-income households while the remaining 21 units are designated for rent at market rates; and

WHEREAS, the Planning and Preservation Commission has considered all of the evidence presented in connection with the project, written and oral at the public hearing held on the 19th day of November 2013.

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

SECTION 1: This project has been reviewed in accordance with the provisions of the California Environmental Quality Act (CEQA), and the City as the "Lead Agency" has determined that the proposed variance application will not have a significant adverse impact and therefore qualifies for a Categorical Exemption under Class 32 (In-Fill Development Project) of San Fernando's CEQA Guidelines; and

SECTION 2: The proposed project and provisions for its design and on-site and off-site physical improvements as noted in the conceptual plans submitted to the Planning and Preservation Commission on November 19, 2013, which amend the conceptual plans previously reviewed and approved by the Planning and Preservation Commission on August 3, 2010 as part of Variance 2010-03 are consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan and Zoning Code; and

SECTION 3: Pursuant to City Code §106-295, the Planning and Preservation Commission finds that the following findings for Variance 2013-01, to allow the project to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property that allow for the completion of all required improvements associated with the construction and ongoing operation of a new 62-unit residential apartment building that includes 41 rental units designated as affordable to eligible low-income households as well as an additional 21 units

available at market rent, have been justified and upheld in the affirmative. The Planning and Preservation Commission findings are as follows:

- 1) There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges, enjoyed by other property in the vicinity and under the identical zoning classification.**

It is staff's assessment that the variances from the city's applicable development standards in order to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property are warranted based on the lots physical constraints that limit the ability to develop a 62-unit multi-story, residential structure that includes 64 on-site parking spaces within an subterranean parking structure. The "through lot" configuration with two front setbacks and a substantial grade change of approximately 10 feet in a west to east direction from Jessie Street down toward Park Avenue create significant physical constraints that require reduced setbacks, underground parking structures and reduced landscaped areas within the front yards that limit the ability to build a multi-story apartment building with sufficient area for on-site parking and public utilities. Due to these physical constraints, the variance approval is necessary in order to camouflage the portion of exposed parking structure at the southwest corner of the property along Jessie Street and secure on-site utilities at the northwest corner of the property along Jessie Street.

Furthermore, the variance approval addresses the post construction survey issue that resulted from the encroachment of the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively. Approval of the variance will allow retention of the structures in the current location and therefore retain the architectural design of the building and associated finishes of the multi-family residential project that is consistent with the City of San Fernando General Plan Housing Element goals and policies. These general plan goals and policies encourage the development of a range of housing types to meet community needs including facilitating infill development projects that meet the city's overall redevelopment strategies for the neighborhood, promote land consolidation, and provide a range of housing types at different affordability levels that help the city fulfill regional housing needs. (City of San Fernando General Plan 2008-2014 Housing Element Goal 2.0 and Policies 2.1-2.5, Pg. V-11.)

Approval of the variance would allow physical improvements that are of a complimentary mass and scale that does not visually overpower the site and surrounding neighborhood. Collectively, all of the on-site improvements to the subject site have resulted in new private investment that adds to the overall character of the community. Thus, it is the commission's assessment that this finding can be made in this case.

- 2) The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.**

The granting of a variance to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property would allow for

the completion of all required improvements associated with the construction and ongoing operation of a new 62-unit residential apartment building that includes 41 rental units designated as affordable to eligible low-income households as well as an additional 21 units available at market rent. All proposed physical improvements under the variance request would be built in compliance with the city's building codes ensuring that the new rental units are maintained in a manner that meets the city's Housing Element Goal of enhancing the quality of housing available to all economic segments of the community. In addition, the proposed physical improvements that include new perimeter fencing and walls along Jessie Street will facilitate the protection of the public interest, safety, health, and welfare and will not be detrimental or injurious to neighboring public and private properties by securing utilities and creating safe on-site walkways that are built to applicable city building codes.

Therefore, approval of the variance to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property would not be detrimental or injurious to the property and is consistent with the pattern of residential development encouraged within the R-3 (Multiple Family) zone. Thus, it is the commission's assessment that this finding can be made.

**3) The granting of such variance will not be contrary to or in conflict with the general purposes and intent of the zoning ordinance, nor to the goals and programs of the General Plan.**

Variance approval will result in physical improvements to the site that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively. These physical improvements would finalize the redevelopment of the site and the abatement of all property maintenance issues that previously existed on the site. The resulting new residential development would be of a high quality architectural design.

