



## PLANNING AND PRESERVATION COMMISSION

### SPECIAL MEETING NOTICE AND AGENDA

JULY 18, 2017 – 6:30 P.M.

COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CA 91340

#### **CALL TO ORDER**

#### **ROLL CALL**

Chair Theale E. Haupt  
Vice-Chair Alvin Durham, Jr.  
Commissioner Kevin Beaulieu  
Commissioner Yvonne G. Mejia  
Commissioner Jennifer Perez-Helliwell

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF AGENDA**

July 18, 2017

#### **PUBLIC STATEMENTS – WRITTEN/ORAL**

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

#### **NEW BUSINESS**

- 1) **SUBJECT:** Variance 2017-003 (VAR 2017-003) – 500 San Fernando Mission Boulevard, San Fernando, CA 91340
- APPLICANT:** Allen R. Baker, c/o Peter Pan LLC
- PROPOSAL:** The proposed “Project” is a request for review and approval of Variance 2017-003, in order to allow the payment of a fee in-lieu of the provision of four (4) required off-street parking spaces, in accordance with City Municipal Code Section 106-827(a), for the

## PLANNING AND PRESERVATION COMMISSION

Special Meeting Notice and Agenda – July 18, 2017

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occupation of a portion of a commercial building located at 500 San Fernando Mission Boulevard, Unit #100 between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone, for a proposed physical therapy use.

### RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission approve Variance (VAR) 2017-003, pursuant to Planning and Preservation Commission Resolution No. 2017-005 (Attachment No. 1) and the Conditions of Approval attached thereto as Exhibit "A" in order to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard Unit #100 to be satisfied by a payment of an in-lieu parking fee.

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

### CONTINUED BUSINESS

None

### STAFF COMMUNICATIONS

None

### COMMISSIONER COMMENTS

### ADJOURNMENT

August 1, 2017

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

***Signed and Posted: July 14, 2017***

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Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site ([www.sfcity.org](http://www.sfcity.org)). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at [www.sfcity.org](http://www.sfcity.org). In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department at (818) 898-1227 at least 48 hours prior to the meeting.

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**MEETING DATE:** July 18, 2017

**PUBLIC HEARING:**

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

a. To Approve:

"I move to approve Variance 2017-003 to allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard Unit #100 to be satisfied by payment of an in-lieu parking fee, pursuant to Planning and Preservation Commission Resolution No. 2017-005 and the "Conditions of Approval" attached as Exhibit "A" to the resolution... (Roll Call Vote)

b. To Deny:

"I move to deny Variance 2017-003, based on the following..." (Roll Call Vote)

c. To Continue:

"I move to continue consideration of Variance 2017-003 to a date specific date..." (Roll Call Vote)

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

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

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

**ITEM 1:**  
**Variance 2017-003**





## AGENDA REPORT

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

**From:** Jack Wong, Interim Community Development Director

**By:** Humberto Quintana, Interim Senior Planner

**Date:** July 18, 2017

**Subject:** **Variance 2017-003**

500 San Fernando Mission Boulevard, Unit #100, San Fernando, CA 91340  
(Los Angeles County Assessor's Parcel No: 2521-028-029)

**Proposal:** The proposed "Project" is a request for review and approval of a Variance (VAR) 2017-003, in order to allow the payment of a fee in-lieu of the provision of four (4) required off-street parking spaces, in accordance with City Municipal Code Section 106-827(a), for the occupation of a portion of a commercial building located at 500 San Fernando Mission Boulevard, Unit #100 between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone, for a proposed physical therapy use.

**APPLICANT:** Allen R. Baker, c/o Peter Pan LLC

500 San Fernando Mission Boulevard, Unit #100, San Fernando, CA 91340

### **RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission approve Variance (VAR) 2017-003, pursuant to Planning and Preservation Commission Resolution No. 2017-005 (Attachment No. 1) and the Conditions of Approval attached thereto as Exhibit "A" in order to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard Unit #100 to be satisfied by payment of an in-lieu parking fee.

### **PROJECT OVERVIEW:**

On June 28, 201, Allen R. Baker, c/o Peter Pan LLC (the "Applicant"), submitted a Variance (VAR) application seeking to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee. The proposed use at the subject site will occupy a 1,400 sq. ft. tenant space of an existing 5,799 sq. ft. commercial building located on an approximate 12,500 sq. ft. lot and will prompt a higher parking ratio. The subject site is located along the east side of the 500

block of San Fernando Mission Boulevard, between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone.

The Applicant is proposing to use the 1,400 sq. ft. tenant space for a physical therapy use. Pursuant to City Code Section 106-6 (definitions), clinic, dental or medical uses are defined as “a health facility providing diagnosis, treatment or care to patients not confined to the facility as inpatients. Care may include but is not limited to the provision of medical, surgical, dental, mental health, rehabilitation, podiatric, optometric or chiropractic services.” Based on the aforementioned definition, the proposed physical therapy use is classified as a medical use and as such, the corresponding parking ratio would apply. Pursuant to City Code Section 106-822(c)(8) of the General Development Standards for parking spaces required, clinic, dental or medical uses are required to maintain one space for each 150 square feet of gross floor area.

The existing building located at the subject site was developed with a parking ratio of 1 space for every 300 square feet of gross floor area. Parking for the existing development is provided by 19 off-street parking spaces. A site plan of the Project Site showing the building footprints and layout of the parking facilities is provided as Attachment No. 6 to this staff report. The proposed physical therapy use is a change in intensity requiring a higher parking ratio. The tables below provide a breakdown of the required off-street parking.

Total Building Sq. Ft.	Rate	Required Parking	Parking Provided
5,799	1/300	19 (19.3)	19

Tenant Space Sq. Ft.	Rate	Required Parking	Parking Provided
1,400	1/300	5 (4.6)	5
1,400	1/150	9 (9.3)	5

*\*When, as a result of computation, the total number of parking spaces results in a fractional amount, any fraction less than one-half shall be disregarded, and any fraction equal to or greater than one-half shall require one parking space. (City Code Section 106-823).*

Based on the City's parking calculation, the proposed medical use will be deficient four (4) off-street parking spaces. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied by either providing parking on-site, through a variance by providing parking off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the in-lieu parking fee is currently \$8,192.50 per parking space. As allowed, per the San Fernando City Code, the Applicant has decided to pay the in-lieu parking fee for a total of \$32,770.00 to address the deficiency of four (4) parking spaces, thereby satisfying the City parking requirement for the proposed use.

Based on the review of the requested Variance, it is City Planning Staff's assessment that the intensification of the proposed use resulting in a higher parking ratio would qualify for the

Commission's consideration of a Variance to allow for some of the required off-street parking spaces for the proposed use, located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee, subject to the conditions of Project approval included in Exhibit "A" in Planning and Preservation Commission Resolution No. 2017-005. Additional discussion regarding the proposed Variance and the required finding for approval of the Project are provided in the analysis section of this report.

#### **BACKGROUND:**

1. General Plan Land Use and Zoning Designation: The Project Site at 500 San Fernando Mission Boulevard, Unit #100 is located within the C-1 (Limited Commercial) Zone and maintains a Commercial (COM) land use designation in the General Plan Land Use Element.
2. Site Location and Description: The Project Site is an approximate 12,500 sq. ft. (Los Angeles County Assessor Parcel No: 2521-028-029) parcel along the east side of the 500 block of San Fernando Mission Boulevard, Unit #100 between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone. The Project Site abuts a similarly zoned property within the C-1 zone to the north, south, east and west. Parking for the commercial building is provided on-site. Parking for the Project Site consists of 19 off-street parking spaces. Off-street parking for the subject site is accessible from one driveway approach located off of Hollister Street. The four (4) deficient off-street parking spaces for the proposed physical therapy use can be satisfied by means of a payment of an in-lieu parking fee to fund shared public parking. In total the commercial development will be entitled for a total of twenty-three (23) parking spaces.
3. Environmental Review: This Project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). Based on the City's environmental assessment, staff recommends that this proposed Project qualifies for a Categorical Exemption under Class 1 (Existing Facilities) of San Fernando's CEQA Guidelines in that the proposed approval of a Variance for the payment of the parking in-lieu fee will allow the perspective medical (physical therapy) use to occupy a tenant space that will involve minor interior alterations (i.e., tenant improvement work) and minor exterior alterations (i.e., new signage, painting, window tinting) to an existing private commercial building.

The proposed in-lieu parking fee for the proposed medical use (physical therapy) is consistent with the City's General Plan Commercial (COM) Land Use Designation and applicable general plan policies that seek to attract new activities into the City's commercial zones. The proposed use is also consistent with the applicable C-1 (Limited Industrial) zoning designation that allows the proposed payment of an in-lieu parking fee for some of the required parking, subject to the approval of a Variance by the City's Planning and Preservation Commission.

The proposed medical use (physical therapy) is located on a site that is less than five (5) acres (approximately 12,500 square feet) within an urbanized area along the 500 block of San Fernando Mission Boulevard and has no value as a habitat for endangered, rare or threatened species. The proposed operation of the proposed use and payment of an in-lieu parking fee will not have any significant adverse effects related to traffic, noise, air quality, or water quality in that adequate ingress and egress is provided to the subject site via the one (1) existing driveway approach located along Hollister Street, which feeds to San Fernando Mission Boulevard and is an identified Major Arterial in the Circulation Element of the City's General Plan. All of the operational activity related to the proposed use will occur within the existing 1,400-square foot tenant space and will not have the potential to create adverse environmental impacts related to noise levels or the existing air quality levels and quality of the City's water system. Furthermore, the proposed medical use (physical therapy) will not adversely impact existing utilities and public services.

