

Meeting called to order by Tomi Lyn Bowling, Land Use Committee (LUC) Chair at 7:00 p.m. Committee members present: Lloyd Hitt, Bill Skiles, Nina Royal, Elaine Brown, Karen Zimmerman, Cindy Cleghorn, Tomi Lyn Bowling, Debby Beck, Dean Sherer, Mark Seigel, Olina Lowe, Chaz vanAalst. Alternate members David Long and William Malouf were not present. Daniel Brumer, Planning Deputy CD2 and Mary Benson, Field Deputy CD2 were present. Audience introductions. Approx. 20 neighbors attended tonight's meeting.

LUC Chair comments and updates:

- a. LA City Budget – Ed Novy, STNC Region 4 and STNC Budget Representative announced that he has been appointed as the North Valley Neighborhood Councils Budget Advocate. Ed will be joining 13 other reps from across the city in meetings as well as meetings with the Mayor and other City officials. Ed said that the Mayor will present his proposed budget to City Council early. It is required to be submitted per the Charter by April 20. There are definite cuts to city services. All NC budget advocates will be seeking feedback from the NCs on what city services are most important. For S-T, Fire, LAPD and EMS services are high priority. This is not always the case with other communities. Thousands of employees will be cut or all employees take a pay cut. It will be a hard fight. The City will be moving forward to lease out parking services to raise funds. Lots of things are in flux at this time. Any comments for raising revenue, the mayor will listen. E-mail Ed Novy at ednovy@yahoo.com. There is a \$200 million deficit this year. \$400 million projected for next year. Elaine asked about golf courses being considered to raise revenue: It goes department by department. Only the golf courses are making money. To balance the budget, \$200 million will come from the reserve which impacts the city's credit standing. By leasing parking they can replace the deficit. The City owns the Convention center, LA Zoo, Ontario airport, etc. The intent is to enter a long term lease taking the lump sum now and then pay back over a longer term. The city can't continue to go the way its going unless there are leases and pay cuts. The zoo is not on the block until next year. The city is signing over to these other companies. We are one of the few cities that owns its own airports, zoo, parking. The city is doing things it never thought it had to do. Elaine asked about code enforcement: Services that receive fees are likely to stay as they are but that may not be the case for EMS. Everything is on the table to look at. Comment: We're at the bottom of the market right now which is a bad time. 3-4 years down the road. If we look at selling assets, we won't sell those. But we can sell parking because those assets don't change. Mark commented about poor contract management with Tudor Saliba for example. They are famous for change orders. How come we are still using them and why can't we address this as part of the budget problem. Ed Novy said that city business is being done differently than a month ago. Everyone is looking at cutting costs. Wendy Greuel was also at the meeting last Saturday and she carries a lot of political weight. Mark is concerned with certain sacred cows like Tudor Saliba and the DWP. What is the downside of bankruptcy? Its been talked a lot but it would ruin L.A. Vallejo and San Diego have been discussed. There may end up being some type of civilian oversight. The city has always done annual budgeting and now may go two years out. Ed Novy doesn't see that LA will have to file bankruptcy. The city isn't hiring anyone. Current employees are vested. Bankruptcy would do more harm to the City.
- b. Tomi announced that due to health reasons, Bob Douglas is no longer able to serve on the LUC. Therefore we have one alternate seat open.
- c. The 2010 Best of Business Awards are in progress. Please vote for your favorite category.
- d. Reminder that the STNC elections Mixer is 3-24-10.

Presentation/Recommendation re: Lopez Canyon Truck Driving School. Marlene Rader with the Community Alliance for Open Space asked the LUC's support for their appeal. The truck driving school will have impacts on the Sunland-Tujunga community that have not been fully reviewed, nor has the S-T community been invited to participate. The LUC voted unanimously to support the Community for Open Space appeal and submit a letter to the City. The public hearing will be on 4-15-10 at 4:30 p.m. before the North Valley Area Planning Commission.

NOTE: Underlined copy below reflects comments/responses by Steve Mahan of Trans Gas propane.

Discussion/Action re: 7937 Foothill Blvd., Sunland. Daniel Brumer, CD2 gave some brief updates regarding the suspension of building permits, the history of the property and the recent DBS permit applications. A permit was filed for an 1,150 gallon underground (later in the meeting changed to above ground) propane tank. The permit was issued under the assumption that it is a continued use on the property because sometime in the past it was a former gas station. Committee members commented that over 30+ years ago there was a single pump on the site. It hasn't pumped gas over 12 months. No longer this use on the property. Dan Brumer has convinced DBS this is a change of use and before any permits are issued, must go through a specific plan review. Dan has received acknowledgement that that is what will take place and assurances that an inspector will be at the property in the morning (3-16-10).

