



## **PLANNING AND PRESERVATION COMMISSION**

### **REGULAR MEETING NOTICE AND AGENDA**

**OCTOBER 7, 2014 – 7:00 PM**

**COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CA 91340**

#### **CALL TO ORDER/ROLL CALL**

Chair Theale E. Haupt  
Vice-Chair Alvin Durham, Jr.  
Commissioner Kevin Beaulieu  
Commissioner Yvonne G. Mejia  
Commissioner Rodolfo Salinas, Jr.

#### **PLEDGE OF ALLEGIANCE**

Chair Theale E. Haupt

#### **APPROVAL OF AGENDA**

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

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

#### **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.

# PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – OCTOBER 7, 2014

Page 2 of 3

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## 1) REQUEST TO APPROVE MINUTES OF SEPTEMBER 9, 2014 – SPECIAL MEETING

### NEW BUSINESS

- 2) **SUBJECT:** Proposed change to the start times of regular and special meetings of the Planning and Preservation Commission.
- LOCATION:** Council Chambers – 117 Macneil Street, San Fernando, CA 91340
- APPLICANT:** Planning and Preservation Commission
- PROPOSAL:** Consideration of a proposed amendment to the start time of the regular and special meetings of the planning and preservation commission from the existing start time of 7:00 pm to the new start time of 6:30 pm for regular and special meetings.
- RECOMMENDATION:** It is recommended that subsequent to staff's presentation and consideration of any public comments, the Planning and Preservation Commission adopt Resolution 2014-11 (Attachment No. 1) establishing the new meeting times for regular and special meetings for the Planning and Preservation

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

### STAFF COMMUNICATIONS

### COMMISSIONER COMMENTS

# PLANNING AND PRESERVATION COMMISSION

Regular Meeting Notice and Agenda – OCTOBER 7, 2014

Page 3 of 3

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## **ADJOURNMENT**

November 4, 2014

*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.*

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

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

**DRAFT MINUTES OF THE  
SEPTEMBER 9, 2014  
SPECIAL MEETING  
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by at 7:18 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Theale Haupt

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners Kevin Beaulieu, and Y. Mejia

**ABSENT**

Commissioner Rudy Salinas

**ALSO PRESENT**

Community Development Director Fred Ramirez, City Attorney Isabel Birrueta, and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

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

**CONSENT CALENDAR**

Commissioner Y. Mejia moved to approve the minutes of the Planning and Preservation Commission meeting of April 1, 2014 and the minutes and of the Planning and Preservation Commission meeting of June 23, 2014. Seconded by Vice-chair A. Durham, the motion carried with the following vote:

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

**UNFINISHED BUSINESS**

None

**PUBLIC HEARING 7A: Zone Text Amendment 2014-01: Development Agreement Ordinance – City of San Fernando, CA – Citywide –** The proposed zone text amendment would establish rules and regulations for development agreements consistent with California Government Code Sections 65864 et. seq. in order to provide an additional land use and zoning review tool to the City to facilitate development throughout the community in a manner consistent with the City’s General Plan and associated zoning regulations.

**STAFF PRESENTATION**

Community Development Director Fred Ramirez gave the staff presentation recommending that the Planning and Preservation Commission recommend to the City Council:

1. Adoption of the proposed Ordinance (Attachment No. 2) establishing rules and regulation for development agreement consistent with California Government Code Sections 65864 et seq. in order to provide an additional land use and zoning review tool to the City to facilitate redevelopment throughout the community in a manner consistent with the City’s General Plan and associated zoning regulations; and,
2. Affirm the City’s determination that the proposed Ordinance establishing rules and regulations for development agreements is exempt under the California Environmental Quality Act (CEQA) Guidelines using the General Rule Exemption, Section 15061 (b)(3) and therefore no further environmental review is required.

**PUBLIC TESTIMONY**

Jesse Avila – 319 N. Workman Street, San Fernando – Mr. Avila stated that Development Agreements have been in existence in other communities it’s just new to our community. He stated that the proposed regulations would bring us up to speed in order to facilitate future projects for the greater good of the community.

Miguel Montañez – 608 Hollister Street, San Fernando – Mr. Montañez stated that he was concerned about establishing a Development Agreement without having a proposal that would trigger such an agreement. He also asked who would be negotiating these agreements and if the public would have input on what is being requested. He expressed concern with the 20-day public notification period, he stated that this is not enough time given to the residents and he feels they are losing out on the ability to partake in the process.

