

CHAIR DAVID BERNAL VICE CHAIR FRANCISCO SOLORIO COMMISSIONER SYLVIA BALLIN COMMISSIONER CECILIA MARTINEZ COMMISSIONER SEAN M. RIVAS

CITY OF SAN FERNANDO

PLANNING & PRESERVATION COMMISSION REGULAR MEETING AGENDA SUMMARY MONDAY, DECEMBER 11, 2023 – 6:30 PM

CITY HALL COUNCIL CHAMBERS 117 MACNEIL STREET SAN FERNANDO, CALIFORNIA 91340

PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING:

Live stream with audio and video, via YouTube Live, at:

https://www.youtube.com/c/CityOfSanFernando

Note: Comments submitted via YouTube will not be read into the record.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in person in the City Council Chambers during the

Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments by email to <u>communitydevelopment@sfcity.org</u> no later than 5:00 p.m. the day of the meeting, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and made part of the official public record of the meeting.

CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the Public may call-in between 6:30 p.m. and 6:45 p.m. Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Chair.

Staff Contact Erika Ramirez Director of Community Development

PLANNING AND PRESERVATION COMMISSION

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Call-in Telephone Number: (669) 900-6833 Meeting ID: 896 2370 9376 Passcode: 194996

When connecting to the Zoom meeting to speak, you will be placed in a virtual "waiting area," with your audio disabled, until it is your turn to speak and limited to three minutes.

CALL TO ORDER/ROLL CALL

TELECONFERENCE REQUESTS/DISCLOSURE

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City's legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

PLEDGE OF ALLEGIANCE

Led by Commissioner Cecilia Martinez

APPROVAL OF AGENDA

Recommend that the Planning and Preservation Commission approve the agenda as presented.

DECORUM AND ORDER

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission meetings shall observe the same rules of order and decorum applicable to the City Council <u>(SF Procedural Manual)</u>. Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing a City Commission or while attending a City Commission meeting, may be removed from the room if the Presiding Officer so directs the Sergeant-At-Arms and such person may be barred from further audience before the City Commission.

PUBLIC STATEMENTS

Members of the public may **provide comments in person in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.



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Members of the public may submit comments by email to <u>communitydevelopment@sfcity.org</u> no later than 5:00 p.m. the day of the meeting, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and made part of the official public record of the meeting.

Members of the public may provide a live public comment by calling in between 6:30 p.m. and 6:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996

CONSENT CALENDAR

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

- 1. CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:
 - a. September 11, 2023 Regular Meeting

PUBLIC HEARING

2. REVOCATION OF CONDITIONAL USE PERMIT (CUP) 1987-09 AND CONSIDERATION OF CONDITIONAL USE PERMIT 2023-001 AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 LICENSE PERMITTING THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT TARGET STORE LOCATED AT 12920 FOOTHILL BOULEVARD (APN: 2514-001-062).

Recommend that the Planning and Preservation Commission:

- a. Conduct a Public Hearing;
- Pending public testimony, adopt Planning and Preservation Commission Resolution No. 2023-004 revoking CUP 1987-09 and Resolution 2023-005 approving CUP 2023-001 and a Letter of Public Convenience or Necessity for a Type 21 license permitting the sale of beer, wine, and distilled spirits for off-site consumption at Target store located at 12920 Foothill Boulevard



STAFF COMMUNICATION

COMMISSIONER UPDATES/REQUESTS TO AGENDIZE ITEM FOR DISCUSSION AT A FUTURE MEETING

Commissioner(s) may request to agendize an item for discussion at a future meeting, subject to approval by the Commission. Requests should align with the commission's scope of responsibility, adhere to City Council policies, and consider the availability of staff resources and budget constraints.

ADJOURNMENT The meeting will adjourn to its next regular meeting.

AFFIDAVIT OF POSTING

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.

Dated: _______ at: ______

Signed By: _____

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (<u>www.sfcity.org</u>). 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 Interest, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at <u>www.sfcity.org</u>. 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 Office at (818) 898-1227 at least 48 hours prior to the meeting.



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CITY OF SAN FERNANDO PLANNING AND PRESERVATION COMMISSION

DRAFT MINUTES OF THE SEPTEMBER 11, 2023, MEETING CITY HALL

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING AND PRESERVATION COMMISSION. VIDEO AND AUDIO OF THE ACTUAL MEETING ARE AVAILABLE AT: <u>http://ci.san-fernando.ca.us/commissions-boards/#planning-preservation</u>

CALL TO ORDER/ROLL CALL: Chairperson Bernal called to order at 6:32 p.m.

PRESENT:

Commission: Chairperson D. Bernal, Commissioners F. Solorio and C. Martinez

Staff:Deputy City Manager Kanika Kith, Community Development Director Erika
Ramirez, City Attorney Norma Tabarez, Associate Planner Marina Khrustaleva

PLEDGE OF ALLEGIANCE

Led by Chairperson Bernal

APPROVAL OF AGENDA

Chairperson Bernal moved to approve the September 11, 2023 agenda. Seconded by Commissioner Martinez, the motion carried with the following vote:

D. Bernal, F. Solorio and C. Martinez
None
S. Ballin
None

STAFF COMMUNICATIONS

Deputy City Manager introduced the new Commissioner and asked that she briefly introduce herself.

Separately introduced the new Director of Community Development Erika Ramirez and also asked that she briefly introduce herself.

Upcoming Calendar events: "El Grito" on September 16, 2023 and "Open Street Event and Outdoor Market" on September 23, 2023.

PULIC STATEMENTS
None

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CONSENT CALENDAR

No ítems.

PUBLIC HEARING

 Consideration Of A Proposed Zone Text Amendment 2023-002 Amending The San Fernando Muncipal Code Chapter 106 -Zoning Section 106-182 (Standard Conditions) To Grant Discretion To The Planning And Preservation Commission Or The City Council To Waive Or Modify Certain Standard Conditions For The Approval Of Conditional Use Permits Authorizing The Sale Of Alcoholic Beverages; Revocation Of Conditional Use Permit (Cup) 1987-09; And Consideration Of Conditional Use Permit 2023-001 And A Letter Of Public Convenience Or Necessity For A Type 21 License Permitting The Sale Of Beer, Wine, And Distilled Spirits For Off-site Consumption At The Recently Approved Target Store Located At 12920 Foothill Boulevard.

Associate Planner Marina Khrustaleva provided a power point presentation.

There were no additional comments or questions from the Commission.

PUBLIC COMMENT

None

ACTION

Chairperson Bernal motioned to recommend approval to City Council.

 Project No. CUP2022-001 – Conditional Use Permit and A Finding Of Public Convenience Or Necessity To Allow On-site Sale And Consumption Of Alcohol Ancillary To An Existing Retail Store (Midnight Hour Records) Located At 1101 San Fernando Road.

Recommend that the Planning and Preservation Commission: a) Continue the Public Hearing for the Consideration of CUP 2022-001 to the Next Regular Meeting on October 9, 2023.

COMMISSION COMMENTS

Chairperson Bernal asked the reason as to why the request has been placed to continue November 13, 2023 instead of October 9, 2023. Director of Community Development replied advising the commission and Chair Bernal that the applicant would be out of town and request to continue until the following meeting. No further comment or questions.

Commissioner Solorio asked if staff would present a full presentation on the Midnight hour. Director of Community Development confirmed by advising that we will have a full Staff report to review prior to the meeting.

PLANNING AND PRESERVATION COMMISSION

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PUBLIC COMMENT None

STAFF COMMENTS None

ADJOURNMENT Chairperson Solorio Moved to adjourn. Second by Commissioner Martinez.

7:07 P.M.

Planning Commission Secretary

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То:	Planning Preservation Chair Bernal and Commissioners		
From:	Erika Ramirez, Director of Community Development By: Marina Khrustaleva, Associate Planner		
Date:	December 11, 2023		
Subject:	Revocation of Conditional Use Permit (CUP) 1987-09 and Consideration of Conditional Use Permit 2023-001 and a Letter of Public Convenience or Necessity for a Type 21 license permitting the sale of beer wine, and distilled spirits for off-		

for a Type 21 license permitting the sale of beer, wine, and distilled spirits for offsite consumption at Target Store located at 12920 Foothill Boulevard (APN: 2514-001-062).

RECOMMENDATION:

- a. Conduct a Public Hearing;
- b. Pending public testimony, adopt Planning and Preservation Commission Resolution No. 2023-004 revoking CUP 1987-09 and Resolution 2023-005 approving CUP 2023-001 and a Letter of Public Convenience or Necessity for a Type 21 license permitting the sale of beer, wine, and distilled spirits for off-site consumption at Target store located at 12920 Foothill Boulevard.