The proposed physical improvements, which include new perimeter block wall and wrought iron style fencing and artificial turf within the front yard area along Jessie Street, and the retention of the as-built footprint of the building along the Park Avenue street frontage ensures continued operation of the mixed income affordable housing project in a manner consistent with the goals and objectives of the San Fernando General Plan Land Use Element. These city general plan goals and objectives include "retaining the small town character of San Fernando and maintaining an identity that is distinct from surrounding communities." (General Plan Land Use Element Goal No. 1 and 3, Pg. IV-6).

The physical improvements under the variance application are consistent with the modern and eclectic design of the building, which incorporates various architectural features from these diverse architectural styles found throughout the city's neighborhoods in a manner that promotes compatibility of building design with existing residential structures while still retaining the uniqueness of the multi-story residential apartment building. Thus, it is the commission's assessment that this finding can be made.

**4) The variance request is consistent with the purpose and intent of the zone in which the site is located.**

The proposed physical improvements under the variance request are consistent with the purpose and intent of the R-3 (Multiple Family) zone by allowing new perimeter block wall and fences, artificial turf ground cover, and retention of as-built parking and tower structures that ensure securing of on-site utilities and providing safe pedestrian pathways while allowing ongoing operation of the 62-unit residential apartment building at 131-133 Park Avenue, which is at a scale and mass that maintains compatibility with the surrounding neighborhood. Additionally, the existing building footprint, new block wall and fencing, and artificial turf groundcover within the existing street frontages on Jessie Street and Park Avenue is consistent with the San Fernando General Plan's Land Use purpose and Housing Elements goals and objectives of "establishing a pattern for compatible land uses to reflect existing conditions and to guide future development and maintaining and enhancing the quality of existing housing, neighborhoods and health of residents." (General Plan Land Use Element, Purpose and Function, Pg. IV-1; Housing Element Goal II, Pg. V-11.)

Furthermore, granting the variance facilitates additional private investment at an overall mass and scale within project area that significantly improves the site, while meeting the purpose and intent of the R-3 (Multiple Family Dwelling) zone to provide new multiple family residential housing in a manner that does not infringe upon the adjoining property owners' and residents' use and enjoyment of their property. Thus, it is commission's assessment that this finding can be made.

**5) The subject site is physically suitable for the proposed variance.**

The subject property is an approximate 30,750 square foot site (150 feet in width by 205 feet in length) that is currently developed with a 62-unit multi-story, residential structure that includes 64 on-site parking spaces within a subterranean parking structure accessible from Park Avenue. By approving a variance to allow the project to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for similarly zoned R-3 property, the project site will provide needed on-site improvements along Jessie Street and retain the existing as-built footprint of the newly constructed multi-story building with underground parking structure while at the same time continuing to provide 41 new affordable rental units and 21 new market rate rental units.

Development of the project pursuant to the proposed conceptual plans that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively is consistent with the pattern of development that currently exist along Park Avenue. The existing pattern of development includes carport and garage structures as well as residential dwellings that are located at, or in close proximity to, the properties' easterly property lines.

Furthermore, the proposed architectural design of the new structures is consistent with the overall design of the existing building, which is visually attractive to pedestrians and is in keeping with the character of the surrounding residential neighborhood. Thus, it is the commission's assessment that this finding can be made.

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

The variance to allow for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively would not have an adverse impact to water, sanitation and public utilities and services and would not be detrimental to public health and safety. The recently constructed multi-story apartment building has already resulted in upgraded water, sewer, and electrical infrastructure for the project site.

Furthermore, all previously constructed green building design features would not be adversely impacted by the proposed variance request. These green building design features include, but are not limited to: energy and water reduction strategies; building strategies that maximize sunlight for heat and light, and maximize air flow for natural cooling; selection of building materials made from renewable resources; solid waste reduction technologies; storm water mitigation; and, gray water recycling technologies. (City of San Fernando Housing Element Goal No. 1, Implementation Program No. 13: Green Building, Pg. V-17.) Thus, it is the commission's assessment that this finding can be made.

**7) There will be adequate provisions for public access to service the property which is the subject of the variance.**

The proposed physical improvements to the site that provide for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allow the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively will not have an adverse impact on the ongoing provision for public service to the subject property. The proposed improvements under the variance request would retain all previously constructed improvements which include improved pedestrian and vehicular access to the subject site. Thus, it is the commission's assessment that this finding can be made.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves Variance 2013-01, subject to the conditions attached as Exhibit "A".

PASSED, APPROVED AND ADOPTED this 19th day of November 2013.