F. Ramirez responded that the public notification requirements are set by State Law and that with this particular Ordinance that provided sufficient time for public input at the Planning and Preservation Commission and associated City Council meetings that included the first and for the second reading of the Ordinance before the City Council. Mr. Ramirez indicated that the discovery of not having a Development Agreement came from the City Attorney’s office. He stated that there are currently no proposals in cue that require the use of a development agreement, and not having the Ordinance in place may result in a lost opportunity.

I.Burrieta indicated that standard language in the Ordinance is dictated by State Law.

**COMMISSION DISCUSSION**

T. Haupt stated that he has experience working with developers and that this document provides clarity on what is expected as well as it provides for an opportunity to say “I would like to see this and not see this”, we can ask for specifics from the developers.

K. Beaulieu asked why the City did not currently have this agreement ordinance in place. He asked if there any tax incentives and if any existing businesses benefit by the use of this tool?

F. Ramirez indicated that the City would be in a better position to negotiate for different items to off-set potential public impacts attributed to the project that would benefit the community.

Y. Mejia asked about the annual review process of future development agreement and is the review automatic or can it be triggered by either the City or the developer.

F. Ramirez stated that the developer and or the City could ask for a review to facilitate the project moving forward.

A.Durham indicated that this would be an excellent tool.

F. Ramirez indicated that the Ordinance adoption would also create greater transparency and allow for additional public input.

A.Durham asked if this Development Agreement can be imposed on a project.

F. Ramirez indicated that it has to be mutually agreed upon.

Subsequent to discussion Vice-chair A. Durham moved to recommend to the City Council adoption of the proposed Ordinance establishing rules and regulations for development agreement and to recommend affirmation that the City's determination of the proposed Ordinance is exempt under the California Environmental Quality Act (CEQA) Guidelines and therefore no further environmental review is required. Seconded by Commissioner Y. Mejia, the motion carried with the following vote:

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

## **STAFF COMMUNICATIONS**

F. Ramirez provided the commission with an update for the following addresses:

- 650 Glenoaks Blvd. – Carport parking lot update
- 1500 Glenoaks Blvd. – Antennae status
- 460 San Fernando Mission Blvd, WSS – Construction status
- 500 San Fernando Mission Blvd, new Multi-tenant development – Construction status
- High Speed Rail project update
- TOD Overlay Zone project update
- Los Angeles Community Development Commission Workshop update (09/16/2014)

## **COMMISSION COMMENTS**

T. Haupt asked if the time change for the Planning and Preservation can be agendized for the following meeting.

A.Durham asked about the recent publications regarding the proposed changes to CEQA.

**PUBLIC STATEMENTS**

None

**ADJOURNMENT**

Commissioner Y. Mejia moved to adjourn to October 7, 2014. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

8:39 P.M.  
Fred Ramirez  
Planning Commission Secretary



**MEETING DATE:** October 7, 2014

**PUBLIC HEARING:**

1. CHAIRPERSON TO OPEN THE ITEM AND REQUEST STAFF REPORT
2. STAFF PRESENTS REPORT
3. COMMISSION QUESTIONS ON STAFF REPORT
4. OPEN FOR PUBLIC HEARING
5. CLOSE PUBLIC HEARING
6. PLANNING AND PRESERVATION COMMISSION DISCUSSION
7. RECOMMENDED ACTION:
  - (a) To Approve:  
“I move to adopt Resolution 2014-11 (“Attachment 1”) to amend the start time of the regular and special meetings of the Planning and Preservation Commission.
  - (b) To Deny:  
“I move to deny Resolution 2014-11, based on the following ...” (Roll Call Vote)
  - (c) To Continue:  
“I move to continue consideration Resolution 2014-11 to a specific date...” (Roll Call Vote)

**PUBLIC HEARING:**

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

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

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

**Item 2:**

**Amendment of start times for the regular and special meetings  
of the Planning and Preservation Commission.**





## AGENDA REPORT

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

**From:** Fred Ramirez, Community Development Director

**Date:** October 7, 2014

**Subject:** Consideration to Change Planning and Preservation Commission Regular and Special Meeting Times from 7:00 pm to 6:30 pm

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### **RECOMMENDATION:**

It is recommended that the Planning Commission approve Resolution 2014-11, amending the start time of Commission's regular and special meetings from 7:00 pm to 6:30 pm.