BACKGROUND:

- The San Fernando Municipal Code (SFMC), Chapter 106 (Zoning), was adopted in 1957. In 1985, Subdivision II (On-Site and Off-Site Sale of Alcoholic Beverages) of Chapter 106 was amended to include SFMC Section 106-182 (Standard conditions) (hereinafter "Section 106-182"). Section 106-182 establishes various operating requirements and conditions for the approval of Conditional Use Permits ("CUP") seeking authorization for off-site and/or on-site alcohol sales. It was previously amended three times with the last amendment on January 19, 2010. The latest amendment took effect November 16, 2023, authorizing the waiver of certain standard conditions as detailed below.
- 2. PACE Warehouse originally occupied the project site. On July 9, 1987, the Planning Commission approved Conditional Use Permit No. 1987-09 to allow sales of alcohol for off-site consumption (Type 21 license from the California Department of Alcoholic and Beverage Control (ABC)) (Attachment C).

- 3. In 1993, Walmart Corporation purchased multiple PACE Warehouse properties and converted a majority of them into Sam's Club. This subject site was one of the locations, which changed into Sam's Club. PACE Warehouse had a Type 21 license from ABC, and the license transferred to Sam's Club. In 2018, the Sam's Club store closed and since then, the building has remained vacant.
- On April 27, 2022, Kimley-Horn & Associates, Inc. on behalf of Target Corporation submitted a Site Plan Review (SPR) application for façade and site improvements and a Tentative Tract Map (TTM) application to subdivide the 9.29-acre parcel into five parcels for individual ownership.
- 5. On June 15, 2022, the Site Plan Review for the Target façade remodel and site improvements involving a 1,340-square-foot addition and a new 963 square-foot canopy to the front of the existing building, and a new 3,168 square-foot carport covering 12 parking stalls was approved (SPR2022-012).
- 6. On August 1, 2022, the City Council approved the TTM2022-001 for the subdivision of the 9.29-acre parcel into five parcels for individual ownership in the Home Depot/Target Shopping Center;
- 7. On March 13, 2023, the Planning Division received a Conditional Use Permit (CUP) application for a Type 21 alcohol license for the sale of beer, wine, and distilled spirits for off-site consumption and a request for a Letter of Public Convenience or Necessity.
- 8. On April 10, 2023, the Planning and Preservation Commission (PPC) continued CUP2023-002 to the next regularly scheduled PCC meeting on May 8, 2023 at staff's request to allow additional time to address CUP requirements mandated by the San Fernando Municipal Code (SFMC).
- 9. The May 8, 2023 PCC meeting was cancelled and CUP2023-001 was not continued to the next PCC meeting.
- 10. On August 3, 2023, the Planning Division received a request for a Zoning Text Amendment (ZTA) from the Target Corporation. The ZTA requested an amendment to the standard conditions of approval imposed for alcohol-related CUPs.
- 11. On August 23, 2023, the City Council approved TM No. 84029 for the subdivision of the 9.29acre parcel into five parcels for individual ownership in the Home Depot/Target commercial center.
- 12. On September 11, 2023, the Planning and Preservation Commission adopted Resolution No. 2023-002 recommending that the City Council adopt an ordinance amending the San

Fernando Municipal Code, Chapter 106 (Zoning) Section 106-182 (Standard Conditions) to grant discretion to the Planning and Preservation Commission or the City Council to waive or modify certain standard conditions for the approval of Conditional Use Permits authorizing the sale of alcoholic beverages. The Revocation of CUP 1987-09, approval CUP 2023-001 and a Letter of Public Convenience or Necessity was continued to the Regularly Scheduled Planning and Preservation Meeting of December 11, 2023.

- 13. On October 16, 2023, the City Council adopted Ordinance No. 1719 approving a Zone Text Amendment to the San Fernando Municipal Code, Section 106-182, to grant discretion to the Planning and Preservation Commission or the City Council to waive or modify certain standard conditions for the approval of Conditional Use Permits authorizing the sale of alcoholic beverages.
- 14. On November 16, 2023, Ordinance No. 1719 took effect.

ANALYSIS:

The Target store is under construction and is scheduled to be open in April of 2024. The new store will include a grocery section, pharmacy, Starbucks, Ulta Beauty, and general merchandise. As part of the store operation, Target is proposing to sell beer, wine, and distilled spirits as an ancillary use to the main store operation. Therefore, Target is requesting approval of the following applications:

- 1. Revocation of Conditional Use Permit (CUP) 1987-09; and
- 2. A CUP to allow the Target Corporation to sell beer, wine, and distilled spirits at the recently approved store that is under construction to expand from 127,151 square feet to 128,491 square feet; and
- 3. A Letter of Public Convenience or Necessity (LPCN) to allow for the sale of alcohol for offsite consumption within an overconcentrated census tract.

The recently approved Target store (Figure 1 outlined in red) is located in the commercial center west of Foothill Boulevard, south of the Pacoima Wash, and neighboring the City's northeastern boundary.



Figure 1: Project Location

General Plan Compliance

The commercial center, in which the Target store is in, was formerly occupied by a portion of the San Fernando Airport until the adoption of the General Plan in 1987 when the Land Use designation changed to Commercial (COM), allowing for commercial use. The General Plan Land Use designation of the project site remains Commercial (COM). The proposed Conditional Use Permit will provide customers an opportunity to purchase alcohol for off-site consumption at a commercial retail establishment and help achieve the San Fernando General Plan goal of promoting economic viability of commercial areas and therefore, is consistent with the General Plan.

Zoning Code Analysis

The project site is within the Commercial (C-2) zone and under the Precise Development (PD) Overlay. According to the development standards listed in the San Fernando Zoning Code Section 106-643, the provisions of the zone to which the PD zone is added shall apply; therefore, those of Commercial (C-2) prevail. The C-2 zone allows for a wide range of goods and services for the public including facilities for shopping, convenience goods and services, professional offices and recreation for the community. It is intended to promote an environment which will encourage maximum efficiency of the commercial area with maximum protection for nearby property and property values by permitting only those uses which are necessary for the city and excluding those uses which are incompatible with this goal and which should be located elsewhere. The Target store will provide a destination-shopping retailer to residents and surrounding neighborhoods demonstrating consistency with the purpose of the C-2 zone.

Conditional Use Permit

According to the San Fernando Zoning Code, a retail business is a permitted use in the C-2 zone; however, the sale of alcoholic beverages is subject to a Conditional Use Permit (CUP) pursuant to SFMC Section 106-518(1).

Revocation of a Conditional Use Permit

SFMC Section 160-148 gives the Planning and Preservation Commission authority to revoke a CUP if one or more certain condition exists. Two of the certain conditions, as listed below, are applicable to CUP1987-09:

• SFMC Section 106-148(b)(3) - if a CUP that was granted has ceased or was suspended for six or more successive calendar months.

The project site has been vacant since 2018.

• SFMC Section 106-148(b)(4) - if one or more of the conditions of the CUP have not been complied with.

CUP1987-09 Condition No. 4 states, "that the subject Conditional Use Permit shall expire with the termination of the use or with a change of tenant or ownership." The building was occupied by PACE warehouse in 1987 and transitioned into a Sam's Club after the Walmart Corporation acquired multiple PACE warehouses. The building has remained vacant since 2018 until this year in which Target is in the process of occupying the building.

After Sam's Club shut its doors in 2018, the City did not revoke the CUP. The applicant is requesting revocation of CUP 1987-09 and approval of CUP2023-001 to allow the Target Corporation as the new tenant to sell alcohol for off-site consumption and to update the project information associated with the CUP, specifically the expansion of the building footprint from 127,151 square feet to 128,491 square feet of gross floor area. Lastly, new conditions of approval can be applied as appropriate with Target's design.

Based on the discussion above, staff recommends that the Planning and Preservation Commission make the findings for approval as provided in the Resolution 2023-004, included as Attachment A, pursuant to San Fernando Municipal Code (SFMC) Sections 106-145, 106-178, 106-179.

Target Alcohol Conditional Use Permit

Business Operations

Of the gross floor area, about 44% or 56,113 square feet will be dedicated to the sales area (the remainder will be storage, office, etc.). Of the sales area, 740 square feet or 1% will be designated to the display of alcoholic beverages. The alcohol display area (Figure 2 outlined in red) is located at the rear of the sales area.