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THEALE HAUPT, CHAIRPERSON

ATTEST:

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FRED RAMIREZ, SECRETARY TO THE PLANNING  
AND PRESERVATION COMMISSION

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

I, FRED RAMIREZ, Secretary to the Planning and Preservation Commission of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Preservation Commission and signed by the Chairperson of said City at a meeting held on the 19th day of November 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.** : **Variance 2013-01 (Modification of Variance 2010-03)**  
**PROJECT ADDRESS** : 131-133 Park Avenue  
(APN: 2519-020-037)

**PROJECT DESCRIPTION** : The proposed project is involves modification of a previously approved variance in order to deviate from the city's fence and wall requirements, landscape standards, and building setback requirements for the San Fernando Community Housing Project at 131-133 Park Avenue. The subject property is an approximate 30,756-square-foot through lot with street frontages along Jessie Street and Park Avenue. The subject property is located along the southerly portion of the 100 block of Jessie Street and the northerly portion of the 100 block of Park Avenue, within the R-3 (Multiple Family) zone.

The variance provides for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street, artificial turf in lieu of landscaping within the front yard setback area along Jessie Street, and allows the existing building's tower and a portion of parking structure to retain front setbacks of 1.4 feet (tower) and 4.8 feet (parking structure), respectively.

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

1. Variance Entitlement. The variance is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on November 19, 2013, except as herein modified to comply with these Conditions of Approval. In addition, unless modified by the current approval of Variance 2013-01, the project shall comply with all other Conditions of Approval previously issued by the Planning and Preservation Commission as part of their approval of Variance 2010-03.
2. Occupancy per Approval. The subject property shall be improved and occupied in substantial conformance with the plans, as reviewed by the Planning and Preservation Commission on November 19, 2013, except as herein modified to comply with these Conditions of Approval.
3. Indemnification. The property owner and developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the property owner and developer of any claim, action, or proceeding to which this

condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. The property owner and developer shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report or related environmental assessment) if made necessary through the initiation of the project.

4. Building Code Requirements. The applicant shall comply with all applicable building and construction requirements of the City of San Fernando's building codes, as specified by the Community Development Department.
5. Setbacks. Per the Planning and Preservation Commission's approval of Variance 2013-01, the existing building is allowed to maintain the as-built setbacks, which provide for a 4.8-foot front yard setback for the existing parking structure portion of the building and a 1.4 foot front yard setback for the tower structure along Park Avenue. In addition, the metal awning overhanging the pedestrian entryway along Park Avenue shall be modified in order to ensure that the structure stays within the subject site's east property line abutting the public right of way along Park Avenue.
6. Artificial Turf. The artificial turf ground installed within the front setback area along Jessie Street shall be maintained in a good condition, consistent with the conceptual design approved by the Planning and Preservation Commission on November 19, 2013.
7. Walls and Fences. Project approval provides for an approximate 4-foot tall perimeter block wall with wrought iron style fence and 6-foot tall metal screen fence to be constructed within the front yard setback area along Jessie Street as noted in the plans reviewed and approved by the Planning and Preservation Commission on November 19, 2013. Additionally, all new fences and walls shall provide a finish material compatible with the architectural style and treatment of the residential structure and all existing and required walls shall be subject to building code standards. A building permit application for the proposed wall and/or fence shall be submitted to the Community Development Department for review and approval.
8. Property Maintenance. The subject site and its immediate surrounding area shall be maintained in a clean, neat, quiet and orderly manner at all times and shall comply with the property maintenance standards as set forth in the San Fernando City Code.
9. Graffiti Removal. 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.

10. Site Inspections. Prior to the issuance of a final on the required building permit for the block wall and fence structures, the Community Development Department shall inspect the site to ensure compliance with these Conditions of Approval. Subsequent to occupancy, owners 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.
11. Modifications. Unless the Community Development Department deems a proposed change to the approved plans 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 pursuant to City Code Section 106-212.
12. Encroachment Permit. Under no circumstances shall any public right-of-way be obstructed during construction by materials, vehicles, equipment or other related objects without prior approval from the City Engineer and/or Public Works Director. An Encroachment Permit must be obtained from the Public Works Department prior to any demolition and/or new construction activity that would require staging and/or construction within the public right-of-way.
13. General Compliance. The applicant shall comply with all requirements of applicable federal, state, or local law, ordinance, or regulation.
14. Construction Hours. Construction activity on Monday through Saturday shall comply with the current San Fernando City Code standards for construction in residential zones.
15. Acceptance. Within thirty (30) days of approval of Variance 2013-01, the property owner(s) or their duly authorized representatives shall certify the acceptance of the conditions of approval or modifications thereto by signing a statement using an acceptance affidavit form provided by the Community Development Department that acknowledges acceptance and shall be bound by all of the conditions.
16. Recordation. Prior to the issuance of a Certificate of Occupancy, 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.
17. Expiration. Variance 2013-01 shall be subject to expiration and shall become null and void unless exercised by submitting construction plans in application for a building permit 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 written request for an extension received prior to such expiration date. Subsequent failure to obtain and exercise an active building permit shall also cause expiration of the conditional use permit and site plan review.