Committee and neighbor comments: Tomi said that as of 2 pm today they were digging the hole. There are three trucks there holding propane 10 feet away from a house. Its been upsetting for the community for several days. Nina asked if they will be noticing all the surrounding neighbors? Neighbors have not had a clue as to what's going on and neighbors are upset not knowing what's going on. Daniel is not aware of any noticing requirement. This is a building permit and specific plan issue. [Note: All projects in the FBCSP have a noticing requirement and we have forwarded copies of that paperwork to Daniel Brumer, CD2 so he is aware of it.] Karen asked if there is anyway to ask them to stop construction? If city finds permits issued in error then they will be asked to cease. The DBS will be on the site. Elektra – This is unacceptable that DBS is unaware of non-continuous uses on properties. This happens over and over that DBS is not aware of the current use of a property. They need to learn to do their job at DBS. Dan's focus for the last few days has not been at this point on educating DBS on rules. Rather focus has been on this site. Tomi asked if someone is present who represents the property.

Representing the Applicant: Steve Mahan. Been in business for 30 years and in Los Angeles area for 40 years. This will be an alternative fuel facility. They have letters of support from numerous governmental agencies. Will be an above ground tank, self- contained unit. Even with additions, it is not below ground. Even with the City, this goes through an extensive review process. All departments have to be complied with. Site was a former gas station. They cooperate with certain cities, for example, Inglewood. They are cooperating with joint ventures. Applicant thinks this is a redevelopment zone. They have certain agreements with LA Trade Tech where they bring in students, train them at their facilities to find jobs. They look at the other opportunities such as tax base increases. It depends on how far the city wants to participate with this. Its been successful for many cities. Tax revenue increase, blue chip jobs, green jobs. AB32, California Energy commission, AQMD, grants. There are initiatives for alternative fuel facilities.

Committee and Community comments: Right off the bat its not that it's a significant form of energy or reputable business. There hasn't been a gas pump on the property in over 30 years. When it was there, it was a secondary use. We have 5 or 6 existing propane locations on Foothill Blvd. within a half-mile radius of the area. We don't need another, much less training and the hazards that accompany "training". We have bought milk from the dairy since 1983 til the Coffee Stop opened. The Coffee Stop also sold milk.

Dean spoke about the fundamentals. Zoning and uses are regulated. Property is C2 zoned. LAMC doesn't show specific provision in the city's zoning ordinance that regulates these. In speaking with a building inspector, minus anything in the LAMC, you really have to turn to the CA Fire Code. It is within the Fire Code that these are regulated. Is the propane known as level 2 or 3 product aerosol? Representative for the applicant stated it is 014 and really not an aerosol, its a compressed gas. Dean said the example was a type of situation where a home improvement store wants to sell propane. Number and location are strictly regulated. Therefore the same CA Fire code regulates this type of business. Dean emphasized expectation of CA Fire Code compliance: Minimum 20 feet from any public alley, public street or right of way, 50 feet from any building, 50 feet from an exit of a discharge of a public way, 20 feet from a lot line; and 50 feet from other similar outside storage.

Applicant stated they've all been signed off on. Cindy said this is impossible as this project is not even filed, approved or built yet.

Lloyd Hitt: Asked if the former gas tanks are still in the ground? Mary Benson said that that the paperwork for the tanks removal was completed and signed off. There are no tanks. It's a clean site with no former gas use apparent either above or below ground.

Nina asked about customers? TransGas currently has 500 customers and 500 locations throughout Southern CA. Customers are movie studios, special effects, warehouses, commercial applications, fork lift for industrial. Public facilities, contracts with the City of L.A. Equipment is being converted to CNG and LPG to comply with AB32 that is moving in that direction. Big Tujunga residential community are on propane.

Karen asked about alternative fuels, for cars or vehicles? Maybe campers but not cars will come there for use. Applicant stated that the site is not going to be used for driving in and out. Karen asked for documentation that the site meets the CA Fire Code requirements.

Bill asked about the excavation work. What is being dug and why? Down 18" deep for an 8 x 8 pad for the foundations to put up an 1,100 gal propane tank. It has to be supported on each side by posts for the wind factors, etc. Its an alluvia and this is a very unstable area and DBS requires foundation under the tank.

Elaine asked if it will be horizontal or vertical – Will be vertical.