The proposed store hours are from 8AM to 10PM daily, with expanded hours during the holiday season. The purchase of alcohol may be made only during retail hours. There will be a total of approximately 100 employees, with the number of employees on site during each shift dependent on the time of day and season.

Target's company policy requires all employees who are in positions to sell alcohol, to complete Target's Alcohol Sales Training Program before they are permitted to sell alcohol. The training focuses on cashier responsibilities in preventing underage sales, methods for verifying identification, handling intoxicated guests and cashier liability. Target also has age verification technology built into its point-of-sale system to further assist employees in preventing underage sales.

There are 78 service calls logged to the San Fernando Police Department from 2020 to the date this report was authored pertaining to issues on the project site. These calls included business checks and reports of trespassing, transients, burglary, and vandalism due to the vacancy of the building. It is anticipated once Target occupies the building, the number of service calls will be reduced. The interior and exterior of Target will be equipped with state-of-the-art security cameras to monitor customer activity and deter theft. In addition, there will be both Targetuniformed and plain-clothed asset protection personnel who will monitor the store.

Conditions of Approval

The business operations discussed above have been incorporated into the conditions of approval. With the revocation of CUP1987-09, the conditions from that project will not transfer to CUP2023-001.

Standard Conditions from Zoning Code

Under Section 106-182(a) and (c) of the San Fernando Zoning Code there are a set of standard conditions for off-sale alcohol CUPs. These conditions are #17-36 of the Conditions of Approval document and part of the CUP to help mitigate any conflicts from increased liquor sale, including security monitoring of entrances, exits, and surrounding areas, and outdoor lighting for pedestrian areas.

As amended by Ordinance No. 1719, Section 106-182 of the Zoning Code allows certain standard conditions for alcohol-related CUPs to be waived or modified by the Planning and Preservation Commission, if the Commission finds that said conditions as written are unnecessary or not feasible. Of the standard conditions, staff recommends the Commission remove or modify the following conditions based on the findings providing for each change described below:

Removal:

- No sale of alcoholic beverages shall be made from a walk-up or drive-in window. This condition is recommended to be removed based upon it being unneccesary. The Target store does not have a walk-up or drive-in window in the building design. If Target proposes one in the future, it would require a Site Plan Review by the Planning Division at which time the condition of approval can be placed upon the project.
- The sales area shall be located so that the clerk and customer are fully visible from the street at the time of the sales transaction.
 This condition is recommended to be removed based upon it not being feasible. The Target Corporation has a generally standard floor plan utilized for all their stores to accommodate their business operations. The checkout lanes are not fully visible from the street as the building is located more than 400 feet from the street (Foothill Boulevard).
- Windows shall comply with the city's sign regulations in order to provide clear and unobstructed view of the cash register and sales area from the parking lot and street. This condition is recommended to be removed based upon it not being feasible. The building is set back greater than 400 feet from the edge of the street and the parking lot is approximately 40 feet from the face of the building. From both of these distances, it will be hard to clearly see into the building, even with clear windows.
- Exterior public telephones that permit incoming calls shall not be located on the premises. This condition is recommended to be removed based upon it being unneccesary. The project site does not contain any public telephones.
- Electronic games, including video games, shall not be located on the premises. This condition is recommended to be removed based upon it not being feasible. Electronic games including video games are sold by Target and make up a large section of their overall gaming section. The intent of this condition was to prevent underage drinking in

businesses frequent by adolescents, such as arcades, and therefore not applicable to Target.

• The establishment shall implement preventive architecture design features as approved by the chief of police and the chief of planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns.

This condition is recommended to be removed based upon it being unneccesary. The San Fernando Police Department have had their design oriented comments and conditions incorporated into Site Plan Review approval prior to the submittal of this application.

• With regard to those CUP applications that are approved based upon the fact that alcohol sales on the premises are incidental to the sale of other products, proof satisfactory to the chief planning official shall be annually submitted to show that the sale of alcohol has remained incidental to the sale of other products.

This condition is recommended to be removed based upon it being unneccesary. This condition would be not be applicable to a retailer like Target that has an approximate 1% total of the dedicated retail floor area to alcoholic beverages.

Revision:

- No off-sale outlet selling alcohol may use a self-service checkout system.
- This condition is recommended to be modified because it is not feasible as written. This store will have self-checkout systems. The self-checkout systems at Targets will not allow the purchase of liquor or will prompt a pause from completing the purchase until a team member verifies that the customer meets the age requirement to make the purchase. Staff proposes this condition be revised to, "*Purchase may not be conducted with a self-service checkout system unless the self-service system has a security feature requiring an employee to verify the customer is of legal age to make the alcohol purchase. A letter from the applicant confirming programing of all self-service checkout system shall be submitted to the Director of Community Development prior to issuance of a certificate of occupancy."*

Based on the discussion above, staff recommends that the Planning and Preservation Commission make the findings for approval as provided in the Resolution 2023-005, included as Attachment B, pursuant to San Fernando Municipal Code (SFMC) Sections 106-145, 106-178, 106-179.

Public Convenience and Necessity

In addition to the modification of the existing CUP (which is required at the City level), a Letter of Public Convenience and Necessity is required by the State, specifically the Department of Alcoholic Beverage Control, when the number of alcohol licenses exceed the total number of alcohol licenses designated for on-sale and off-sale licenses within a given census tract.

In this case, the subject property is within Census Tract 3201.02, which is permitted to have a total of five (5) alcohol licenses: three (3) for on-site consumption and two (2) for off-site consumption. This census tract currently has a total of 11 alcohol licenses, which is over concentrated by six (6) alcohol licenses. Of the 11 alcohol licenses in this census tract, four (4) are in San Fernando with three (3) for off-site and one (1) for on-site consumption. The remaining seven (7) alcohol licenses in this census tract are in Sylmar. For a list of all 11 alcohol licenses in this census tract, see Table 1 and Figure 3 for alcohol licenses for off-site consumption that are in close proximity to this Target store.

Alcohol available for purchase are typical of Target stores. An additional off-site sales license for the Target store will not cause an "undue concentration" and would constitute a Public Convenience and Necessity because the store will be providing a restored commercial service to the shopping center that has also sold alcohol. The size of alcohol retail area at the two nearest off-site sales locations are smaller than what Target offers, and there is only one other business with a Type 21 license within the same census tract and city boundaries.

	License			Total
	Туре	Business Name	Address	
1	21	VONS 2034	13730 FOOTHILL BLVD, SYLMAR, CA	Off-
2			1024 N MACLAY AVE, STE A, SAN	Site: 6
	21	MACLAY MARKET	FERNANDO, CA	
3	20	SYLMAR CHEVRON	13153 FOOTHILL BLVD, SYLMAR, CA	
4	20	EDS MARKET	972 N MACLAY AVE, SAN FERNANDO, CA	
5	20	ZIGGYS MEAT MARKET	965 N MACLAY AVE, SAN FERNANDO, CA	
		BEER'S CORNER		
6	20	MARKET	13227 MACLAY ST, SYLMAR, CA	
		KNIGHTS OF COLUMBUS		On-
7	51	SAN FERNANDO	13308 MACLAY ST, SAN FERNANDO, CA	Site: 5
8	41	ROK N SUSHI	13727 FOOTHILL BLVD, SYLMAR, CA	
		BERGERIM HAMBURGER		
9	41	RESTAURANT	13764 FOOTHILL BLVD, SYLMAR, CA	
10	41	SYLMAR SHACK, LLC	13701 FOOTHILL BLVD, SYLMAR, CA	
		SAN FERNANDO SWAP	585 GLENOAKS BLVD, SAN FERNANDO,	
11	40	MEET	СА	

Table 1: Alcohol Licenses in Census Tract 3201.02

Figure 3 shows Census Tract 3201.02 within which the Target store is located and the locations of other active alcohol licenses for off-site consumption.