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**ATTACHMENT 2:**  
**Project Application**


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Variance Application

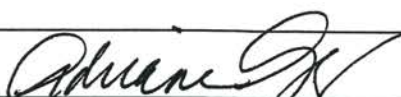
**PROJECT INFORMATION**

Site Address(es) 133 Park Ave. (the former site of 131 and 135 Park Ave and 130, 134, and 140 Jessie St)	
Assessors Parcel Number(s) 'APN' 2519-020-017, 030, 031, 034, & 035	
Lot Size 205' x 150' (21,525sf)	Existing Building (Square Footage) 79,000sf
Proposed Addition (Square Footage) NA	Total Parking Spaces (On-site/Off-site) 65 on site
Proposed Use(s) Multi Family Residential	Landscaping (Square Footage) 7,600sf
Project Description/Type of Variance Request (Include any additional information on separate sheet and attach to the back of this application.) Modification to Variance 2010-03 granted on August 3, 2010 to allow an architectural fence to exceed the city Standard in overall height and height of masonry wall. Allow the construction of a vertical trellis in order to screen electrical equipment which also exceeds the City standard of 36". Allow the use of artificial turf in the Jessie Street front setback in-lieu-of 50% live vegetation City requirement.	

**APPLICANT INFORMATION**

Applicant Name Aszkenazy Development		Phone Number (818) 270-9070
Mailing Address 601 S Brand Blvd., 3rd Floor, San Fernando, CA 91340		
Fax Number (818) 270-9071	Email Address ian@aszkenazy.com	Signature 

**PROPERTY OWNER INFORMATION**

Applicant Name San Fernando Community Housing, LLC		Phone Number (818) 270-9070
Mailing Address 601 S Brand Blvd., 3rd Floor, San Fernando, CA 91340		
Fax Number (818) 270-9071	Email Address adriana@aszkenazy.com	Signature 

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

VAR Application \$2,567.00	Zone <b>BR-3</b>	General Plan Area <b>HDR</b>	File Number
AIMS Surcharge \$ 256.70	Date Filed <b>4/10/2013</b>	Accepted By <b>E. Araya</b>	VAR No. <b>2013-01</b>
Environmental \$ 204.00			AIMS No. <b>PL13011052</b>
Notification \$ 120.00			Cross Reference
Publishing \$ 600.00			SPR No. <b>2010-05</b>
Total Fee \$3,747.70			CUP No. _____
Comments			OTHER <b>VAR 2010-03</b>