4. Legal Notification: On July 8, 2017, a public hearing notice was published in the print and online versions of the legal advertisement section of the *Los Angeles Daily News*. In addition, on July 6, 2017, a public hearing notice was posted at the Project Site, at the two City Hall bulletins, and at the local branch of the Los Angeles County Library (217 N. MacLay Avenue). Notices of the public hearing for this Variance request were also mailed to all property owners of record within 500 feet of the Project Site.
5. Public Comments: As of the date of preparation of this staff report, no written comments were received from the public regarding this Variance request. Any written 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 Variance to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee, is consistent with the following goals and objectives of the San Fernando General Plan Land Use Element by:

- ✓ Retaining the small town character of San Fernando;
- ✓ Promoting economic viability of commercial areas;

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

The requested Variance to allow for some of the required off-street parking spaces will allow a prospective medical use to occupy a tenant space, thereby promoting the economic viability of the City's commercial areas. Permitting the ability for a medical use to occupy the tenant space by satisfying its off-street parking requirement through a Variance that



facilitates the payment of a parking in-lieu fee helps foster economic growth, enhance retail growth, and retains the small-town character of San Fernando that is distinct from surrounding communities. The proposed medical (physical therapy) use achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities into the City's commercial areas, while still encouraging additional investment within the surrounding commercial corridor.

2. Zoning Consistency. Pursuant to City Code Section 106-6 (definitions); Clinic, dental or medical uses are defined as "a health facility providing diagnosis, treatment or care to patients not confined to the facility as inpatients. Care may include but is not limited to the provision of medical, surgical, dental, mental health, rehabilitation, podiatric, optometric or chiropractic services." Based on the aforementioned, the proposed physical therapy use is classified as a medical use and as such the corresponding parking ratio would apply. Pursuant to City Code Section 106-822(c)(8) of the General Development Standards for parking spaces required, clinic, dental or medical uses are required to maintain one space for each 150 square feet of gross floor area. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied through a Variance by either providing parking on-site, off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the fee in lieu of parking is currently \$8,192.50 per parking space. As allowed, per the San Fernando City Code, the Applicant has decided to pay the parking in-lieu fee for a total of \$32,770.00 in order to address the four (4) parking space deficiency and satisfy the City parking requirement for the proposed use.

Permitting the ability for a medical use to establish in the City's commercial area helps foster growth and promotes the economic viability within the area. Based on the foregoing, it is staff's assessment that the request is consistent with all applicable development standards for the C-1 (Limited Commercial) Zone.

4. Parking Analysis. The Project Site is a developed in 2016 as an approximately 5,799 sq. ft. two-story commercial building. The building was developed with a dental use on the second floor and with a retail and administrative/professional use on the first floor. Parking for the development is provided by the minimum required 19 off-street parking spaces. At the time the development was approved the parking ratio applied for the aforementioned uses that were to occupy the building was one space for every 300 square feet of gross floor area.

On October 19, 2015, the San Fernando City Council adopted Urgency Ordinance No. U-1646 establishing a temporary moratorium on the acceptance, processing, and approval of applications and issuance of permits to establish dental or medical clinics. The temporary moratorium on the acceptance, processing, and approval of new dental and medical clinics is intended to provide City Planning Staff with a reasonable period of time to study local

parking regulations including those currently in place in the City's San Fernando Corridors Specific Plan in order to determine the appropriate parking regulation for off-street parking that should be applied to future requests for dental and medical clinics and similar types of uses.

On August 15, 2016, the San Fernando City Council adopted zone text amendment for a new parking ratio of one (1) parking space for every 150 square feet of gross floor area that would apply to all new dental and medical clinics being proposed throughout the city. The proposed Zone Text Amendment 2016-001 established a uniform parking regulations for dental and medical clinics that ensures "every use of property shall be required to provide the number of off-street parking spaces which satisfies the needs of the use." (City Code Section 106-821: General Requirements.)

The proposed use looking to occupy one of the tenant spaces located on the first floor is a physical therapy use. The physical therapy use is classified as a medical use. Since the proposed use is a new medical use the new parking ratio of one space for every 150 square feet of floor area would be applicable.

The Project Site consists of a 1,400 sq. ft. tenant space. Based on the City's parking calculation, the proposed medical use will be deficient four (4) off-street parking spaces. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied by either providing parking on-site, through a Variance by providing parking off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the fee in lieu of parking is currently \$8,192.50 per parking space. As allowed, per the San Fernando City Code, the Applicant has opted to pay the parking in-lieu fee for a total of \$32,770.00 in order to address the four (4) parking space deficiency and satisfy the City parking requirement for the proposed use.

It is staff's assessment that the intensification of the proposed use resulting in a higher parking ratio would qualify for the Commission's consideration of the proposed Variance to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee.

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. Conditions of Approval 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 (7) 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

- a) 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.**

The subject site is currently developed with a commercial building within the C-1 (Limited Commercial) zone. For both residential and non-residential development every use of property is required to provide the number of off-street parking spaces which satisfies the needs of the use, pursuant to City Code Section 106-822. The subject site was originally developed to accommodate a range of uses that would be satisfied by a single parking ratio of one space for every 300 square feet of gross floor area. However, during the development of the site the parking ratio for medical uses were amended to require a higher parking ratio. Given that the parking ratio has been modified the potential of any future medical uses at the subject site is now limited given the physical constraints of the development. Pursuant to City Code Section 106-827, the applicant may seek through a Variance to allow for some of the required off-street parking spaces off-site and/or by payment of an in-lieu parking fee to fund shared public parking. There is an existing public parking lot less than 500 feet of the subject site with a Metro transit stop in front of the building, which mitigate the need for additional provision of off-street parking spaces.

Approval of a Variance would allow the applicant to satisfy the City parking requirement for the proposed medical use, allowing for four (4) of the required off-street parking spaces to be satisfied by means of an in-lieu fee would facilitate the occupancy of a proposed medical use at the subject site. Parking for the Project Site consists of 19 off-street parking spaces. In total the commercial development will be entitled for a total of twenty-three (23) parking spaces, the minimum required parking spaces for the project site as currently proposed.

Therefore, the proposed Variance to allow for four (4) of the required off-street parking spaces for Unit #100, at 500 San Fernando Mission Boulevard to be satisfied by

payment of an in-lieu parking fee in order to allow a new medical use in conjunction with the conditions of approval is warranted. Project approval would allow for the continued pattern of commercial development for this block, with a complimentary use that is aligned with the character of the surrounding neighborhood. Furthermore, approval of the proposed Variance will improve the current vacancy rate at the subject site and will facilitate private investment in the immediate area, contributing to the overall small town character of the community. Thus, it is staff's assessment that this finding can be made.

- b) 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 allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use for an C-1 (Limited Commercial) zoned property would facilitate the redevelopment of the subject site in a manner that would not be detrimental to the public interest, safety, health, or welfare. The proposed new medical use at the subject site would result in a tenant improvement that complies with applicable building codes as well as any capital improvements.

Completed in 2016, the property was developed as a one-story commercial building, having two-tenant spaces, 19 parking spaces, and on-site and off-site physical improvements consistent with the overall pattern of commercial development in the surrounding neighborhood that would improve public health and safety on-site, preserve the public interest and welfare by providing a well-designed commercial development with on-site parking facilities.

The occupancy of a new medical use at the subject site, requiring four (4) of the required off-street parking spaces to be satisfied by payment of an in-lieu parking fee would improve public health and safety on-site, preserve the public interest and welfare and is consistent with the pattern of commercial development encouraged within the C-1 (Limited Commercial) zone. There is an existing public parking lot less than 500 feet of the subject site with a Metro transit stop in front of the building facilitating other modes of transportation and the use of existing parking spaces, which mitigate the need for additional provision of off-street parking spaces. Thus, it is staff's assessment that this finding can be made.

- c) 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.**

The proposed variance to allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use would facilitate the ongoing economic viability of the City's commercial areas consistent with the development standards prescribed in the City Code. Pursuant to City Code Section 106-487(1), administrative and professional offices are permitted within the C-1 (Limited Commercial) zone. Therefore, the proposed medical use would be permitted in the C-1 (Limited Commercial) zone providing that the proposed use meet applicable development standards.

Pursuant to City Code Section 106-822(c)(8) of the General Development Standards for parking spaces required, clinic, dental or medical uses are required to maintain one space for each 150 square feet of gross floor area. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied through a Variance by either providing parking on-site, off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the in-lieu parking fee is currently \$8,192.50 per parking space. As allowed, per the San Fernando City Code, the Applicant has opted to pay the parking in-lieu fee for a total of \$32,770.00 in order to address the on-site deficiency of four (4) parking spaces and satisfy the City parking requirement for the proposed use.

Given the physical constraints of the development being that it was developed with the minimum amount of parking required under a less intensive parking ratio. The development can no longer accommodate more parking intensive uses with respect to the number of Code-required on-site parking. However, the City Code allows for deficient on-site parking to be satisfied with the approval of an in-lieu parking fee payment consistent with the applicable development standards within the C-1 (Limited Commercial) zone.

Furthermore, facilitating a new medical use to provide for four (4) of the required off-street parking to be satisfied by the payment of an in-lieu parking fee is consistent with the goals and objectives of the City of San Fernando General Plan. The proposed medical use fosters growth and goes toward creating an environment, that helps retain the small town character of San Fernando by fostering the growth of small businesses while maintaining identity within the commercial area that is distinct from surrounding communities. The proposed medical use achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities (San Fernando General Plan Land Use Element Goals I-IV, Pg. IV-6). Thus, it is staff's assessment that this finding can be made.

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

The proposed medical use and application for payment of an in-lieu parking fee are consistent with the purpose and intent of the C-1 (Limited Commercial) zone. The purpose and intent of the C-1 (Limited Commercial) zone is to establish and provide areas for limited commercial uses, which offer retail and service facilities that will create a compatible and harmonious environmental setting. The proposed medical use serves the purpose and intent of the C-1 (Limited Commercial) zone and the San Fernando General Plan's Land Use purpose of "establishing a pattern for compatible land uses to reflect existing conditions and to guide future development" (General Plan Land Use Element) because the Project introduces private investment that significantly improves the site by occupying a long term vacancy, while meeting the purpose and intent of the C-1 (Limited Commercial) zone in a manner that does not infringe upon the adjoining commercial uses enjoyment of their property. Thus, it is staff's assessment that this finding can be made.