Figure 3: Census Tract Map

Findings for Determining Public Convenience or Necessity

Based on the discussion above, staff recommends that the Planning and Preservation Commission make the findings for approval as provided in the Resolution 2023-005, included as Attachment B, pursuant to San Fernando Municipal Code (SFMC) Section 106-180. A brief summary of the findings for the PCN is provided below:

- a) Whenever a reauest for a determination of public convenience or necessity in connection with the issuance of a license for the sale of alcoholic beveraaes by the ABC is submitted to the city as allowed under Business and Professions Code § 23958.4. as the same may be amended from time to time. the planning and preservation commission, in making that determination, shall consider the following:
 - 1. Whether the sale of alcoholic beveraaes as part of the proposed use would serve a niche market in the city that would not otherwise be filled by other existing businesses with alcoholic beverage licenses in the surrounding area;
 - 2. The extent to which the proposed use enhances the convenience of purchasing alcoholic beverages in conjunction with other specialty food sales or services;

- 3. The extent to which the proposed use in conjunction with the redevelopment of an existing or proposed building or structure will enhance the architectural character at the location of the proposed use and the surrounding area;
- 4. The manner in which the proposed use is to be conducted (special or uniaue features), including the extent to which the proposed use will include training of employees through ABC or an authorized third party to assure well-trained staff knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally as well as in order to prevent illicit drug activity at the location of the proposed use;
- 5. The extent to which the proposed use compliments uses in the surrounding area;
- 6. The extent to which the proposed use, location, and/or operator has a history or law enforcement problems;
- 7. The crime rate in the reporting district as compared to neighboring districts in the city and/or adjacent cities;
- 8. The number of alcohol-related police calls for service, crimes or arrests in the reporting district and adjacent districts within the city.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), CUP2023-001 qualifies for exemption from further environmental review under California Environmental Quality Act (CEQA) based on CEQA Guidelines section 15301, Class 1 – Existing Facilities. Class 1 exemption includes the interior and exterior alterations involving such items as interior partitions, plumbing, and electrical conveyances. The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

PUBLIC NOTIFICICATION:

On September 1, 2023, a public hearing notice was published in the print and online versions of the legal advertisement section of the *San Fernando Sun Newspaper* (Attachment D). In addition, on September 1, 2023, a public hearing notice was posted at the Project Site, at the two City Hall bulletin boards, and at the local branch of the Los Angeles County Library at 217 N. Maclay Avenue. Notices of the public hearing for the CUP and LPCN request were also mailed to all property owners of record within a 500-foot radius of the Project Site. Notice concerning the

revocation was served in person on the owner of the property for which such conditional use permit was granted at least ten days prior to such public hearing.

BUDGET IMPACT:

The Project involves a private property and does not request or require public funds and has no direct fiscal impact on the City of San Fernando. The preparation of the CUP and LPCN were covered by the Applicant and funding was collected through the CUP application fees. The Project would provide a positive fiscal impact for the City through increased sales taxes from the purchase of alcohol.

CONCLUSION:

Staff recommends that the Commission:

- a. Conduct a Public Hearing;
- b. Pending public testimony, adopt Planning and Preservation Commission Resolution No. 2023-004 revoking CUP 1987-09 and Resolution No. 2023-005 approving CUP 2023-001 and a Letter of Public Convenience or Necessity for a Type 21 license permitting the sale of beer, wine, and distilled spirits for off-site consumption at Target Store located at 12920 Foothill Boulevard.

ATTACHMENTS:

- A. Resolution No. 2023-004 revoking CUP 1987-09
- B. Resolution No. 2023-005 approving CUP 2023-001
 a. Exhibit A Conditions of Approval
- C. Resolution No. 856 for Approval of CUP 1987-09
- D. Public hearing notice published in the San Fernando Sun Newspaper on September 1, 2023

ATTACHMENT A

RESOLUTION NO. 2023-004

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, REVOKING CONDITIONAL USE PERMIT NO. 1987-09 ISSUED FOR PACE WAREHOUSE PREVIOUSLY LOCATED AT 12920 FOOTHILL BOULEVARD (APN: 2514-001-062)

WHEREAS, on July 9, 1987, the Planning Commission approved Conditional Use Permit No. 1987-09 to allow the off-site sale of alcoholic beverages on the property for PACE Warehouse; and

WHEREAS, in 1993, the Walmart Corporation purchased multiple PACE Warehouse properties and converted a majority of them into Sam's Club and the subject site was one of the locations which changed into Sam's Club; and

WHEREAS, the alcohol Type 21 license transferred with the transition into Sam's Club; and

WHEREAS, Sam's Club closed in 2018 and the project building has remained vacant; and

WHEREAS, on April 27, 2022, Kimley-Horn & Associates, Inc. on behalf of Target Corporation, submitted applications for a façade and site improvements for the former Sam's Club building, and a Tentative Tract Map for subdivision of the 9.29-acre parcel into five parcels for individual ownership; and

WHEREAS, on June 15, 2022, the Site Plan Review for the Target façade remodel and site improvements involving a 1,340-square-foot addition and a new 963 square-foot canopy to the front of the existing building, and a new 3,168 square-foot carport covering 12 parking stalls was approved (SPR2022-012); and

WHEREAS, on August 1, 2022, the City Council approved the TTM2022-001 for the subdivision of the 9.29-acre parcel into five parcels for individual ownership in the Home Depot/Target Shopping Center; and

WHEREAS, on March 13, 2023, the City received an application for Conditional Use Permit No. 2023-001, which was filed by Beth Aboulafia of Hinman & Carmichael LLP, representing Target Corporation ("Applicant"), to allow a Type 21 alcohol license and letter of Public Convenience or Necessity for Target Store located at 12920 Foothill Blvd. (Assessor's Parcel Number 2514-001-062); and

WHEREAS, it was determined that the previously approved Conditional Use Permit 1987-09 is invalid and needs to be revoked to allow Target Corporation to get a new Conditional Use Permit as the new tenant and the new size of the building; and

WHEREAS, in accordance with State law, on September 1, 2023, the City of San Fernando Community Development Department published a legal notice concerning the proposed project and revocation of CUP 1987-09 in the print and online versions of the legal advertisement section of the *San Fernando Sun Newspaper*, a local newspaper of general circulation, regarding the City of San Fernando Planning and Preservation Commission meeting of September 11, 2023, and mailed the notice to property owners located within a 500-foot radius of the project site; and notice concerning the revocation was served in person on the owner of the property for which such conditional use permit was granted at least ten days prior to such public hearing; and

WHEREAS, on September 11, 2023, the Planning and Preservation Commission conducted a duly noticed public hearing, at which time Resolution No. 2023-002 was adopted recommending that the City Council adopt an ordinance amending the San Fernando Municipal Code, Chapter 106 (Zoning) Section 106-182 (Standard Conditions) to grant discretion to the Planning and Preservation Commission or the City Council to waive or modify certain standard conditions for the approval of Conditional Use Permits authorizing the sale of alcoholic beverages. In addition, revocation of CUP 1987-09, approval of CUP 2023-001 and a Letter of Public Convenience or Necessity were continued to the Regularly Scheduled Planning and Preservation Meeting of December 11, 2023; and

WHEREAS, on December 11, 2023, the Planning and Preservation Commission conducted a public hearing, at which time public testimony was taken concerning the revocation of CUP 1987-09 in conformance with the San Fernando Municipal Code, General Plan, and development standards within the Precise Development Overlay (PD) Zone and Commercial (C-2) Zone.

NOW, THEREFORE, THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: ENVIRONMENTAL REVIEW FINDINGS

This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate. As such, the proposed project is exempt from CEQA review pursuant to CEQA Guidelines section 15301, Class 1 – Existing Facilities exemption.

SECTION 2. FINDINGS FOR REVOCATION OF THE CONDITIONAL USE PERMIT

Pursuant to San Fernando Municipal Code Section 106-148 the Planning and Preservation Commission has the authority to revoke a Conditional Use Permit if one or more certain condition exists:

<u>Finding 1</u>: The use for which the conditional use permit was granted has ceased or was suspended for six or more successive calendar months (Sec. 106-148(b)(3)).

Evidence: The project site has been vacant since 2018.

Finding 2: One or more of the conditions of the conditional use permit have not been complied with (Sec. 106-148(b)(4)).

<u>Evidence</u>: Condition No. 4 of CUP1987-09 states, "that the subject Conditional Use Permit shall expire with the termination of the use or with a change of tenant or ownership." The building was occupied by PACE warehouse in 1987 and transitioned into a Sam's Club after the Walmart Corporation acquired multiple PACE warehouses. The building has remained vacant since 2018 until this year in which Target is in the process of occupying the building.

After Sam's Club shut its doors in 2018, the City did not revoke the CUP. The applicant is requesting revocation of CUP 1987-09 and approval of CUP2023-001 to allow the Target Corporation as the new tenant to sell alcohol for off-site consumption and to update the project information associated with the CUP, specifically the expansion of the building footprint from 127,151 square feet to 128,491 square feet of gross floor area. Lastly, new conditions of approval can be applied as appropriate with Target's design.