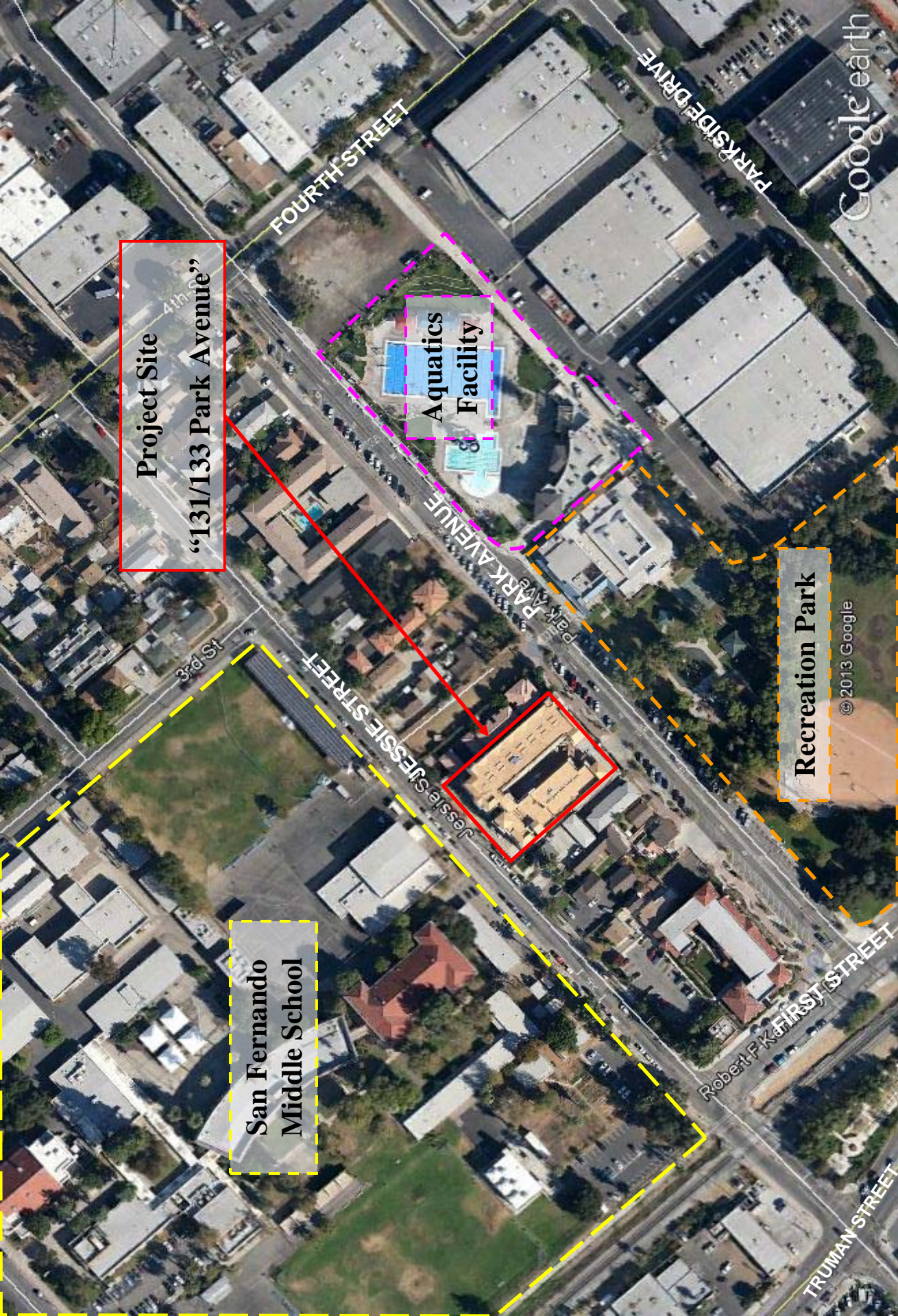
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**ATTACHMENT 3:**

**Vicinity Map**

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VICINITY MAP – 131/133 PARK AVENUE



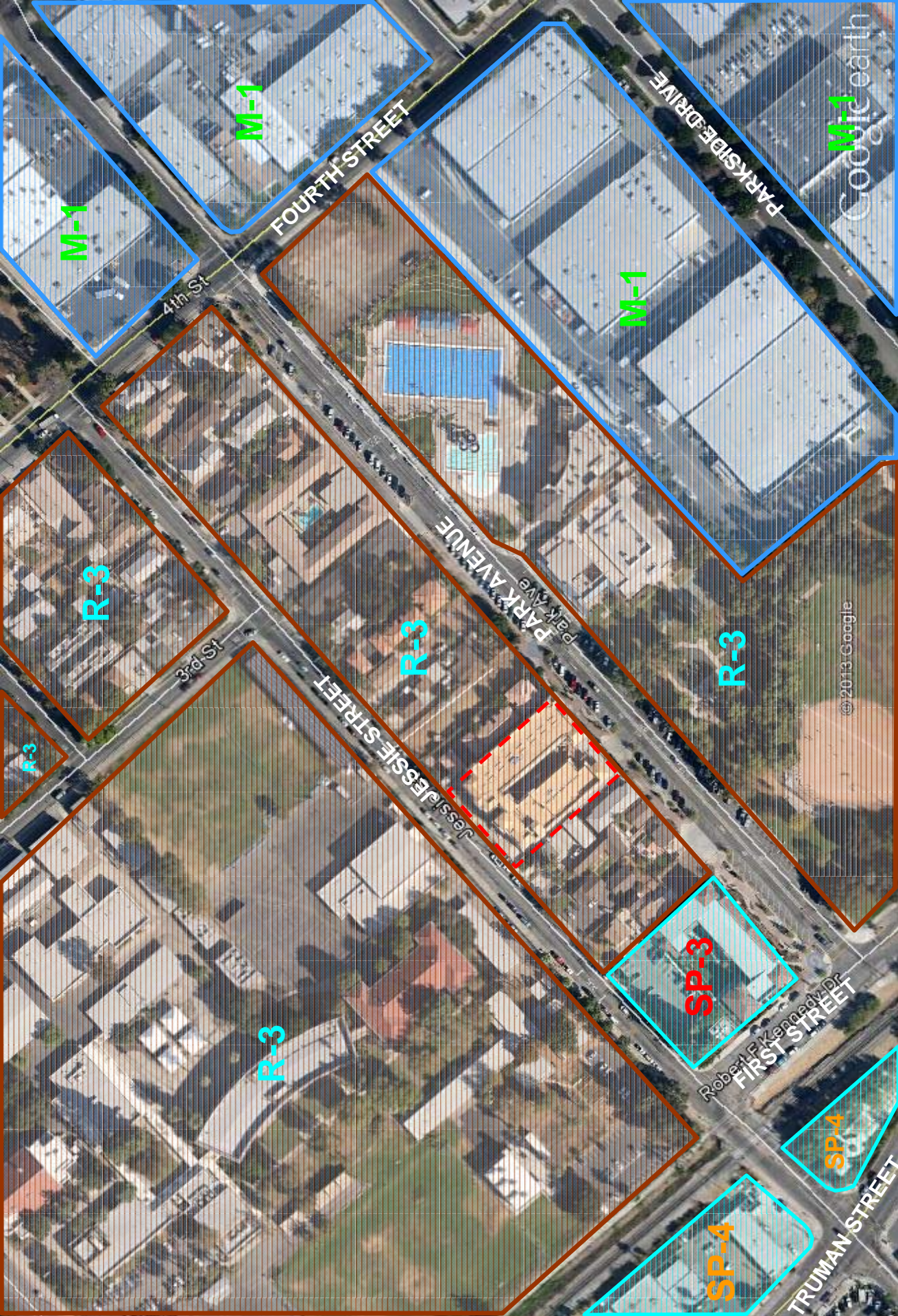
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**ATTACHMENT 4:**