**e) The subject site is physically suitable for the proposed Variance.**

The subject property is an approximate 12,500 square foot site. The Applicant is requesting a Variance to allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use to operate at the subject site. The proposed medical use would occupy a 1,400 sq. ft. tenant space and will require minor tenant improvements that are compatible with the site's physical dimensions and existing design and layout of the building.

The existing commercial building located on the subject meets all applicable development standards with the exception of providing for all of the required off-street parking on-site. However, pursuant to City Code Section 106-827 allows for variances to be granted to allow for the deficient on-site parking spaces to be satisfied by payment of an in-lieu parking fee. Therefore, the four (4) deficient parking spaces warrant the approval of a Variance to allow the proposed medical use at the subject site. Thus, it is staff's assessment that this finding can be made.

**f) 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 proposed Variance to allow for four (4) of the required off-street parking spaces for the proposed medical (physical therapy) use located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee and the establishment of a new medical use within an existing commercial building 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 tenant space that the proposed

medical use is seeking to occupy is within a commercial building constructed in 2016 that has upgraded water, sewer, and electrical infrastructure on a site within a commercial zone and, therefore, would not create an undue burden on existing water, sanitation and public utilities and services. Any infrastructure and utility upgrades required as part of the project proposal would be developed in compliance with the requirements of the City's building codes. Thus, it is staff's assessment that this finding can be made.

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

The proposed medical use will be operating out of an existing commercial building that was constructed in 2016 with existing improvements that provide pedestrian and vehicular access to and from the subject site. The existing improvements to the site and adjacent public right-of-way consist of a driveway and driveway approach that accommodate vehicular access to the on-site parking facility and provide a method of entry to the site for emergency response vehicles. Thus, it is staff's assessment that this finding can be made in this case.

**CONCLUSION:**

In light of the forgoing analysis, it is staff's assessment that Planning and Preservation Commission's approval of Variance 2017-003 is warranted. The Planning and Preservation Commission's approval of VAR 2017-003 is recommended by City Planning Staff in order to allow four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee. The proposed use at the subject site will occupy a 1,400 sq. ft. tenant space of an existing 5,799 sq. ft. commercial building located on an approximate 12,500 sq. ft. lot and will prompt a higher parking ratio. The subject site is located along the east side of the 500 block of San Fernando Mission Boulevard, between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone.

Collectively, the activities allowed under the Planning and Preservation Commission's approval of VAR 2017-003, pursuant to Planning and Preservation Commission Resolution No 2017-005 (Attachment No. 1) and the Conditions of Approval attached thereto as Exhibit "A," would facilitate the long-term viability of the commercial building. Furthermore, approval of VAR 2017-003 will promote economic viability of commercial areas and attracting new commercial activities into the City's commercial areas consistent with the General Plan's goals and objectives and the development standards and design guidelines for the C-1 (Limited Commercial) zone.

Based on the above findings, City Planning Staff recommends that the Planning and Preservation Commission approve Variance (VAR) 2017-003, pursuant to Planning and Preservation Commission Resolution 2017-005 and the conditions of approval attached thereto as Exhibit “A” to such resolution (Attachment No. 1).

**ATTACHMENTS:**

1. Planning and Preservation Commission Resolution 2017-005 and Exhibit “A”: Conditions of Approval
2. Variance Application – VAR 2017-003
3. Notice of Public Hearing Published in the *Los Angeles Daily News*
4. Zoning & Vicinity Map
5. Project Site Photos
6. Set of Plans



**RESOLUTION NO. 2017-005****A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO APPROVING VARIANCE 2017-003 TO ALLOW THE PAYMENT OF A FEE IN-LIEU OF THE PROVISION OF FOUR (4) REQUIRED OFF-STREET PARKING SPACES, IN ACCORDANCE WITH CITY MUNICIPAL CODE SECTION 106-827(A), FOR THE OCCUPATION OF A PORTION OF A COMMERCIAL BUILDING LOCATED AT 500 SAN FERNANDO MISSION BOULEVARD, UNIT #100 FOR A PROPOSED PHYSICAL THERAPY MEDICAL USE**

WHEREAS, an application has been filed by Allen R. Baker, c/o Peter Pan LLC 500 San Fernando Mission Boulevard, Unit #100, San Fernando, CA 91340 (the "Applicant"), requesting approval of a Variance to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 (the "Project") to be satisfied by payment of an in-lieu parking fee. The proposed use at the subject site will occupy a 1,400 sq. ft. tenant space of an existing 5,799 sq. ft. commercial building located on an approximate 12,500 sq. ft. lot and will prompt a higher parking ratio. The subject site is located along the east side of the 500 block of San Fernando Mission Boulevard, between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone;

WHEREAS, pursuant to City Code Section 106-827(a), the Applicant may seek a Variance from the number of on-site parking spaces by paying an in-lieu parking fee for the number of Code-required parking spaces that cannot be accommodated on-site in the C-1 (Limited Commercial) Zone;

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 18<sup>th</sup> day of July 2017.

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

SECTION 1: This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). Based on the City's environmental assessment, staff recommends that this proposed project qualifies for a Categorical Exemption under Class 1 (Existing Facilities) of San Fernando's CEQA Guidelines in that the proposed approval of a Variance for the payment of the parking in-lieu fee will allow the prospective medical use (i.e. physical therapy) to occupy a tenant space that will involve minor interior alterations (i.e. tenant improvement work) and minor exterior alterations (i.e. new signage, painting, window tinting) to an existing private commercial building.

The proposed in-lieu parking fee for the proposed medical use (i.e. physical therapy) is consistent with the City's General Plan Commercial (COM) Land Use Designation and applicable general plan policies that seek to attract new activities into the City's commercial zones. The proposed use is also consistent with the applicable C-1 (Limited Industrial) zoning designation that allows the proposed

payment of an in-lieu parking fee for some of the required parking, subject to the approval of a Variance by the City's Planning and Preservation Commission.

The proposed medical use (physical therapy) is located on a site that is less than five (5) acres (approximately 12,500 square feet) within an urbanized area along the 500 block of San Fernando Mission Boulevard. The proposed operation of the proposed use and payment of an in-lieu parking fee will not have any significant adverse effects related to habitats for endangered, rare, or threatened species, air and water quality, noise, or traffic. Adequate ingress and egress is provided to the subject site via the one (1) existing driveway approach located along Hollister Street, which feeds to San Fernando Mission Boulevard- an identified Major Arterial in the Circulation Element of the City's General Plan. All of the operational activities related to the proposed use will occur within the existing 1,400-square foot tenant space and will not have the potential to create adverse environmental impacts related to noise levels or the existing air quality levels and quality of the city's water system. Furthermore, the proposed medical use (i.e. physical therapy) will not adversely impact existing utilities and public services.

SECTION 2: The Project is consistent with the objectives, policies, and general land uses and programs provided in the City's General Plan and the applicable development standards for commercial-zoned property within the C-1 (Limited Commercial).

SECTION 3: Pursuant to City Code Section 106-294, the Planning and Preservation Commission finds that the following findings for Variance 2017-003 have been justified and upheld in the affirmative because of the recommended Conditions of Approval regarding operating procedures governing the required City parking requirement for the proposed medical (physical therapy) to be satisfied by means of an in-lieu fee. The Planning and Preservation Commission (the "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.**

The subject site is currently developed with a commercial building within the C-1 (Limited Commercial) zone. For both residential and non-residential development every use of property is required to provide the number of off-street parking spaces which satisfies the needs of the use, pursuant to City Code Section 106-822. The subject site was originally developed to accommodate a range of uses that would be satisfied by a single parking ratio of one space for every 300 square feet of gross floor area. However, during the development of the site the parking ratio for medical uses were amended to require a higher parking ratio. Given that the parking ratio has been modified the potential of any future medical uses at the subject site is now limited given the physical constraints of the development. Pursuant to City Code Section 106-827, the applicant may seek through a Variance to allow for some of the required off-street parking spaces off-site and/or by payment of an in-lieu parking fee to fund shared public parking. There is an existing public parking lot less than 500 feet of the subject site with a Metro transit stop in front of the building, which mitigate the need for additional provision of off-street parking spaces.

Approval of a Variance would allow the applicant to satisfy the City parking requirement for the proposed medical use, allowing for four (4) of the required off-street parking spaces to be satisfied by means of an in-lieu fee would facilitate the occupancy of a proposed medical use at the subject site. Parking for the Project Site consists of 19 off-street parking spaces. In total the commercial development will be entitled for a total of twenty-three (23) parking spaces, the minimum required parking spaces for the project site as currently proposed.

Therefore, the proposed Variance to allow for four (4) of the required off-street parking spaces for Unit #100, 500 San Fernando Mission Boulevard to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use in conjunction with the conditions of approval is warranted. Project approval would allow for the continued pattern of commercial development for this block, with a complimentary use that is aligned with the character of the surrounding neighborhood. Furthermore, approval of the proposed Variance will improve the current vacancy rate at the subject site and will facilitate private investment in the immediate area, contributing to the overall small town character of the community. Thus, it is the Commission's determination that this finding can be made.

**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 allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use for an C-1 (Limited Commercial) zoned property would facilitate the redevelopment of the subject site in a manner that would not be detrimental to the public interest, safety, health, or welfare. The proposed new medical use at the subject site would result in a tenant improvement that complies with applicable building codes as well as any capital improvements.

Completed in 2016, the property was developed as a one-story commercial building, having two-tenant spaces, 19 parking spaces, and on-site and off-site physical improvements consistent with the overall pattern of commercial development in the surrounding neighborhood that would improve public health and safety on-site, preserve the public interest and welfare by providing a well-designed commercial development with on-site parking facilities.