SECTION 3. RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning and Preservation Commission's decision is based, which include, but are not limited to, the environmental documents, staff reports, as well as all materials that support the staff reports for the proposed project and are located in the Community Development Department of the City of San Fernando at 117 Macneil Street, San Fernando, CA 91340. The custodian of these documents is the City Clerk of the City of San Fernando.

SECTION 4. DETERMINATION

Based on the foregoing findings made in Section 2, Conditional Use Permit No. 1987-09 is hereby revoked.

SECTION 5. CERTIFICATION OF THE RESOLUTION

The Secretary of the Planning and Preservation Commission of the City of San Fernando, California, shall certify the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 11th day of December 2023 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID BERNAL, CHAIRPERSON

ATTEST:

ERIKA RAMIREZ, SECRETARY TO THE PLANNING AND PRESERVATION COMMISSION

ATTACHMENT B

RESOLUTION NO. 2023-005

A RESOLUTION OF THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2023-001 AND LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 ALCOHOL LICENSE PERMITTING SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT TARGET STORE LOCATED AT 12920 FOOTHILL BOULEVARD (APN: 2514-001-062)

WHEREAS, on July 9, 1987, the Planning Commission approved Conditional Use Permit No. 1987-09 to allow the off-site sale of alcoholic beverages on the property for PACE Warehouse; and

WHEREAS, in 1993, the Walmart Corporation purchased multiple PACE Warehouse properties and converted a majority of them into Sam's Club and the subject site was one of the locations which changed into Sam's Club; and

WHEREAS, the alcohol Type 21 license transferred with the transition into Sam's Club; and

WHEREAS, Sam's Club closed in 2018 and the project building has remained vacant; and

WHEREAS, on April 27, 2022, Kimley-Horn & Associates, Inc. on behalf of Target Corporation, submitted applications for a façade and site improvements for the former Sam's Club building, and a Tentative Tract Map for subdivision of the 9.29-acre parcel into five parcels for individual ownership; and

WHEREAS, on June 15, 2022, the Site Plan Review for the Target façade remodel and site improvements involving a 1,340-square-foot addition and a new 963 square-foot canopy to the front of the existing building, and a new 3,168 square-foot carport covering 12 parking stalls was approved (SPR2022-012); and

WHEREAS, on August 1, 2022, the City Council approved the TTM2022-001 for the subdivision of the 9.29-acre parcel into five parcels for individual ownership in the Home Depot/Target Shopping Center; and

WHEREAS, on March 13, 2023, the City received an application for Conditional Use Permit No. 2023-001, which was filed by Beth Aboulafia of Hinman & Carmichael LLP, representing Target Corporation ("Applicant"), to allow a Type 21 alcohol license and letter of Public Convenience or Necessity for Target Store located at 12920 Foothill Blvd. (Assessor's Parcel Number 2514-001-062); and

WHEREAS, the project site is within the Precise Development Overlay (PD) Zone with a based zoning of Commercial (C-2), and the proposed project has been reviewed for compliance with the applicable development standards within both zones; and

WHEREAS, the proposed project will not change the existing commercial use and is consistent with the commercial land use designation of the General Plan; and

WHEREAS, the proposed project is considered a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15301, Class 1 – Existing Facilities; and

WHEREAS, in accordance with State law, on September 1, 2023, the City of San Fernando Community Development Department published a legal notice concerning the proposed project in the print and online versions of the legal advertisement section of the *San Fernando Sun Newspaper*, a local newspaper of general circulation, regarding the City of San Fernando Planning and Preservation Commission meeting of September 11, 2023, and mailed the notice to property owners located within a 500-foot radius of the project site; and

WHEREAS, on September 11, 2023, the Planning and Preservation Commission conducted a duly noticed public hearing, at which time Resolution No. 2023-002 recommending that the City Council adopt an ordinance amending the San Fernando Municipal Code, Chapter 106 (Zoning) Section 106-182 (Standard Conditions) to grant discretion to the Planning and Preservation Commission or the City Council to waive or modify certain standard conditions for the approval of Conditional Use Permits authorizing the sale of alcoholic beverages has been adopted, and the revocation of CUP 1987-09, approval of CUP 2023-001 and a Letter of Public Convenience or Necessity have been continued to the Regularly Scheduled Planning and Preservation Meeting of December 11, 2023; and

WHEREAS, on October 16, 2023, the City Council adopted Ordinance No. 1719 approving a Zone Text Amendment to the San Fernando Municipal Code, Section 106-182, to grant discretion to the Planning and Preservation Commission or the City Council to waive or modify certain standard conditions for the approval of Conditional Use Permits authorizing the sale of alcoholic beverages; and

WHEREAS, the Planning and Preservation Commission has removed the following standard conditions: No sale of alcoholic beverages shall be made from a walk-up or drive-in window; The sales area shall be located so that the clerk and customer are fully visible from the street at the time of the sales transaction; Windows shall comply with the city's sign regulations in order to provide clear and unobstructed view of the cash register and sales area from the parking lot and street; Windows shall comply with the city's sign regulations in order to provide clear and unobstructed view of the cash register and sales area from the parking lot and street; Electronic games, including video games, shall not be located on the premises; The establishment shall implement preventive architecture design features as approved by the chief of police and the chief of planning official in order to maintain a secure site by controlling access to the facility, open sight lines, adequate lighting levels, ambient noise levels and circulation patterns; With regard to those CUP applications that are approved based upon the fact that alcohol sales on the premises are incidental to the sale of other products, proof satisfactory to the chief planning official shall be annually submitted to show that the sale of alcohol has remained incidental to the sale of other products; and modify the standard condition of; No off-sale outlet selling alcohol may use a self-service checkout system; and

WHEREAS, on December 11, 2023, the Planning and Preservation Commission conducted a public hearing, at which time public testimony was taken concerning the proposed Conditional Use Permit to allow a Type 21 (sale of beer, wine, and spirits) alcohol license and letter of Public Convenience or Necessity in conformance with the San Fernando Municipal Code, General Plan, and development standards within the Precise Development Overlay (PD) Zone and Commercial (C-2) Zone.

NOW, THEREFORE, THE PLANNING AND PRESERVATION COMMISSION OF THE CITY OF SAN FERNANDO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: ENVIRONMENTAL REVIEW FINDINGS

This project has been reviewed by the City for compliance with the California Environmental Quality Act (CEQA). The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate. As such, the proposed project is exempt from CEQA review pursuant to CEQA Guidelines section 15301, Class 1 – Existing Facilities exemption.

SECTION 2. FINDINGS FOR CONDITIONAL USE PERMIT

Pursuant to San Fernando Municipal Code Section 106-145 the following findings shall be made for approval of a Conditional Use Permit:

Finding 1: The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable sections of this chapter.

<u>Evidence</u>: The General Plan Land Use designation of the project site is Commercial (COM), consistent with the existing commercial uses on the project site. The proposed Conditional Use Permit does not change the existing commercial use of the project site and therefore, is consistent with the General Plan.

<u>Finding 2</u>: The proposed use would not impair the integrity and character of the zone in which it is to be located.

<u>Evidence</u>: The zoning for the project site is Precise Development Overlay (PD) and commercial (C-2). According to the development standards listed in the San Fernando Zoning Code Section 106-643, the provisions of the zone to which the PD zone is added shall apply. For this property, the underlying zone for this site is Commercial (C-2) with minimum lot sizes at 5,000 square-feet (0.11 acres) and no lot dimensions requirements. The proposed Conditional Use Permit does not change the parcel or use of the site, and therefore, is in compliance with the City's Zoning Code.

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

<u>Evidence</u>: The subject site was previously occupied by Sam's Club, a large warehouse retailer. The new tenant, Target Corporation, is a similarly large retailer as Sam's Club and offers the same general merchandise for purchase. Target Corporation has received approval for the expansion of the front area of the building to accommodate shopping carts and provide a more inviting store frontage for their customers. Therefore, the site is physically suitable as proposed.

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

<u>Evidence</u>: The existing land use is commercial retail. The proposed Conditional Use Permit does not change the existing commercial use of the project site, except for providing patrons the option to purchase alcohol in addition to other general merchandise at the project site and therefore, is compatible with the land use present on the subject property.

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

<u>Evidence</u>: The General Plan Land Use designation of the project site is Commercial (COM) and the underlying zone for this site is Commercial (C-2) which are consistent with the existing commercial uses on the project site. The proposed Conditional Use Permit does not change the existing commercial use of the project site. Sam's Club was the previous tenant and the Target Corporation is similar in size and offers many of the same merchandise for sale, and therefore, is compatible with the land use present on the subject property.