**Zoning Map**

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**ZONING MAP – 131/133 PARK AVENUE**



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**ATTACHMENT 5:**

**Project Site Photos**

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**PHOTO KEY**  
**Jessie Street Building Elevation**  
**131/133 Park Avenue**

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**No. 1 – Jessie Street View**

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**No. 2 – Jessie Street View**



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**No. 3 – Jessie Street View**

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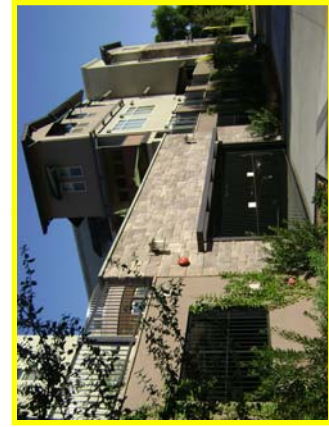
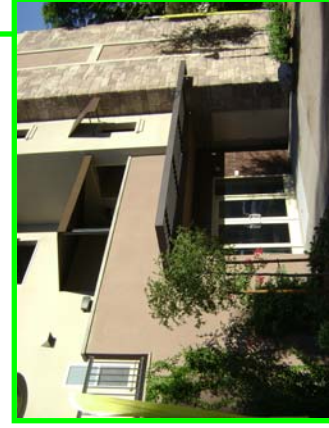
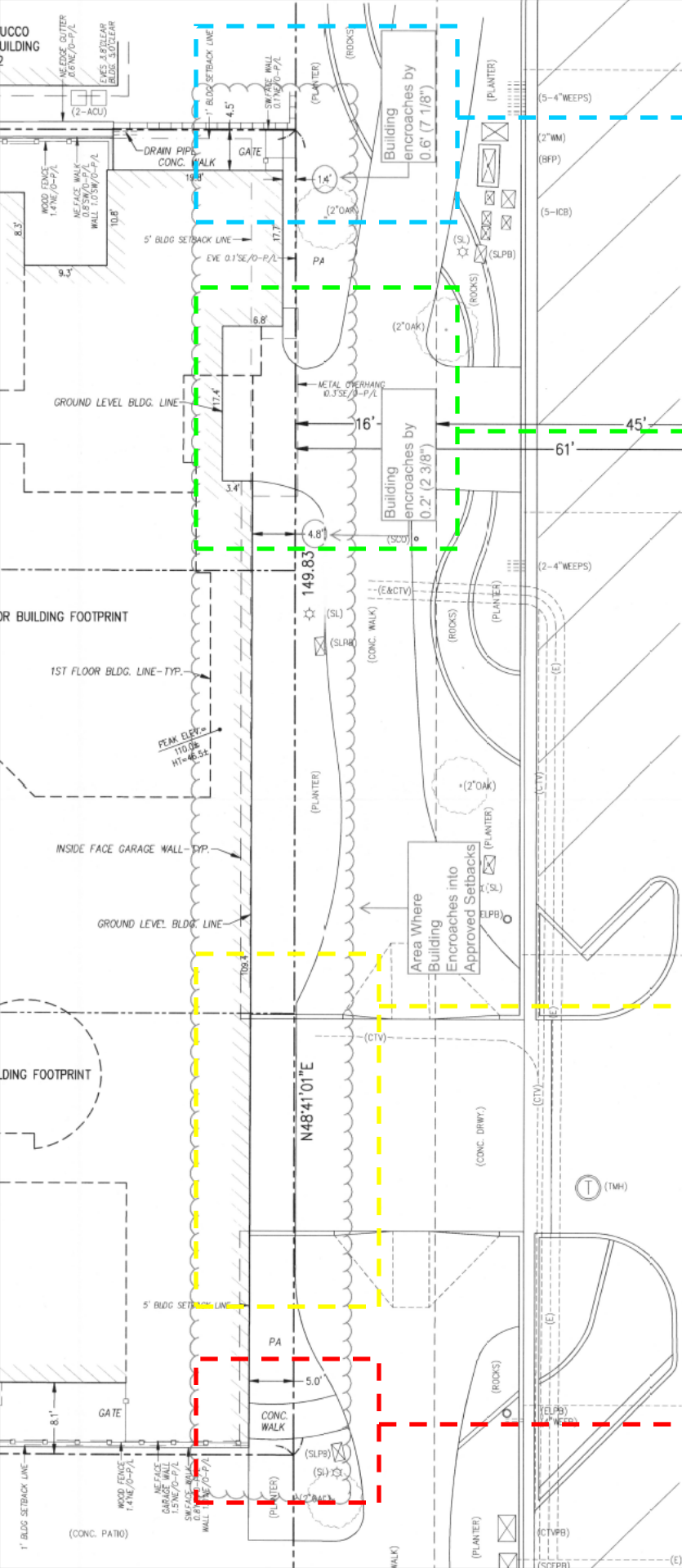