The occupancy of a new medical use at the subject site, requiring four (4) of the required off-street parking spaces to be satisfied by payment of an in-lieu parking fee would improve public health and safety on-site, preserve the public interest and welfare and is consistent with the pattern of commercial development encouraged within the C-1 (Limited Commercial) zone. There is an existing public parking lot less than 500 feet of the subject site with a Metro transit stop in front of the building facilitating other modes of transportation and the use of existing parking spaces, which mitigate the need for additional provision of off-street parking spaces. Thus, it is the Commission's determination 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.**

The proposed Variance to allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use would facilitate the ongoing economic viability of the City's commercial areas consistent with the development standards prescribed in the City Code. Pursuant to City Code Section 106-487(1), administrative and professional offices are permitted within the C-1 (Limited Commercial) zone. Therefore, the proposed medical use would be permitted in the C-1 (Limited Commercial) zone providing that the proposed use meet applicable development standards.

Pursuant to City Code Section 106-822(c)(8) of the General Development Standards for parking spaces required, clinic, dental or medical uses are required to maintain one space for each 150 square feet of gross floor area. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied through a Variance by either providing parking on-site, off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the in-lieu parking fee is currently \$8,192.50 per parking space. As allowed, per the San Fernando City Code, the Applicant has opted to pay the parking in-lieu fee for a total of \$32,770.00 in order to address the on-site deficiency of four (4) parking spaces and satisfy the City parking requirement for the proposed use.

Given the physical constraints of the development being that it was developed with the minimum amount of parking required under a less intensive parking ratio. The development can no longer accommodate more parking intensive uses with respect to the number of Code-required on-site parking. However, the City Code allows for deficient on-site parking to be satisfied with the approval of an in-lieu parking fee payment consistent with the applicable development standards within the C-1 (Limited Commercial) zone.

Furthermore, facilitating a new medical use to provide for four (4) of the required off-street parking to be satisfied by the payment of an in-lieu parking fee is consistent with the goals and objectives of the City of San Fernando General Plan. The proposed medical use fosters growth and goes toward creating an environment, that helps retain the small town character of San Fernando by fostering the growth of small businesses while maintaining identity within the commercial area that is distinct from surrounding communities. The proposed medical use achieves the City General Plan Land Use Element's goals by promoting economic viability of commercial areas and attracting new commercial activities (San Fernando General Plan Land Use Element Goals I-IV, Pg. IV-6). Thus, it is the Commission's determination 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 medical use and application for payment of an in-lieu parking fee are consistent with the purpose and intent of the C-1 (Limited Commercial) zone. The purpose and intent of

the C-1 (Limited Commercial) zone is to establish and provide areas for limited commercial uses, which offer retail and service facilities that will create a compatible and harmonious environmental setting. The proposed medical use serves the purpose and intent of the C-1 (Limited Commercial) zone and the San Fernando General Plan's Land Use purpose of "establishing a pattern for compatible land uses to reflect existing conditions and to guide future development" (General Plan Land Use Element) because the Project introduces private investment that significantly improves the site by occupying a long term vacancy, while meeting the purpose and intent of the C-1 (Limited Commercial) zone in a manner that does not infringe upon the adjoining commercial uses enjoyment of their property. Thus, it is the Commission's determination that this finding can be made.

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

The subject property is an approximate 12,500 square foot site. The Applicant is requesting a Variance to allow for four (4) of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee in order to allow a new medical use to operate at the subject site. The proposed medical use would occupy a 1,400 sq. ft. tenant space and will require minor tenant improvements that are compatible with the site's physical dimensions and existing design and layout of the building.

The existing commercial building located on the subject meets all applicable development standards with the exception of providing for all of the required off-street parking on-site. However, pursuant to City Code Section 106-827 allows for variances to be granted to allow for the deficient on-site parking spaces to be satisfied by payment of an in-lieu parking fee. Therefore, the four (4) deficient parking spaces warrant the approval of a Variance to allow the proposed medical use at the subject site. Thus, it is the Commission's determination 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 proposed Variance to allow for four (4) of the required off-street parking spaces for the proposed medical (physical therapy) use located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee and the establishment of a new medical use within an existing commercial building 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 tenant space that the proposed medical use is seeking to occupy is within a commercial building constructed in 2016 that has upgraded water, sewer, and electrical infrastructure on a site within a commercial zone and, therefore, would not create an undue burden on existing water, sanitation and public utilities and services. Any infrastructure and utility upgrades required as part of the project proposal would be developed in compliance with the requirements of the City's building codes. Thus, it is the Commission's determination 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 medical use will be operating out of an existing commercial building that was constructed in 2016 with existing improvements that provide pedestrian and vehicular access to and from the subject site. The existing improvements to the site and adjacent public right-of-way consist of a driveway and driveway approach that accommodate vehicular access to the on-site parking facility and provide a method of entry to the site for emergency response vehicles. Thus, it is the Commission's determination that this finding can be made.

BE IT FURTHER RESOLVED that based upon the foregoing, the Planning and Preservation Commission hereby approves Variance 2017-003, subject to the Conditions of Approval attached as Exhibit "A."

PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of July 2017.

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THEALE E. HAUPT, CHAIRPERSON

ATTEST:

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JACK WONG, SECRETARY TO THE PLANNING  
AND PRESERVATION COMMISSION

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

I, Jack Wong, 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 18<sup>th</sup> day of July 2017; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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JACK WONG, SECRETARY TO THE PLANNING AND  
PRESERVATION COMMISSION

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

- PROJECT NO.** : **Variance 2017-003**
- PROJECT ADDRESS** : 500 San Fernando Mission Boulevard, Unit #100, San Fernando, CA 91340  
(Los Angeles County Assessor’s Parcel No.: 2521-028-029)
- PROJECT DESCRIPTION** : The applicant is requesting a Variance (VAR) 2017-003, in order to allow for some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard, Unit #100 to be satisfied by payment of an in-lieu parking fee. The proposed use at the subject site will occupy a 1,400 sq. ft. tenant space of an existing 5,799 sq. ft. commercial building located on an approximate 12,500 sq. ft. lot and will prompt a higher parking ratio. The subject site is located along the east side of the 500 block of San Fernando Mission Boulevard, between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone.

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

- 1) Variance. Variance 2017-003 is granted for the land described in this application and any attachments thereto, as reviewed by the Planning and Preservation Commission on June 6, 2017, except as herein modified to comply with these Conditions of Approval.
- 2) Indemnification. The property owner and the project applicant shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the property owner and developer of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. The property owner and developer shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report or related environmental assessment) if made necessary through the initiation of the project
- 3) Parking. An in-lieu parking fee shall be paid for each of the deficient on-site parking spaces. Based on the City's parking calculation, the proposed medical use will be deficient four (4) off-street parking spaces. Pursuant to City Code Section 106-827(a) (Location of Parking), the required parking for a project may be satisfied by either providing parking on-site, through a Variance by providing parking off-site and/or by payment of an in-lieu parking fee to fund shared public parking. Per City Council Resolution No. 6002, the in-lieu parking fee is currently \$8,192.50 per parking

space. As allowed, per the San Fernando City Code, the Applicant has decided to pay the in-lieu parking fee for a total of \$32,770.00 to address the deficiency of four (4) parking spaces, thereby satisfying the City parking requirement for the proposed use. The in-lieu parking fees must be paid in full to the City of San Fernando before the issuance of any commercial business occupancy permit at 500 San Fernando Mission Boulevard, Unit #100.



- 4) Revocation. Violation of, or noncompliance with, any of these conditions of approval shall constitute grounds for revocation of this Variance, in addition to the grounds below:
  - a. Upon the issuance of, and conviction for, three zoning violation citations;
- 5) On-Site Parking. The applicant shall maintain the nineteen (19) on-site parking spaces available for parking purposes.
- 6) Trash. 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.
- 7) Building Code Requirements. The applicant shall comply with all applicable building and construction requirements of the City of San Fernando's building codes, as specified by the City's Community Development Department.
- 8) Property Maintenance. The project site at 500 San Fernando Mission Boulevard, **Unit #100** 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.
- 9) Graffiti Removal. Unless otherwise specified in the conditions of approval, the property owner(s), operator and all successors shall comply with the graffiti removal and deterrence requirements of the San Fernando City Code.
- 10) Site Inspections. The Community Development Department shall inspect the site to assure compliance with these conditions of approval. The proposed medical use (physical therapy) 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) Encroachment Permit. Under no circumstances shall any public right-of-way be obstructed during construction by materials, vehicles, equipment or other related objects without prior approval from the City Engineer. An Encroachment Permit must be obtained from the Public Works Department prior to any demolition and/or new construction activity that would require staging and/or construction within the public right-of-way.
- 12) General Compliance. The applicant shall comply with all requirements of applicable federal, state, or local law, ordinance, or regulation.
- 13) 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 Variance modification approval process.

- 14) Acceptance. Within thirty (30) days of approval of Variance 2017-003, the operator or their duly authorized representatives shall certify the acceptance of the conditions of approval by signing a statement using an acceptance affidavit form provided by the City of San Fernando Community Development Department that acknowledges acceptance of and commitment to adhere to all of the conditions of approval.
- 15) Recordation. The applicant shall provide the Community Development Department with proof that the conditions of approval have been recorded within thirty (30) days of approval of Variance 2017-003 with the Los Angeles Registrar Recorder/County Clerk's Office.
- 16) 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. Employees of the business shall not prohibit a request of the public to view the conditions of approval for this entitlement.
- 17) Expiration. Variance 2017-003 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.