Elaine said it sounds like it will be similar to the existing one at Apperson and Foothill. He was not familiar with that site but that it would be similar to the one down by the Rite Aid. That location is actually at the Mobil Station in Sunland. Rep showed pictures of existing Mobil Station with propane tank close to sidewalk. Elaine said that the code may have changed since they put that one in. Elaine asked the applicant to state his name and business location and where tanks are located.

Steven Mahan, 5440 W. San Fernando Valley Road. Zoning is residential to commercial. Locations throughout the LA basin. Several homes are run by propane. Is a propane company providing equipment and support services and tanks. Hauling. This site will have a very small tank, retail outlet, retail services, parts and services to support residential units and BBQ. They will not supply home propane from this site.

Dean – We look very carefully what happens to lots on Foothill. We want to be sure that everything is being done according to the law. You'll have to work with the planning dept and the council office. There is some question whether or not your use can be lawfully established at the current site. Also, we do not believe the distance requirements per the Fire Code can be met by this use. There is no evidence before the LUC that those requirements can be met. This a potentially hazardous use to potentially establish in close proximity to residences. We don't like to see those in close proximity to those residences. This is important because funding for the homeowners in this area could be jeopardized by a use such as this so close to the homes. If there is a hazardous combustible facility the residences won't get HUD clearance. There are ramifications beyond us. Homeowners in that area could suffer with that site.

Tomi asked who how they found out about the old use? They said they researched it and have been in business for 40 years. They are not aware that it needed to be a gas station in last 12 mos. They've converted several sites in the past. Tomi asked that now that they know there is a planned visit are they going to cease working on the property? Mr. Mahan said he doesn't agree with that statement and that he has all permits and they've been evaluated. Cindy said permits have been applied for but not approved.

Mary said that an inspection will take place by DBS in the morning and she will try to be there at the inspection. Fire Dept. Marcus Law will also come out to look at it according to LA Fire Codes and make a determination where certain things can be placed.

Mark – the applicant is possibly unaware that the FBCSP exists. LUC enforces that with the City. We've been doing this for 10 years so we're pretty savvy. I like the idea of alternative fuels. Alternative fuels are more than just fuels. Will you do other things other than propane? This facility is not conducive to that? Maybe an electrical charging, CNG facility. But right now, no. It is more less local residential consumption. Mark - You supply propane to the movie, special effects. They would need transport. How is it done? From main facility on San Fernando Road in the industrial area. They have their fleet there with 2,500 to 10,000 gallon tankers. Their fabrication shop is there. Mark – Would there be large volume sales type orders from this Sunland location because the drivers on Foothill are not the best? No. The tank is only 1,100.

Mark - What other sort of retail items will be for sale there? – In the former coffee shop area there will be an extensive parts display for different parts. There are lots of machine shops in the area and the parts will be there. A lot of people requiring replacing electrical with propane. Basically it's a small little Home Depot type place for propane equipment and accessories.

Tomi – Do you own the property or are you leasing it? The property is leased.

Cindy – Asked about their San Fernando Rd. and Doran in Glendale/Los Angeles border location. She heard the area was being shut down. What is the zoning for that area. The area is industrial. One small tank would support operations in Sunland.

Elaine – Took out propane and put in electrical because even with the increased costs with the DWP citywide, its cheaper than propane. A lot of people are going away from propane. That's why they are coming to the market specifically in Sylmar. We are very cost effective and our prices are significantly below the other players in the market.

Elaine - Is it true the permit has been suspended until the project can be reviewed? He's not aware of it.

Daniel – Apologized for describing underground. It is above ground. From land use perspective they've all been great questions tonight. Dean and Mark emphasized the change of use and whether it complies with the Specific Plan. It may or it may not. If the permits are determined to be issued in error then it will go back to a planner who will be looking at this very closely. It's the same process whether its propane or donuts. We haven't gone through that process yet.

Discussion/Action re: Hillside Ordinance. The LUC voted to support the comments presented by Bill Eick, SHPOA and include support for native plant landscaping requirements.

The Angeles National Golf Club public hearing set for 3/23 has been postponed again.

No updates on 8040 Foothill (former Kmart site).

Foothill / Commerce Town Center – more activity at this site with the curb and gutter continuing. Chaz vanAalst said that the curbs on the Hillhaven side appear to be lower than before and this should be checked because it will affect water drainage in the future.

Verdugo Hills Golf Course – Tees on the Green needs help with their outreach efforts and a Conditional Use Permit for beer and wine sales.

No updates regarding 8330 McGroarty.

The proliferation of smoke shops in Sunland – Tujunganga has been detrimental to the surrounding neighbors.

Minutes by Cindy Cleghorn, Secretary and Member Land Use Committee