**No. 4 – Jessie Street View**

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Double-Sided Printing





**PHOTO KEY**  
**Park Avenue Building Elevation**  
**131/133 Park Avenue**

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Double-Sided Printing

**ATTACHMENT 6:**

**Exterior Elevations, As-built Landscape  
Plans, Post-Construction Surveys**





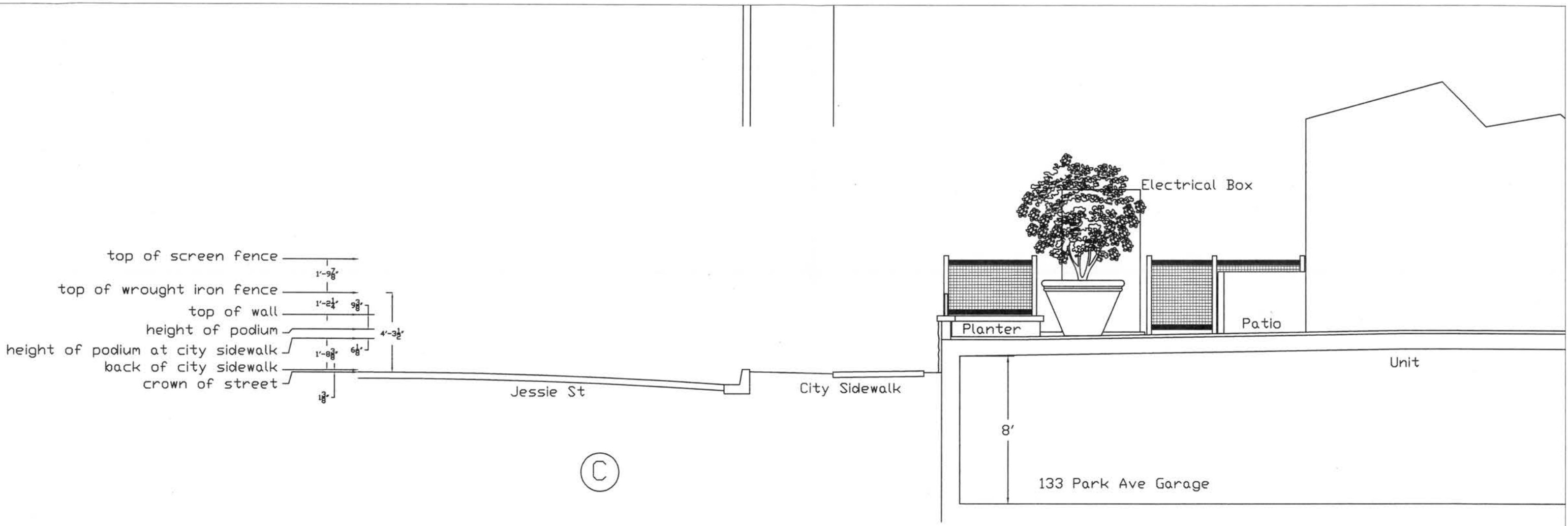
Jessie Street Facade for 133 Park Ave.