Finding 6: There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

<u>Evidence</u>: The project site is equipped with adequate provisions for water, sanitation, and public utilities and services. The proposed Conditional Use Permit does not propose any physical changes to the project site.

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

<u>Evidence</u>: The Target store is located within a large commercial center which is accessible from three driveways on Foothill Boulevard. Each driveway width is large enough to accommodate two lanes of cars for entering and exiting the commercial center.

<u>Finding 8</u>: The proposed use would be appropriate in light of an established need for the use at the proposed location.

<u>Evidence:</u> The project site was previously occupied by Sam's Club which also had a Type 21 license. The building remains vacant from when Sam's Club closed in 2018; residents have requested a similar retailer occupy the store. The sale of liquor is common in Target stores and by approving proposed Conditional Use Permit to reflect Target as the new tenant, it would allow liquor to be sold in the Target store. This in turn may reduce the amount of trips for patrons when shopping for food, household goods, and alcohol as they once did when the suite was occupied by Sam's Club. The façade remodel and building expansion approved on June 15, 2022, involved the addition of a glass frontage to increase the amount of light and transparency of the building. The lighting within the parking lot will remain mainly the same with the relocation of light poles to accommodate ADA parking and electric vehicle charging stations. Overall, Target store will be adequately equipped with exterior building lighting and parking lot lighting.

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

<u>Evidence</u>: The General Plan Land Use designation of the project site is Commercial (COM), consistent with the existing commercial uses on the project site. The proposed Conditional Use Permit does not change the existing commercial use of the project site, except for providing customers the opportunity to purchase alcohol for off-site consumption and therefore, is consistent with the General Plan.

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

<u>Evidence</u>: Conditions of approval include surveillance and location of the alcohol display that Target Store will be required to comply with for safety reasons. In addition, Target has a system and protocols in place to reduce and prevent any crime from occurring. All Target employees are required to complete Target's Alcohol Sales Training Program before they are permitted to sell alcoholic beverages. The training focuses on cashier responsibilities in preventing underage sales,

methods for verifying identification, handling intoxicated guests and cashier liability. Target also has age verification technology built into its point of sale system to further assist employees in preventing underage sales. The interior and exterior of Target will be equipped with state-of-theart security cameras to monitor customer activity and deter theft. In addition, there are both Target-uniformed and plain-clothed asset protection personnel who monitor the store.

SECTION 3. FINDINGS FOR OFF-SALE AND ON-SALE CONDITIONAL USE PERMITS

Pursuant to San Fernando Municipal Code Section 106-178 the following findings shall be made for approval of an off-sale and on-sale Conditional Use Permit:

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

<u>Evidence</u>: The applicant is Target Corporation, a large business with hundreds of locations throughout the country. Target has a system and protocols in place to reduce and prevent any crime from occurring. All Target employees are required to complete Target's Alcohol Sales Training Program before they are permitted to sell alcoholic beverages. The training focuses on cashier responsibilities in preventing underage sales, methods for verifying identification, handling intoxicated guests and cashier liability. Target also has age verification technology built into its point of sale system to further assist employees in preventing underage sales. The interior and exterior of Target will be equipped with state-of-the-art security cameras to monitor customer activity and deter theft. In addition, there are both Target-uniformed and plain-clothed asset protection personnel who monitor the store.

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

<u>Evidence</u>: The proposed use is contained within the store and the store is located greater than 600 feet from the nearest residential use, church, hospital, educational institution, day care facility, park, or library. Therefore, the proposed use will not adversely impact the surrounding area.

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

Section 106-179 states that the planning and preservation commission may approve an application for a conditional use permit to allow for the sale of alcoholic beverages only if it finds that the proposed use meets the following applicable distance separation requirements:

- a) A minimum 600 feet from any residential use, church or other place of worship, hospital, educational institution, nursery school, day camp, day care center, public park, or playground, as measured from the closest property line of each use;
- b) A minimum 600 feet from similar off-sale or on-sale outlets, as applicable.

<u>Evidence</u>: The Target store is located greater than 600 feet from any residential use, church or other place of worship, hospital, educational institution, nursery school, day camp, day care center, park, or playground and 600 feet from similar off-sale outlets as measured from the closest property line of each use. Therefore, the distance separation requirements are met.

<u>Finding 4</u>: If required by section 106-180, that the existing or proposed use will serve a public convenience or necessity, as defined in section 106-180.

<u>Evidence</u>: The project site was previously occupied by Sam's Club which also had a Type 21 alcohol license. The building remains vacant from when Sam's closed in 2018; residents have requested a similar retailer occupy the store. The sale of liquor is common in Target stores and by allowing liquor to be sold in the Target store, patrons may reduce the amount of trips when shopping for food, household goods, and alcohol as they once did when the suite was occupied by Sam's Club. Allowing the sale of alcohol at this location would constitute a public convenience due to the reduction of trips as customers will be able to get more goods (food, household goods, liquor) in one location.

Pursuant to San Fernando Municipal Code Section 106-180 the following factors shall be considered in making a determination of public convenience of necessity:

Factor 1: Whether the sale of alcoholic beverages as part of the proposed use would serve a niche market in the city that would not otherwise be filled by other existing businesses with alcoholic beverage licenses in the surrounding area.

<u>Evidence</u>: Of the six existing off-site liquor licenses within the census tract, only three of the licenses are within the City's boundaries, the nearest businesses with an off-site sale liquor license are a mini market (Type 21) and a Chevron gas station (Type 20) located within less than a mile from the project site. These businesses are smaller in size and do not offer as much merchandise for purchase, thus requiring the customer to go to other location(s) to get more goods. Also, the Target store is within less than half a mile from residential neighborhoods, providing a convenience for nearby residents.

Factor 2: The extent to which the proposed use enhances the convenience of purchasing alcoholic beverages in conjunction with other specialty food sales or services.

<u>Evidence</u>: The project site was previously occupied by Sam's Club which also had a Type 21 license. It had remained vacant from when it closed in 2018; residents have requested a similar retailer occupy the store. The sale of liquor is common in Target stores and by allowing liquor to be sold in the Target store, patrons may reduce the amount of trips when shopping for food, household goods, and alcohol as they once did when the suite was occupied by Sam's Club. Allowing the sale of alcohol at this location would constitute a public convenience due to the

reduction of trips as customers will be able to get more goods (food, household goods, liquor) in one location.

<u>Factor 3</u>: The extent to which the proposed use in conjunction with the redevelopment of an existing or proposed building or structure will enhance the architectural character at the location of the proposed use and the surrounding area.

<u>Evidence</u>: The project site had remained vacant since 2018 when Sam's Club, which had occupied the suite, closed down. On June 15, 2022, an application from Target for a façade remodel and site improvements involving a 1,340-square-foot addition and a new 963 square-foot canopy to the front of the existing building, and a new 3,168 square-foot carport covering 12 parking stalls was approved by staff.

Factor 4: The manner in which the proposed use is to be conducted (special or unique features), including the extent to which the proposed use will include training of employees through ABC or an authorized third party to assure well-trained staff knowledgeable in the serving of alcoholic beverages safely, responsibly, and legally as well as in order to prevent illicit drug activity at the location of the proposed use.

<u>Evidence</u>: Target Corporation understands and takes seriously the responsibility that comes with selling alcoholic beverages. All Target employees are required to complete Target's Alcohol Sales Training Program before they are permitted to sell alcoholic beverages. The training focuses on cashier responsibilities in preventing underage sales, methods for verifying identification, handling intoxicated guests and cashier liability. Target also has age verification technology built into its point of sale system to further assist employees in preventing underage sales. Target also has state-of-the-art security cameras located throughout the store to monitor customer activity and deter theft. In addition, there are both Target-uniformed and plain-clothed asset protection personnel who monitor the store.

Factor 5: The extent to which the proposed use compliments uses in the surrounding area.

<u>Evidence</u>: There are multiple eateries, a hair salon, dentistry, and the Home Depot within the commercial center. These uses do not offer the same amount and mixture of merchandise for sale and pharmacy services as the Target store; therefore, the proposed use would complement uses in the surrounding area by offering something different.

Factor 6: The extent to which the proposed use, location, and/or operator has a history or law enforcement problems.

<u>Evidence</u>: The Target Corporation is a large business with protocols and systems in place to deter incidents from developing into a law enforcement problem. From data of service calls to police in 2020 until the writing of this report, there were 78 calls. These calls were a mix between

business checks, trespassing, transient, and vandalism due to the vacancy of the building. Once Target occupies the building, it is anticipated that the number of service calls will be reduced.