### **BACKGROUND:**

At the September 9, 2014, the Planning and Preservation Commission Chairperson requested that the consideration to change the start time of the commission meetings from 7:00 pm to 6:30 pm be placed on the agenda for the next regular meeting in October 2014.

### **ANALYSIS:**

Article II, of Chapter 62 of San Fernando City Code provides the bylaws of the Planning and Preservation Commission. Included within this chapter, City Code section 62-30 notes that members of the Planning and Preservation Commission shall meet once each month, at such time and place as may be fixed by resolution.

Adoption of Resolution No. 2014-11 would facilitate an amendment of the current start time of the Commission's regular meeting that takes place on the first Tuesday of every month at 7:00 pm and special meetings typically held on the third Tuesday of every month at 7:00 pm. The new start time being considered is 6:30 pm.

### **CONCLUSION:**

Adoption of Resolution No. 2014-11 would facilitate the new start time of 6:30 pm for regular and special meetings of the Planning and Preservation Commission. It is anticipated that the proposed new start time would provide sufficient time for the Commission and the public to arrive at the commission meetings, which are held in the evenings on the first and third Tuesdays of every month. In addition, the new start time would reduce the time between the closed of the City business day, which ends at 5:30 pm and the current start time of 7:00 pm.

The net result is that commissioners and planning and administrative staff attending the meeting could possibly complete the work of the commission at an earlier time that evening. Furthermore, planning and administrative staff that attend the meetings to present projects and/or provide clerical support to the Commission would not incur as much overtime and/or compensatory time attributed to commission meetings. The additional costs are attributed to extra hours worked by these City personnel after their regular 9-hour work day, which regularly occurs on the first and third Tuesdays of every month.

**ATTACHMENTS:**

A. Resolution 2014-11

**ATTACHMENT 1:**

**Planning and Preservation Commission  
Resolution 2014-11**



## **RESOLUTION NO. 2014-11**

### **A RESOLUTION OF THE SAN FERNANDO PLANNING AND PRESERVATION COMMISSION AMENDING THE TIME AND PLACE OF REGULAR AND SPECIAL MEETINGS**

WHEREAS, Article II, of Chapter 62 of San Fernando City Code provides the bylaws of the Planning and Preservation Commission;

WHEREAS, City Code Section 62-30 notes that members of the Planning and Preservation Commission shall meet once each month, at such time and place as may be fixed by resolution; and,

WHEREAS, the Planning Commission seeks to amend the current start time of its regular meeting that takes place on the first Tuesday of every month at 7:00 pm and special meetings typically held on the third Tuesday of every month at 7:00 pm.

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

SECTION 1: The Planning and Preservation Commission finds that all of the facts set forth in this Resolution are true and correct.

SECTION 2: On October 7, 2014, the Planning and Preservation Commission held a duly noticed public hearing to consider the proposed amendment to the start time of the regular and special meetings of the Planning and Preservation Commission from the existing start time of 7:00 pm to the new start time of 6:30 pm for regular and special meetings. As part of the public hearing, the public was given an opportunity to testify and comment on the proposed change to the start times of regular and special meetings of the Planning and Preservation Commission.

SECTION 3: On October 7, 2014, the Planning and Preservation Commission, subsequent to public comment and deliberation by the Commission voted to adopt Resolution No. 2014-11, amending the start time of their regular and special meetings on the first and third Tuesdays of every month to begin at 6:30 pm and with said meetings scheduled to take place in the San Fernando City Hall Council Chambers located at 117 Macneil Street, San Fernando, CA 91340.

PASSED, APPROVED AND ADOPTED this 7th day of October 2014.

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THEALE E. HAUPT, CHAIRPERSON

ATTEST:

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FRED RAMIREZ, SECRETARY TO THE PLANNING  
AND PRESERVATION COMMISSION

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

I, FRED RAMIREZ, Secretary to the Planning and Preservation Commission of the City of San Fernando, do hereby certify that the foregoing Resolution No. 2014-11 was duly adopted by the Planning and Preservation Commission and signed by the Chairperson of said City at a meeting held on the 7th day of October 2014; and that the same was passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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FRED RAMIREZ, SECRETARY TO THE PLANNING AND  
PRESERVATION COMMISSION