PROJECT INFORMATION			
SITE ADDRESS(ES) 500 SAN FERNANDO MISSION			
ASSESSORS PARCEL NUMBER(S) "APN"			
LOT SIZE 12,463		EXISTING BUILDING (SQUARE FOOTAGE) 5800	
PROPOSED ADDITION (SQUARE FOOTAGE)		TOTAL PARKING SPACES (ON-SITE/OFF-SITE) 19	
PROPOSED USE(S) PARKING		LANDSCAPING (SQUARE FOOTAGE)	
PROJECT DESCRIPTION/TYPE OF CONDITIONAL USE PERMIT REQUEST <i>Include any additional information on separate sheet and attach to the back of this application</i> Proposed Medical Use - variance for deficient parking 4 spaces			
APPLICANT INFORMATION			
APPLICANT NAME ALLEN R BAKER		PHONE NUMBER 818-422-3202	
MAILING ADDRESS 500 SAN FERNANDO MISSION BLVD			
FAX NUMBER 818-365-0092	EMAIL ADDRESS ALLENRBAKER@AOL.COM	SIGNATURE 	
PROPERTY OWNER INFORMATION			
PROPERTY OWNER NAME ALLEN R BAKER		PHONE NUMBER 818-422-3202	
MAILING ADDRESS 500 SAN FERNANDO MISSION BLVD			
FAX NUMBER 818-365-0092	EMAIL ADDRESS ALLENRBAKER@AOL.COM	SIGNATURE 	
FOR OFFICE USE ONLY			
VAR APPLICATION \$ 2,567.00	ZONE C-1	GENERAL PLAN AREA	FILE NO.
AIMS SURCHARGE \$ 256.70	DATE FILED 6/28/17		VAR NO. 2017-003
ENVIRONMENTAL \$ 204.00	ACCEPTED BY H. Quintana		
NOTIFICATION \$ 120.00			AIMS NO
PUBLISHING \$ 600.00			CROSS REFERENCE
TOTAL FEE \$3,747.70			SPR NO.
COMMENTS		CUP NO.	
		OTHER	





NOTICE OF A  
**PUBLIC HEARING**  
THE CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

A public hearing on this matter and associated potential environmental impacts, if any, will be conducted by the City of San Fernando Planning and Preservation Commission on:

**DATE:** Tuesday, July 18, 2017

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

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

**PROJECT LOCATION:** 500 San Fernando Mission Boulevard, CA 91340  
(Los Angeles County Assessor's Parcel No: 2521-028-029)

**APPLICATION:** Variance 2017-003

**PROJECT PROPONENT:** Allen R. Baker  
500 San Fernando Mission Boulevard, CA 91340

**PROJECT DESCRIPTION:**

The proposed project is a request for review and approval of a Variance (VAR) 2017-003, in order to allow some of the required off-street parking spaces for the property located at 500 San Fernando Mission Boulevard to be satisfied by payment of an in-lieu parking fee. The proposed use at the subject site will occupy a 1,400 sq. ft. tenant space of an existing 6,522 sq. ft. commercial building located on an approximate 10,000 sq. ft. lot and will prompt a different parking requirement than what had been previously approved. The subject site is located along the east side of the 500 block of San Fernando Mission Boulevard, between Hewitt Street and Hollister Street, within the C-1 (Limited Commercial) Zone.

This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, the project has been determined to be Categorical 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.**

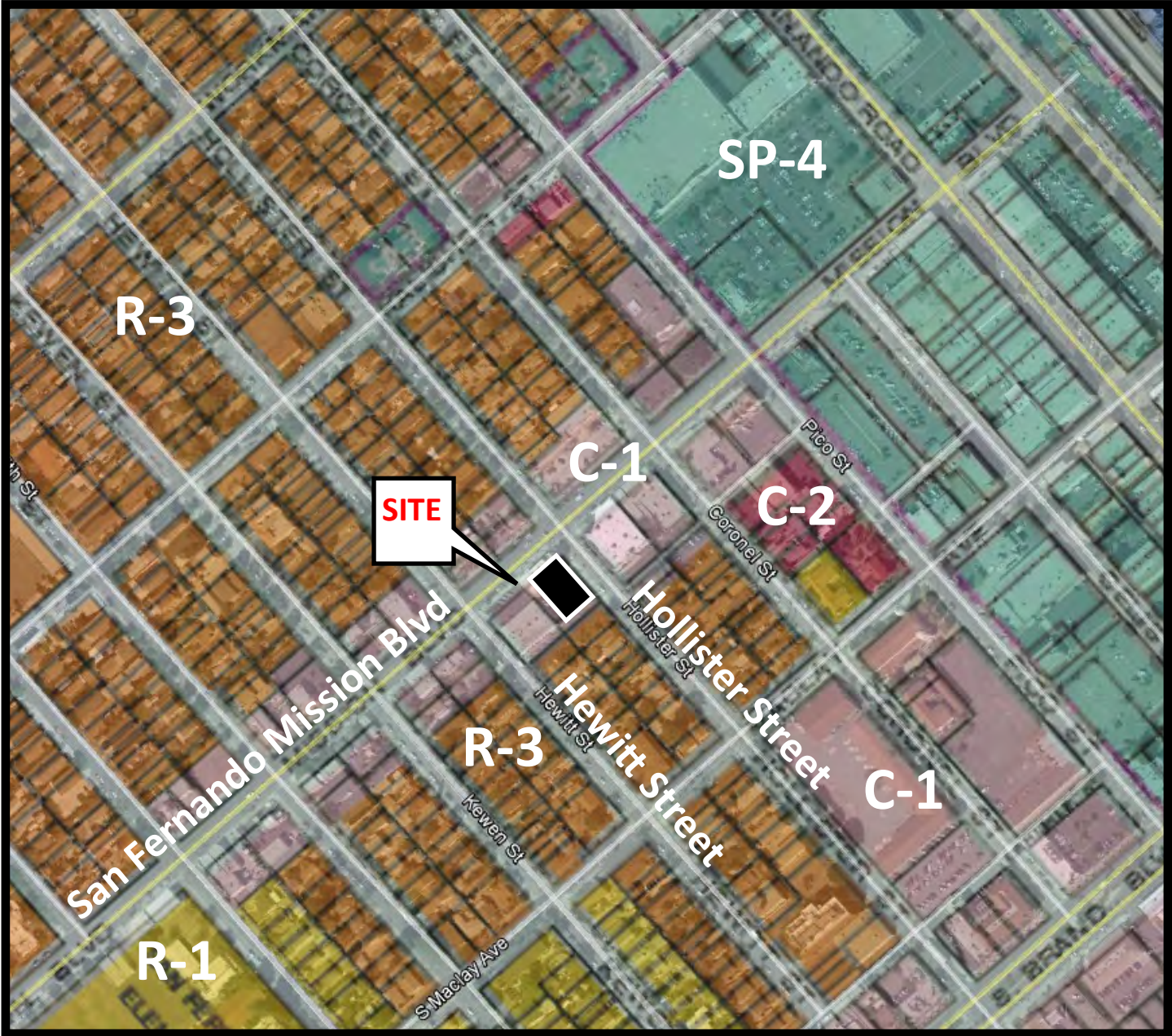
For further information regarding this proposal, please contact Interim Senior Planner Humberto Quintana at (818) 898-1227 or by written correspondence to: City of San Fernando, Community Development Department, 117 Macneil Street, San Fernando, CA 91340-2993.

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**HUMBERTO QUINTANA**  
Interim Senior Planner



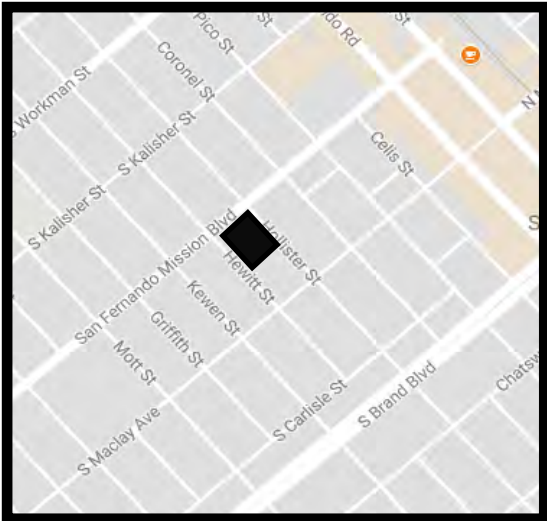




# Zoning & Vicinity Map

CASE NO: VAR 2017-003

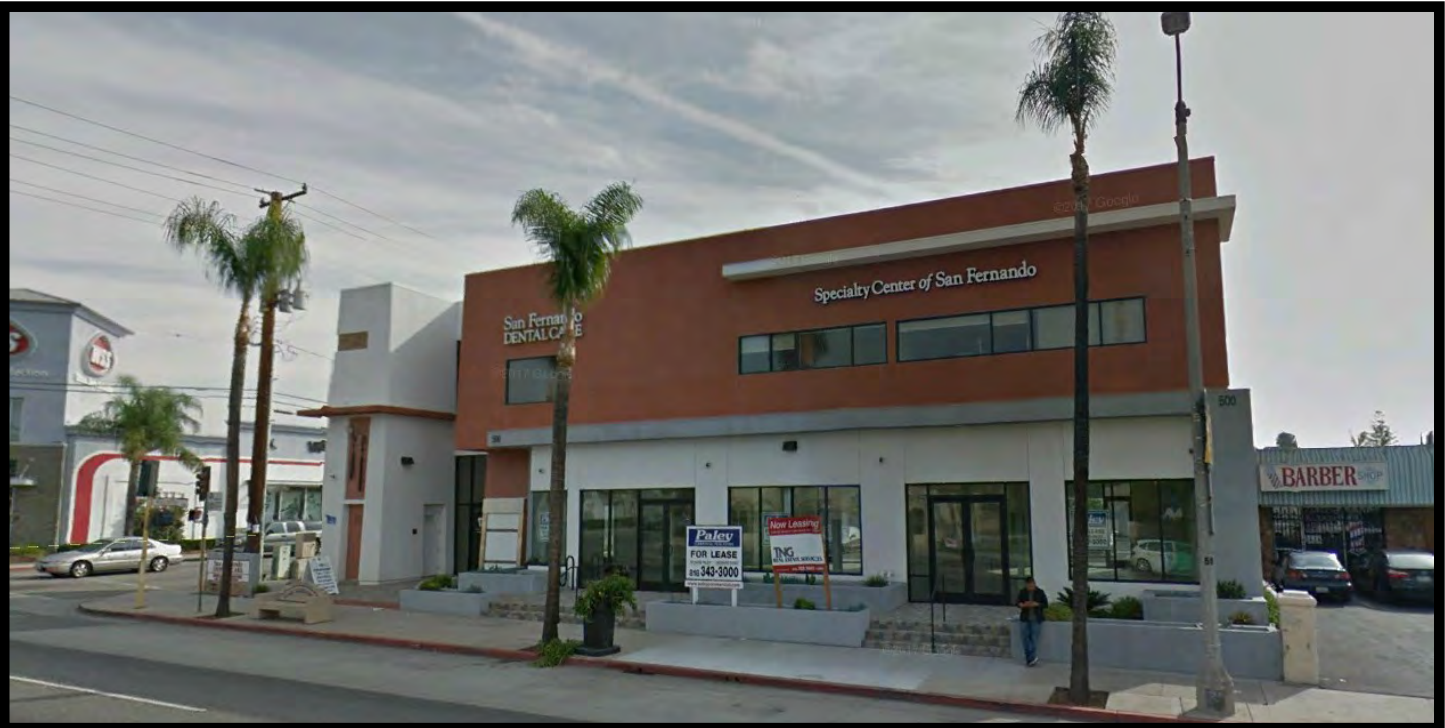
ADDRESS: 500 San Fernando Mission Blvd.