Factor 7: The crime rate in the reporting district as compared to neighboring districts in the city and/or adjacent cities.

<u>Evidence</u>: The crime rate in this district is comparable to neighboring commercial districts. From 2020 to now, other large retailers have a high number of service calls for police within the commercial center. Given the proposed store design and security measures, it is anticipated that the crime rate will not be significantly higher compared to neighboring districts or commercial centers in adjacent cities.

Factor 8: The number of alcohol-related police calls for service, crimes or arrests in the reporting district and adjacent districts within the city.

<u>Evidence</u>: Within the commercial center, there are no businesses which sell alcohol therefore there are no alcohol-related police calls for service, crimes or arrests.

SECTION 4. RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning and Preservation Commission's decision is based, which include, but are not limited to, the environmental documents, staff reports, as well as all materials that support the staff reports for the proposed project and are located in the Community Development Department of the City of San Fernando at 117 Macneil Street, San Fernando, CA 91340. The custodian of these documents is the City Clerk of the City of San Fernando.

SECTION 5. DETERMINATION

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 Precise Development Overlay (PD) Zone and Commercial (C-2) Zone. Based on the foregoing findings made in Section 2 and 3, the Planning and Preservation Commission approves Conditional Use Permit No. 2023-001 and issues a letter of Public Convenience or Necessity, subject to conditions of approval attached hereto as Exhibit "A".

SECTION 6. CERTIFICATION OF THE RESOLUTION

The Secretary of the Planning and Preservation Commission of the City of San Fernando, California, shall certify the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 11th day of December 2023 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID BERNAL, CHAIRPERSON

ATTEST:

ERIKA RAMIREZ, SECRETARY TO THE PLANNING AND PRESERVATION COMMISSION

ATTACHMENT B, EXHIBIT "A"

CONDITIONS OF APPROVAL

PROJECT NO.:	Conditional Use Permit 2023-001	
PROJECT ADDRESS:	12920 Foothill Boulevard, San Fernando, CA 91340 (Assessor's Parcel No. 2514-001-062)	
PROJECT DESCRIPTION:	Conditional Use Permit 2023-001 and a Letter of Public Convenience or Necessity for a Type 21 license permitting the sale of beer, wine, and distilled spirits for off-site consumption at Target Store.	

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

- 1. Conditional Use Permit Entitlement. The Conditional Use Permit is granted for the land described in this application and any attachments thereto, as reviewed by the Preservation and Planning Commission on December 11, 2023, except as herein modified to comply with these Conditions of Approval.
- 2. Within thirty (30) days of approval of Conditional Use Permit 2023-001, the applicant shall certify his or her acceptance of the conditions of approval or modifications thereto by signing the acceptance form and shall be bound by all of the conditions.
- 3. 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.

- 4. This Conditional Use Permit allows for sale of beer, wine, and distilled spirits for off-site consumption at Target store at 12920 Foothill Boulevard by vendors in possession of a valid Type 21 license permitting issued by the State of California, subject to the further limitations imposed by these conditions of approval.
- 5. The Conditional Use Permit is granted for the incidental off-site sale of alcoholic beverages.
- 6. Sale of alcohol shall meet and always be in compliance with the requirements of the California Department of Alcoholic Beverage Control (ABC).
- 7. The applicant shall be required to submit to the Planning Division the following:
 - a. California State Department of Alcoholic Beverage Control (ABC) application.
 - b. Copy of ABC license upon issuance of said license; and
 - c. Copy of each license suspension or citation issued by ABC upon such issuance.
- 8. The City reserves the right to request of the California Department of Alcoholic Beverage Control (ABC) additional conditions, such as hours of operation restrictions, restriction of the type of alcohol sold, or other conditions that the City may deem necessary in order to reduce potential impacts.
- 9. The proposed Conditional Use Permit shall be in compliance with all of the provisions of Chapter 106 (Zoning) Article II Division 4 and all applicable SFMC Noise regulations of the San Fernando Municipal Code. The applicant shall also comply with all other requirements of any applicable federal, state, or local law, ordinance, or regulation.
- 10. The applicant shall obtain a City of San Fernando business license in performance with the Municipal Code provisions.
- 11. The sale of alcohol shall only occur during regular business hours when the store is open to the public.
- 12. The display of alcohol for sale shall not exceed more than 740 square feet or one percent of the sales floor area and shall be located within the establishment.
- 13. All employees of the business shall be trained in preventing underage sales, methods for verifying identification, handling intoxicated guests, and cashier liability prior to being permitted to sell alcohol.
- 14. If, at any time, the operation of the business and/or the sale of alcoholic beverages, in

conjunction therewith, becomes a nuisance or creates or constitutes more than ordinary problems, the Planning and Preservation Commission, after public hearing, as hereinafter provided, may revoke the Conditional Use Permit herein granted or may modify and amend in such manner as it may determine to attempt to abate the nuisance and eliminate the problem.

15. The violation by the owners or breach of any of these conditions shall terminate the Conditional Use Permit, but only after a public hearing conducted by the Planning Commission pursuant to Section 106-183 of the City's Zoning Code.

Standard Conditions for all off-sale alcohol CUPs

- 16. No beer or wine shall be displayed within five feet of the cash register or the front door unless such item is in a permanently affixed cooler.
- 17. No display or sale of alcoholic beverages shall be made from an ice tub. An "ice tub" is a vessel filed with ice that displays single servings of alcoholic beverages for customer self-service.
- 18. Alcoholic beverages and non-alcoholic beverages shall be stocked and displayed separately.
- 19. The cash register and sales area shall be illuminated so as to provide clear observation for law enforcement surveillance.
- 20. Alcoholic beverages shall not be consumed on the premises.
- 21. No off-sale outlet selling alcohol may use a self-service checkout system (unless the selfcheckout system has a security feature requiring that an employee to verify the customer is of legal age to make the purchase). A letter from the applicant confirming programing of all self-service checkout system shall be submitted to the Director of Community Development prior to issuance of a certificate of occupancy.
- 22. Interior and exterior signs stating the consumption of alcoholic beverages on the premises is prohibited by law shall be conspicuously posted onsite.
- 23. Alcoholic beverages shall not be permitted to be consumed in the parking area or other exterior areas of the premises, except for designated outdoor areas approved as part of the CUP application. (106-182(b)(1))
- 24. The hours of operation, including deliveries to the proposed establishment, shall be

reviewed and approved by the planning commission as part of the CUP application in order to ensure compatibility with the surrounding area. (106-182(b)(3))

- 25. All employees who serve or sell alcoholic beverages shall successfully complete a responsible beverage service training program that meets the requirements of ABC. Records of such training shall be maintained on the premises and made available to the police department personnel upon request. (106-182(b)(4))
- 26. Loitering in the public right-of-way, parking area and in front of adjacent properties is prohibited. (106-182(c)(1))

The business owner/management and applicant will be responsible for requiring and enforcing that there is no loitering as a result of this CUP on the public right-of-way and/or in front of adjacent properties. Loitering that is caused by the establishment in the public right-of-way, and/or in front of adjacent properties shall be strictly and reasonably enforced.

All individuals discovered loitering on the property shall immediately be removed from the premises by the owner. Should the owner fail to abate the problems, the San Fernando Police Department reserves the right to abate the problem, and the permit/alcohol license may be subject to revocation.

- 27. The following signs shall be conspicuously posted onsite:
 - a. Exterior signs referencing Penal Code § 602.1. Such signs shall be clearly visible from the establishment's parking area and shall include the police department's phone number.
 - b. An interior sign in English and Spanish stating: "We ID everyone under 26 years of age for alcohol sales" with minimum dimensions of eight inches by 11 inches. (106-182(c)(3))
- 28. Exterior lighting of the parking area shall provide adequate lighting for patrons while not producing glare or light spillover disturbing surrounding residential or commercial areas. (106-182(c)(6))
- 29. A security camera system approved by the police department shall be installed on the premises and shall be maintained in proper working order at all times. The security camera system shall be subject to inspection by the police department. The system must be capable of producing retrievable images on film or tape that can be made a permanent record and that can be enlarged through projection or other means. The video or digital recordings generated by the system shall be maintained for a period of 30 days. (106-182(c)(7))
- 30. Special security measures such as security guards, door monitors, and burglar alarms systems may be required as a condition of approval with final determination made by

the chief of police and the chief planning official on a case-by-case basis. (106-182(c)(9))

- 31. 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. (106-182(c)(10))
- 32. The exterior of the establishment, including all signs, accessory buildings and structures shall be maintained free of litter and graffiti at all times. All graffiti shall be removed from the premises within 24 hours of its discovery. (106-182(c)(11))
- 33. Expansion or enlargement of the business premises over the life of the structure or the use shall be subject to the CUP approval process. (106-182(c)(15))
- 34. Within 30 days of approval of the CUP, applicant shall certify his or her acceptance of the conditions placed on the approval by signing a statement that he or she accepts as shall be bound by all the conditions. (106-182(c)(13))
- 35. Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the CUP. (106-182(c)(14))
- 36. In the event of a change in tenancy of the existing retail use and ancillary nightclub use, the operator of the new retail use and/or ancillary nightclub use shall submit a request to modify this Conditional Use Permit prior to the issuance of any building permit, approval of any business tax certificate or CBO. The Planning and Preservation Commission shall consider the modification request and may modify, add or delete conditions contained herein.
- 37. The Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the SFMC.