Jessie Street Facade for 133 Park Ave.



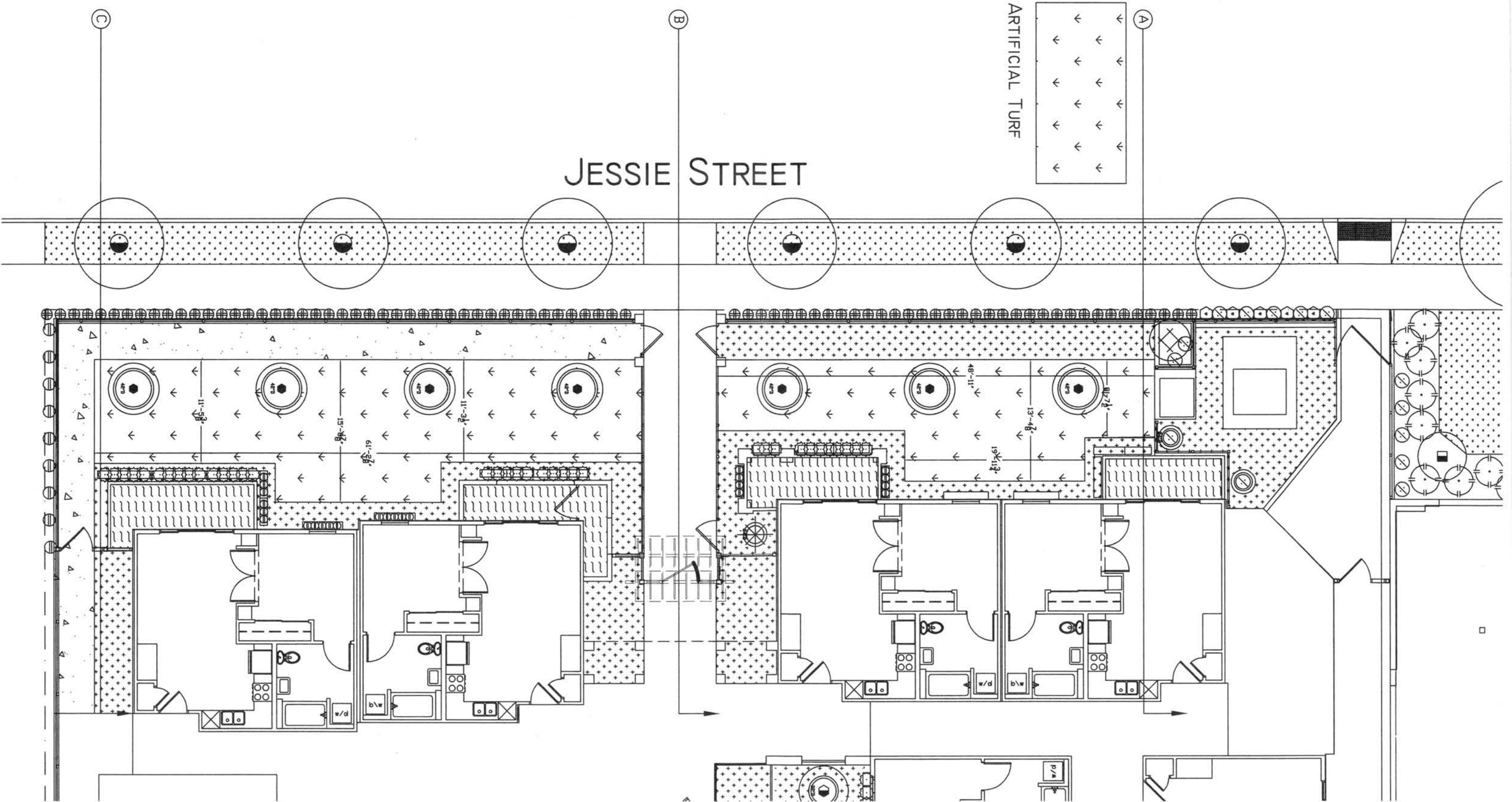
Jessie Street Facade for 133 Park Ave.



Scale: 3/16"=1'-0"

Jessie Street Facade Section C

LANDSCAPE PLAN  
SETBACK AREA







**PARCEL D**  
**PARCEL 2**  
**PL MAP NO. 8487**  
**J.M.B. 83-93**  
**(2519-020-035)**

**PARCEL B**  
**PARCEL 2**  
**PL MAP NO. 4957**  
**P.M.B. 53-68**  
**(2519-020-031)**

**2 STORY STUCCO**  
**APARTMENT BUILDING**  
**NO. 125**  
**OWNER: INLANDER FAMILY**