Scale: NTS







View of Subject Site looking East from San Fernando Mission Blvd.



View of Subject Site looking south from Hollister Street



## Subject Site Photos

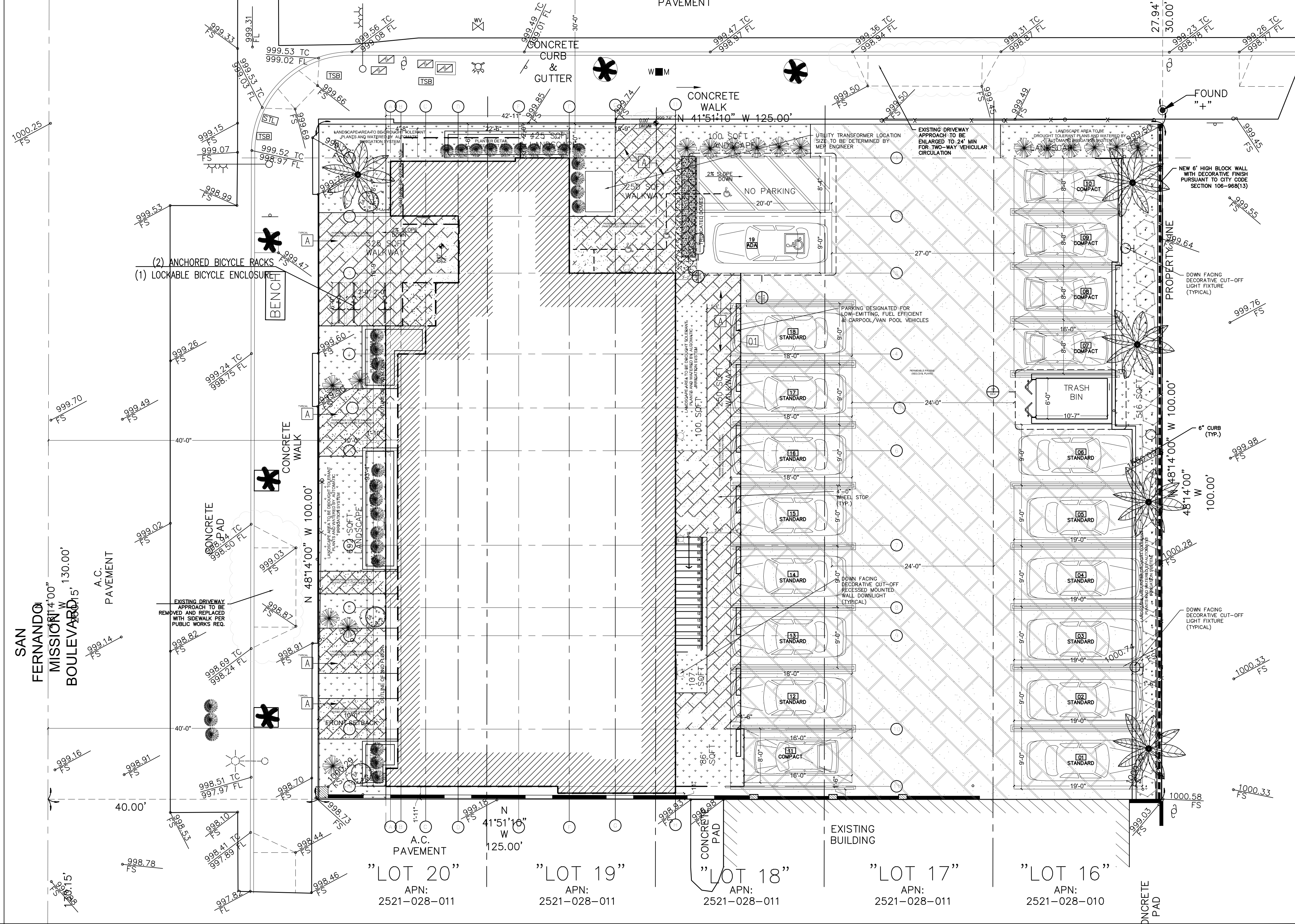
CASE NO: VAR 2017-003

ADDRESS: 500 San Fernando Mission Blvd.





01 PARKING SPACE DESIGNATED FOR ANY COMBINATION OF LOW-EMITTING, FUEL-EFFICIENT AND CARPOOL/VAN POOL VEHICLES.  
A) PAINT, IN THE PAINT USED FOR STALL STRIPPING, THE FOLLOWING CHARACTERS SUCH THAT THE LOWER EDGE OF THE LAST WORD ALIGNS WITH THE END OF THE STALL STRIPING AND IS VISIBLE BENEATH A PARKED VEHICLE:  
"CLEAN AIR/ VANPOOL / EV"  
NOTE) VEHICLES BEARING CLEAN AIR VEHICLE STICKERS FROM EXPIRED HOV LANE PROGRAMS MAY BE CONSIDERED ELIGIBLE FOR DESIGNATED PARKING SPACES.



KEYNOTES

SAN FERNANDO  
DENTAL OFFICE W/ RETAIL

DESCRIPTION	DATE	BY

PROGRESS

BUILDING OWNER APPROVAL DATE:	
CLIENT/TENANT APPROVAL DATE:	DESIGNER / ARCH. SIGNATURE DATE:

THIS DRAWING IS THE PROPERTY OF APEL DESIGN AND SHALL NOT BE USED OR REPRODUCED WITHOUT WRITTEN CONSENT. ALL RIGHTS RESERVED.

DENTAL OFFICE W/ RETAIL  
500 San Fernando Mission Blvd.  
San Fernando, CA 91340-3934

SITE PLAN

NORTH	DATE	PROJ.NO	SCALE	DRAWING
	11/2/2013	13-0037	AS NOTED	A0.0
	DRAWN	CKD.BY	FLOOR	
	LT	AA	N/A	

6411 Independence Ave  
Woodland Hills, CA., 91364  
Ph. 818.346.9828 | Fax. 310.919.3001  
www.apeldesign.com | info@apeldesign.com  
  
AMIT APEL DESIGN INC.

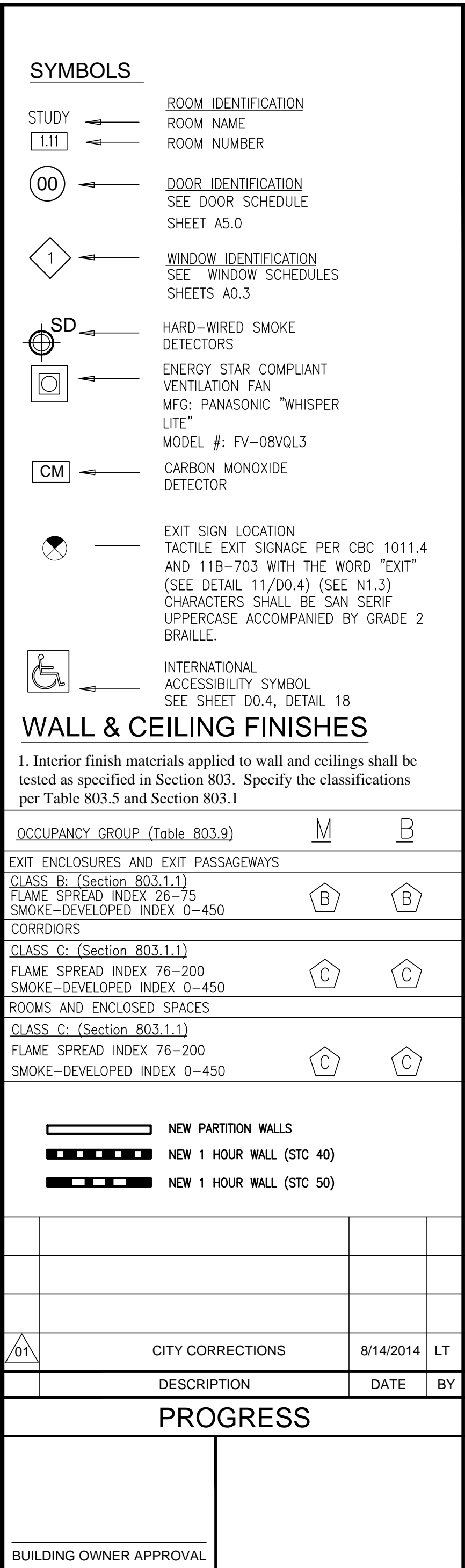
GREEN BUILDING NOTES:

- DURING CONSTRUCTION THERE ARE A NUMBER OF WAYS THAT AIR QUALITY IN THE BUILDING CAN BE PUT AT RISK. THESE INCLUDE WATER DAMAGE TO MATERIALS, DUST COLLECTION IN THE VENTILATION SYSTEM, ABSORPTION OF VOCs INTO POROUS MATERIALS LIKE CARPET AND FURNITURE, AND CLOGGED FILTERS. PREPARING A PLAN PRIOR TO CONSTRUCTION AND PROVIDING THE PLAN TO THE CONTRACTOR HELPS TO ENSURE THAT AIR QUALITY ISSUES WILL BE WELL MANAGED THROUGHOUT THE CONSTRUCTION PROCESS. PROJECTS SHALL PROVIDE A CONSTRUCTION AIR QUALITY MANAGEMENT PLAN ON THE CONSTRUCTION DRAWINGS THAT, AT A MINIMUM INCLUDES PROTECTING DUCTS DURING CONSTRUCTION AND CHANGING THE FILTERS AND VACUUMING DUCTS PRIOR TO OCCUPANCY.
- LOW VOLATILE ORGANIC COMPOUND (VOC) PAINTS AND WOOD FINISHES ARE BROADLY AVAILABLE AT LITTLE OR NO ADDITIONAL COST THAN THEIR TOXIC COUNTERPARTS. USING THESE MATERIALS PROTECTS BOTH WORKERS AND OCCUPANTS FROM RESPIRATORY IRRITATIONS THAT CAN BE GENERATED BY VOCs. MOST LOW-VOC PAINTS MARKED BY PAINT MANUFACTURERS MEET THE THRESHOLD OF 50 GRAMS (OR LESS) PER LITER FOR FLAT PAINTS, AND 150 GRAMS PER LITER (OR LESS) FOR NON-FLAT PAINTS.
- ENERGY STAR QUALIFIED APPLIANCES INCORPORATE ADVANCED TECHNOLOGIES THAT USE 10-50% LESS ENERGY AND WATER THAN STANDARD MODELS. THEY ARE WIDELY AVAILABLE FROM ALL MAJOR BRANDS. REBATES AND INCENTIVES ARE OFTEN AVAILABLE FROM SOUTHERN CALIFORNIA EDISON, SEE [HTTP://WWW.SCE.COM/REBATESANDSAVINGS/](http://www.sce.com/rebatesandsavings/) AND ALSO FROM Socal GAS COMPANY AND LADWP. COMMERCIAL APPLIANCES THAT ARE NOT AVAILABLE IN ENERGY STAR ARE EXEMPT FROM THIS REQUIREMENT.
- PROJECTS SHALL COMPLY WITH APPLICABLE REQUIREMENTS FOR UTILIZING LOW-FLOW SHOWERHEADS, FAUCETS AND WATER CLOSETS AS ADOPTED BY SECTION 13.12.030(I) AND (J). THE MAXIMUM RATE FOR LOW-FLOW FAUCETS IS 2.2 GALLONS PER MINUTE. THE MAXIMUM RATE FOR SHOWER HEADS IS 2.5 GALLONS PER MINUTE. THESE FIXTURES CAN HELP REDUCE WATER USAGE AT A TIME WHEN SOUTHERN CALIFORNIA IS FACING A SHARP DECREASE IN WATER SUPPLY.
- PROJECTS SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS IN SECTION 19.28.100(B) (PARKING AREA LANDSCAPING REQUIREMENTS). THE PARKING LOT MUST HAVE PERIMETER LANDSCAPING, WITH 1 CANOPY TREE FOR EVERY 9 PARKING SPACES. PARKING AREAS ADJACENT TO THE PUBLIC RIGHT OF WAY AND PARKING AREAS ADJACENT TO RESIDENTIALLY ZONED PARCELS MUST BE SCREENED FROM VIEW WITH LANDSCAPING TO A HEIGHT OF 42', MEASURED FROM THE SURFACE OF THE PARKING AREA.
- PROJECTS SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS IN CHAPTER 15 (ENVIRONMENTAL PROTECTION, POLLUTION, AND SOLID WASTE).
- OUTDOOR LIGHTING SHOULD BE DESIGNED TO PREVENT GLARE, LIGHT TRESPASS AND SKY GLOUCH. AS POSSIBLE, PERMANENTLY INSTALLED LIGHTING SHOULD NOT BLINK, FLASH, OR BE OF UNUSUALLY HIGH INTENSITY OR BRIGHTNESS. EXTERIOR LIGHTING MUST BE ENERGY-EFFICIENT AND SHIELDED SO THAT ALL GLARE IS CONFINED WITHIN THE BOUNDARIES OF THE SITE. ENERGY EFFICIENT OUTDOOR LIGHTING LASTS LONGER THAN INCANDESCENT BULBS, SAVES ENERGY AND MONEY, AND LIGHT SPILLAGE IS REDUCED.

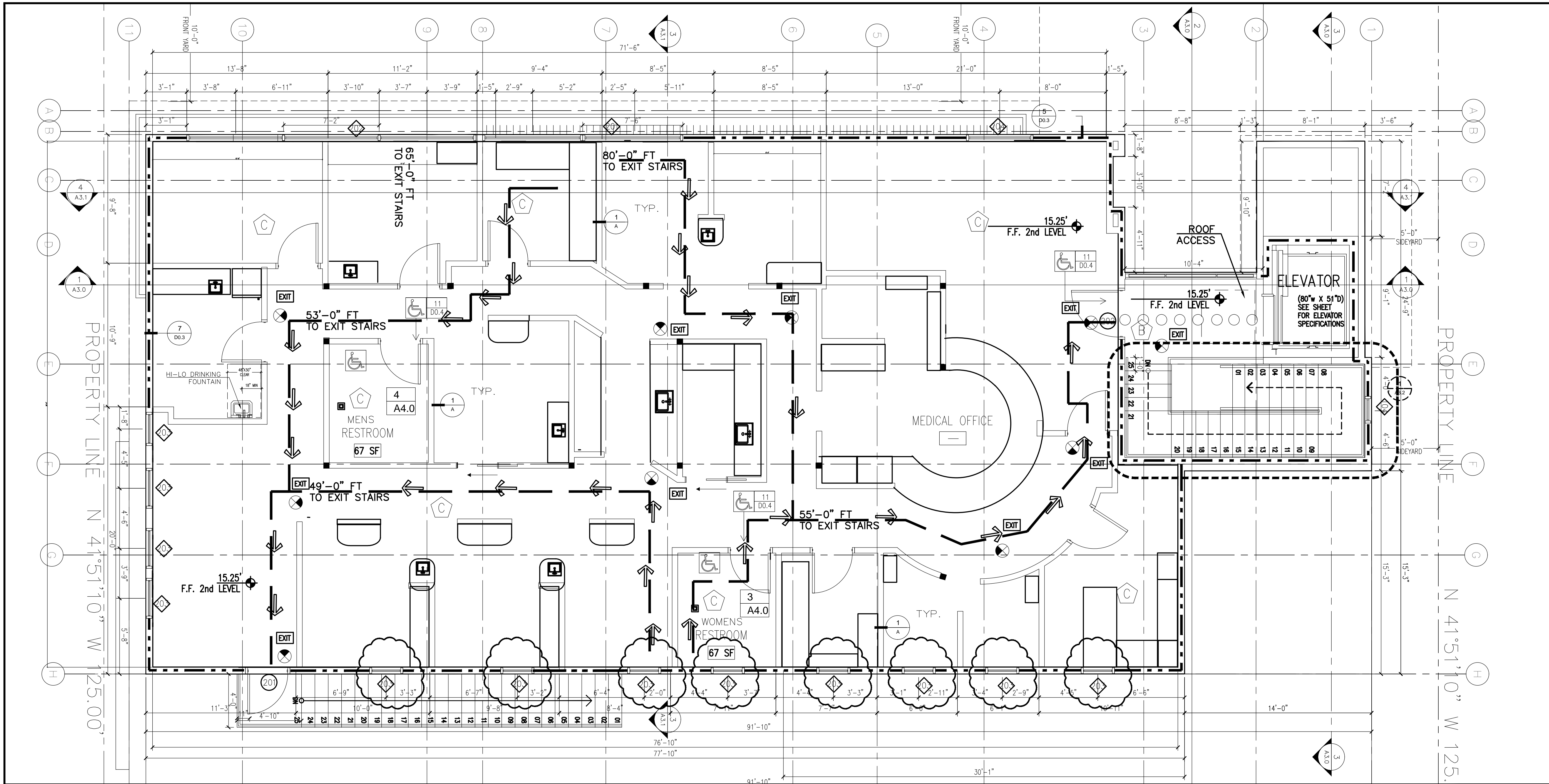
ADA ACCESSIBILITY NOTES:

- A When abrupt changes in level not exceeding 1/2" occur, they shall be beveled with a slope no greater than 1:2, except that level changes not exceeding 1/4" may be vertical.
- Walks and sidewalks shall have a continuous common surface, not interrupted by steps or by abrupt changes in level exceeding 1/2", and shall be a minimum of 48" in width.
- SEE N1.0 FOR ADDITIONAL ACCESSIBILITY REQUIREMENTS





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2ND FLOOR PLAN SCALE: 1/4"-1'-0"

### NOTES

- The construction shall not restrict a five-foot clear and unobstructed access to any water or power distribution facilities (power poles, pull-boxes, transformers, vaults, pumps, vales, meters, appurtenances, etc.) or to the location of the hook-up. The construction shall not be within ten feet of any power lines-weather or not the lines are located on the property. Failure to comply may cause construction delays and/or additional expenses.
- An approved Sismic Gas Shutoff valve will be installed on the fuel gas line on the down stream side of the utility meter and be rigidly connected to the exterior of the ubilding or structure containing the fuel gas piping. (Per ordinance 170.158)(Includes Commercial additions and TI work over \$10,000.) Seperate plubing permit is required.
- Provide ultra flush water closets for all new constructions. Existing shower heads and toilets must be adapted for low water consumption.
- A copy of the evaluation report and/or conditions of listing shall be made available at the job site.
- Penetration in walls requiring protected openings must be firestopped with an approved material in accordance with section 713.3.1. Space between penetrating materials (describe below) MUST BE DESIGNED TO PREVENT THE MOVEMENT OF HOT FLAME OR GASES.
  - Membrane penetrations of maximum 2-hr fire-resistance rated wall and partitions by steel electrical outlet boxes not exceeding 16 square inches are permitted provided openings do not exceed 100 square inches for any 100 square feet of wall area. Outlet boxes on opposite sides of walls or partitions must be separated by a horizontal distance of 24 inches.
  - Steel, Copper or ferrous pipes or conduits may penetrate concrete or masonry walls where the penetrating item is a maximum 6-inch diameter and the area of the openin through the wall does ntoexceed 144 square inches.
  - Where walls are penetrated by other materials or where larger openings are required than permitted in (b) above, they must be qualified by tests conducted in accordance with section 713.3.1.1.
- Exit signs shall be illuminated at all times.
- Exit signs shall be internally or externally illuminated.
- Exit signs illuminated by an external source shall have an intensity of not less than 5 foot candles. (54 LUX).