ATTACHMENT C

RESOLUTION NO. 856

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN FERNANDO APPROVING A CONDITIONAL USE PERMIT (1987-09) TO ALLOW THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES ON THAT PROPERTY LOCATED IN A C-2 (PD) (COMMERCIAL) (PRECISE DEVELOPMENT) ZONE ON PROPERTY COMMONLY KNOWN AS 12920 FOOTHILL BOULEVARD, SAN FERNANDO, CA.

The Planning Commission of the City of San Fernando Does Resolve As Follows:

Section I: An application having heretofore been filed by PACE MEMBERSHIP WAREHOUSE, with the Planning Commission of the City of San Fernando pursuant to Section 30.252.09 of Ordinance No. 1270, of said City adopted September 30, 1985, asking and requesting that certain property located at approximately 12920 Foothill Boulevard, be granted a Conditional Use Permit to allow the applicant, PACE Membership Warehouse, to sell alcoholic beverages in conjunction with the establishment and maintenance of a retail store wherein the principal business at this address would be the sale of goods to the public, and said application having been set for Public Hearing before the Planning Commission on July 9, 1987; and notice of the time and place of said Hearing having been had and all evidence presented having been considered by studying said application, plot plan, departmental reports and testimony from interested persons; and after due deliberation, this Commission finds that the application for Conditional Use Permit is in accord with the requirements for Conditional Use Permits as enumerated in Section 30.750 of Ordinance No. 1270.

Section 2: Therefore, in consideration, of the foregoing, and as the applicant has stated this commercial establishment will be primarily for the retail sale of goods to the public and the sale of alcoholic beverages on the premises will be one of the products, this Commission approves the Conditional Use Permit as applied for to sell alcoholic beverages at 12920 Foothill Boulevard be approved subject to the attached conditions marked Exhibit "A". Section 3: The Secretary of the Planning Commission shall certify to the passage of this Resolution, together with the minutes of the determinations of this Commission, and together with copies of all minutes and correspondence pertaining thereto.

PASSED, APPROVED AND ADOPTED this 9th day of July, 1987.

· Anari-Chairman of the Planning Commission ATTEST: Secretary of the Planning Commission

STATE OF CALIFORNIA) COUNTY OF LOS ANGELES) SS CITY OF SAN FERANNDO)

I, Norman C. Canchola, Secretary of the Planning Commission of the City of San Fernando, do hereby certify that the foregoing Resolution was adopted by the Planning Commission of the City of San Fernando, and signed by the Chairman of said Commission at a regular meeting thereof held on the 9th day of July 1987, and the same was passed by the following vote, to wit:

AYES: Arriola, Broberg, Quist, Tuomy, Wyatt

NOES: None

ABSENT: None

ABSTAIN: None

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Secretary of the Planning Commission

RS5/21

EXHIBIT "A"

- 1. That the Conditional Use Permit is granted for the land described in the application and any attachments thereto.
- That the Conditional Use Permit is granted for the incidental off-site sale of alcoholic beverages.
- 3. That the applicant shall comply with all requirements of the Alcoholic Beverage Control Board.
- 4. That the subject Conditional Use Permit shall expire with the termination of the use or with a change of tenant or ownership.
- 5. If, at any time, the operation of the business and/or the sale of alcoholic beverages, in conjunction therewith, becomes a nuisance or creates or constitutes more than ordinary problems, the Planning Commission, after Hearing, as hereinafter provided, may revoke the Conditional Use Permit herein granted or may modify and amend the same in such manner as it may determine to attempt to abate the nuisance and eliminate the problem.
- 6. The violation by the owners or breach which would constitute a breach or violation of any of such conditions shall terminate the Conditional Use Permit, but only after a Public Hearing conducted by the Planning Commission pursuant to Section 30.758 of the City's Zoning Ordinance No. 1270.
- 7. The applicant shall obtain a City of San Fernando business license in conformance with the Municipal Code provisions.
- 8. This Conditional Use Permit shall be reviewed prior to one year from occupancy, at which time, the Commission will review the operation in terms of Condition 5 above.
- 9. All sales shall be made within the establishment.
- 10. Provide copies of Public Health Certificate and Tax Identification number to City of San Fernando License Department.
- 11. The Use shall comply with all provisions of Precise Development No. 1986-01, Conditional Use Permit No. CUP 1987-03, Zone Change ZC 1986-03.

RS5/21-3

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ATTACHMENT D

1st Proof of Publication – (2015.5 C.C.P.)

STATE OF CALIFORNIA COUNTY OF LOS ANGELES

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years; and I am not a party to or interested in the notice published. I am the chief legal advertising clerk of the publisher of the

San Fernando Valley Sun

a newspaper of general circulation, printed and

published weekly in the City of San Fernando,

County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California,

Under the date of 8-16, 1945

Case Number 503894

that the notice, of which the annexed is a printed copy has been published in each regular and entire issue of said newspaper and not in any supplement There of on the following dates, to-wit:

08/31/2023

all in the year 2023. I certify (or declare) under penalty of perjury that the foregoing is true and correct. Dated at San Fernando California, this 31st day of **August**, 2023

Signature,

Erica Ramos SAN FERNANDO VALLEY SUN 1150 SAN FERNANDO ROAD, SUITE 100 SAN FERNANDO, CA 91340

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

A public hearing on this matter and associated environmental document gursuant to California Environmental Quality Act (CEQA) will be conducted by the City of San Fernando Planning and Preservation Commission on:

DATE: September 11, 2023 TIME: 6:30 p.m. HEARING LOCATION: City Hall Council Chambers, 117 Macnell Street, San Fernando, CA 91340 PROJECT LOCATION: 12920 Foothill Blvd. APPLICATIONS:

Zoning Code Text Amendment (ZCA 2023-002), Conditional Use Permit (CUP 2023-001), and a Letter of Public Convenience or Necessity

PROJECT DESCRIPTION:

The Planning and Preservation Commission will consider and make a recommendation to City Council for adoption of a proposed Zoning Code Text Amendment (ZCA 2023-002) to amend the Standard Conditions of Approval for alcohol-related Conditional Use Permits and a Conditional Use Permit (CUP 2023-001) involving (1) the revocation of Conditional Use Permit 1987-09, (2) a new CUP for a Type 21 alcohol license (the sale of beer, wine, and distilled spirits for off-site consumption) for Target, and (3) a Letter of Public Convenience or Necessity for Target.

Pursuant to the California Environmental Quality Act (CEQA), the adoption of this proposed Zone Text Amendment is exempt under CEQA Guidelines Section 15061(b)(3) (the "common sense exemption") and Section 15378 ("not a project") since it can be seen with certainty thst

the acia stion of the amendment the Standard Conditions of Approval for alcohol-related Conditional Use Permits will not have a significant impact on the environment. The Conditional Use Permit and Letter of Public Convenience or Necessity are exempt under CEQA Guidelines Section 15301(1) ("existing facilities"). The project site is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment, and the project does not involve or affect historic resources. Based on this analysis, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

The City of San Fernando strongly encourages your participation. Interested members of the public may provide verbal comments or written comments regarding any aspect of the proposed Zone Text Amendment and Conditional Use Permit during the public hearing on this matter. Additionally, public comments may be submitted via email to <u>Communi-</u> tyDevelopment@sfcity.org_or mailed to Community Development, 117 Macnell Street, San Fernando, CA 91340, by 5:00 PM on the date of the meeting. If you have any questions, please contact Erika Ramirez, Director of Community Development, at ERamirez@stcity.org or call (818) 898-1227.

Erika Ramirez

Community Development Director

Community Development Department 117 N Macneij Street San Fernando, CA 91340 (818) 898-1227 www.sfcity.org Publish: 8/31/2023

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