- Smoke and fire dampers must be installed in the following locations per sections 716.3.3
  - Duct penetrations of fire walls in accordance to section 716.11
  - Duct penetrations of the barriers, except exit enclosures and exit passageways where they are not allowed to penetrate. (716.5.2)
  - Ducts penetrating shafts. (716.5.3)
  - Duct penetrating fire partitions and fire-rated corridor walls. see exception for steel ducts with no openings into corridor (716.5.4)
  - Ducts penetrating smoke barriers (716.5.5)
  - Ducts penetrating horizontal assemblies (716.6)
- Steel beams and column shall be protected as required for 1-hour protection. Where ceiling forms the protective membrane for fire-resistive assemblies (occupancy separations and rated roo/ceiling or floor/ceiling assemblies), the construction (floor joists) and their supporting horizontal structural membrane (beams) need not be individually fire protected except where such members support directly applied loads from more than one floor or roof. the required fire resistance shall not be less than thta required for individual protection of membran. (743.3)
- Internally illuminated signs shall be listed and labeled and shall be installed in accordance with the manufacturer's instructions and section 2702.
- Exit signs shall be connected to an emergency power system that will provide an illumination of not less than 90 min. in case of primary power loss (1011.2-1011.5.3)
- Egress doors shall be readily openeable from the egress side without the use of a key or special knowledge of effort. See 1008.1.8.3 for exceptions.
- Door handles, lock and other operating devices shall be installed at a min. 34" and a max. 44" above the finished floor.
- This door to remain unlocked when building is occupied.
- All egress door operation shall also comply with Section 1008.1.9 - 1008.1.9.7.
- The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied.
- The means of egress illumination level shall not be less than 1 foot-candle at the walking surface.
- The interior finish materials applied to wall and ceiling shall be tested as specified in Section 803.
- An international accessibility symbol shall be affixed to all accessible entrances. 11B-216.6

- The power supply for means of egress illumination shall normally be provided by the premises electrical supply. In the event of power supply failure, an emergency electrical system shall automatically illuminate the following areas:
  - Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.
  - Corridors, exit enclosures and exit passageways in buildings required to have two or more exits.
  - Exterior egress components at other than the travel of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.
  - Interior exit discharge elements, as permitted in section 1027.1 in building required to have two or more exits.
  - Exterior landing, as required by section 1008.1.5. for exit discharge doorway in buildings required to have two or more exits.
- The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 2702.
- Electrically powered, self-luminous and photo luminescent exit signs shall be listed and labeled in accordance with UL 924 and shall be installed in accordance with the manufacturer's instructions and Chapter 27. Exit signs shall be illuminated at all times.
- The emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1-foot-candle (11 lux) and minimum at any point of 0.1 foot candle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 foot-candle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-maximum illumination uniformity ratio of 40 to 1 shall not be exceeded.
- The Flame-spread rating of paneling materials on the walls of the corridor lobby and exit enclosure must be identified on plans.
- All egress door operation shall also comply with Section 1008.1.9 - 1008.1.9.7.
  - Show the path of exit travel to and within exits.
  - The exit path shall be identified by exit signs conforming to the requirements of Section 1011.
  - Exit signs shall be readily visible from any direction of approach.
  - Exit signs shall be located as necessary to clearly indicate the direction of egress travel. No point shall be more than 100 feet from the nearest visible sign. (1011)

### OCCUPANCY: M-OFFICE

USE	SQ.FT.	OCCUPANCY FACTOR	OCCUPANTS
BUSINESS AREAS	2916	100	29
STORAGE/ UTILITY SERVICE	-	300	-
RESTROOMS	-	50	-
MERCANTILE	-	30	-
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>29</b>

### OCCUPANCY CALC FOR PLUMBING FIXTURES:

OFFICE AREA (B)	2,916	200	14.58
RETAIL AREA (M)	-	200	-
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>15</b>

### PLUMBING FIXTURES REQUIREMENTS PER CALIFORNIA PLUMBING CODE FOR:

WATER CLOSET		URINAL		LAVATORIES		FOUNTAIN
MALE	FEMALE	MALE	MALE	MALE	FEMALE	ONE FOR EACH 150 PERSONS
1 1-100	3 1-50	1 1-100	1 1-200	1 1-200		
2 101-200	4 51-100	2 101-200	2 201-400	2 201-400		
3 201-400	8 101-200	3 201-400	3 401-750	3 401-750		
	11 201-400	4 401-600	Over 750 add one fixture for each additional 500 persons			

### REQUIRE FOR PROJECT:

2X MALE WATERCLOSETS  
2X MALE URINAL  
2X MALE LAVATORY

4X FEMALE WATERCLOSET  
2X FEMALE LAVATORY

PROVIDE 1 SET OF DRINKING FOUNTAIN

### STAIRWAYS

- Rise: 7" max. Run (tread): 11" min.
- Headroom clearance: 6'-8"
- Width: (44") (48" between hand rails for accessible stairs)
- Handrail height: 34-38", max 4" openings.
  - Handgrip portion of handrail shall not be less than 1.25" and not greater than 2" in cross-section for circular type. 4" - 6.25" perimeter for other shapes.
- A minimum 1.5" handrail clearance from adjacent wall.
  - HANDGRIP SHALL EXTEND 12" BEYOND THE TOP AND 12" +TREAD WIDTH BEYOND BOTTOM TREAD AND RETURN OF HANDRAIL TO NEWEL POST OR WALL.

### RESTROOM NOTE

- Provide ultra flush water closets for all new construction. Existing shower heads and toilets must be adapted for low water consumption.
- Toilet room floors shall have a smooth, hard non-absorbent surface such as portland cement, ceramic tile or other approved material that extends upward onto the walls at least 6".
- All utilities serving the site shall be underground.
- An approved backwater valve is required for drainage piping serving fixtures located below the elevation of the next upstream manhole cover. Fixtures above such elevation shall not discharge through the back water valve (UPC 710.1)
- Bathroom receptacles shall be GFI protected & served by dedicated 20 amp. circuits (NEC SECT.210-52(d))
- Maximum flow rates standards set by the California energy commission:

WATER CLOSET: 1.6 GPF  
SHOWERHEADS: 2.5 GPF  
LAUNDRY FAUCETS: 2.2 GPF

### SYMBOLS

- |       |  |
|-------|--|
| STUDY | ROOM IDENTIFICATION  |
| 1.11  | ROOM NAME  |
|       | ROOM NUMBER  |
| 00    | DOOR IDENTIFICATION  |
|       | SEE DOOR SCHEDULE SHEET A5.0   |
| 1     | WINDOW IDENTIFICATION  |
|       | SEE WINDOW SCHEDULES SHEETS A0.3   |
| SD    | HARD-WIRED SMOKE DETECTORS   |
|       | ENERGY STAR COMPLIANT VENTILATION FAN  |
|       | MFG: PANASONIC "WHISPER LITE"  |
|       | MODEL #: FV-08VQL3   |
| CM    | CARBON MONOXIDE DETECTOR   |
|       | EXIT SIGN LOCATION   |
|       | TACTILE EXIT SIGNAGE PER CBC 1011.4 AND 11B-703 WITH THE WORD "EXIT" (SEE DETAIL 11/D0.4) (SEE N1.3) CHARACTERS SHALL BE SAN SERIF UPPERCASE ACCOMPANIED BY GRADE 2 BRAILLE. |
|       | INTERNATIONAL ACCESSIBILITY SYMBOL   |
|       | SEE SHEET D0.4, DETAIL 18  |

### WALL & CEILING FINISHES

1. Interior finish materials applied to wall and ceilings shall be tested as specified in Section 803. Specify the classifications per Table 803.5 and Section 803.1

OCCUPANCY GROUP (Table 803.9)	M	B
EXIT ENCLOSURES AND EXIT PASSAGEWAYS		
CLASS B: (Section 803.1.1)		
FLAME SPREAD INDEX 28-75	B	B
SMOKE-DEVELOPED INDEX 0-450		
CORRIDORS		
CLASS C: (Section 803.1.1)		
FLAME SPREAD INDEX 76-200	C	C
SMOKE-DEVELOPED INDEX 0-450		
ROOMS AND ENCLOSED SPACES		
CLASS C: (Section 803.1.1)		
FLAME SPREAD INDEX 76-200	C	C
SMOKE-DEVELOPED INDEX 0-450		
NEW PARTITION WALLS		
NEW 1 HOUR WALL (STC 40)		
NEW 1 HOUR WALL (STC 50)		

01	CITY CORRECTIONS	8/14/2014	LT
	DESCRIPTION	DATE	BY

### PROGRESS

BUILDING OWNER APPROVAL	
DATE:	
CLIENT/TENANT APPROVAL	
DATE:	
DESIGNER / ARCH. SIGNATURE	
DATE:	

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500 SAN FERNANDO  
500 San Fernando Mission Blvd.  
Los Angeles, CA 91340

### 2ND FLOOR PLAN

NORTH	DATE	PROJ.NO	SCALE	DRAWING
	2013.11.05	13-0037	1/8"=1'-0"	TITLE
	DRAWN	CKD.BY	FLOOR	A1.2

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Woodland Hills, CA., 91364  
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