



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

**MINUTES OF THE
DECEMBER 2, 2014, 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 ON THE CITY'S WEBSITE AT:

<http://www.ci.san-fernando.ca.us/commissionandboardmeetings/#ppc>

CALL TO ORDER

The meeting was called to order by at 6:30 P.M. by Chairperson Theale Haupt

PLEDGE OF ALLEGIANCE

Led by Chairperson Theale Haupt

ROLL CALL

The following persons were recorded as present:

PRESENT:

Chairperson Theale Haupt, Vice-chair Alvin Durham, Commissioners Kevin Beaulieu, and Rudy Salinas

ABSENT

Yvonne Mejia

ALSO PRESENT

Community Development Director Fred Ramirez, Associate Planner Yalini Sivapathasundaram, Lieutenant Nicole Hanchett, Officer Jorge Cervantes, and Community Development Secretary Michelle De Santiago

APPROVAL OF AGENDA

Vice-Chair A. Durham moved to approve the agenda of the December 2, 2014. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

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

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CONSENT CALENDAR

Commissioner K. Beaulieu moved to approve the minutes of the July 15, 2014, Planning and Preservation Commission Meeting. Seconded by Vice-chair A. Durham, the motion carried with the following vote:

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

UNFINISHED BUSINESS

None.

PUBLIC HEARING 2: Conditional Use Permit 2014-04 (Modification of Conditional Use Permit 2005-01) – 1245 San Fernando Road, Unit #100, San Fernando, CA 91340 – AJ Blanco and Eric Rodriguez (Valley Wing Pit, LLC) – The project is a request to modify an existing conditional use permit to: 1) allow a stage area for the use of live entertainment; 2) modify the hours of daily operation by extending business hours from 10:00 a.m. to 10:00 p.m. to 11:00 a.m. to 2:00 a.m.; and 3) to allow a maximum of four (4) outdoor special events that includes the sale of alcoholic beverages per calendar year. The existing establishment is currently operating under Conditional Use Permit 2005-001, which allows for the on-site sale and consumption of alcoholic beverages as an ancillary use to a restaurant. The subject site is location within the Mixed-Use Transition Sub-District of the SP-4 zone.

STAFF PRESENTATION

Associate Planner Y. Sivapathasundaram gave the staff report recommending that the Planning and Preservation Commission deny Condition Use Permit 2014-04, pursuant to Planning and Preservation Commission Resolution No. 2014-14. The proposed amendment to the Existing CUP 2005-01 would have allowed for a stage area for the use of live entertainment, and extension of the daily business hours from 10:00 a.m. to 10:00 p.m. to 11:00 a.m. to 2:00 a.m., and also would have allowed a maximum of four (4) outdoor special events, including the sale of alcoholic beverages, per calendar year.

Officer Cervantes explained the list of service calls to the location that includes bar-checks, minor decoys, suspicious circumstances, and disturbance call and what resulted in each incident.

COMMISSION DISCUSSION

K. Beaulieu asked J. Cervantes if the business owners have made an effort to increase security.

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J. Cervantes stated that he has met with the owners and as the Alcohol Beverage Control (ABC) Liaison he feels that the CUP amendment should not be approved at this time.

T. Haupt asked what constitutes a “suspicious circumstance” and who placed these calls for service.

J. Cervantes stated it can simply be anything out of the normal daily activity and the calls noted in the report were made from the subject location and typically are called in before the incident escalates.

T. Haupt asked about the six (6) calls in 2014.

J. Cervantes indicated that police presence was needed and this continued month after month and when officers respond to the location it usually will be three (3) officers or more to respond.

K. Beaulieu stated that he felt these calls are an indicator that more security is needed at the location.

J. Cervantes stated that the owners indicated that they would be hiring a private security company. He also indicated that this location seems to get the most disturbance calls than any similar business in the city.

T. Haupt asked if this location attracts a different type of clientele.

F. Ramirez indicated that it is import to clarify that the alcohol is an ancillary use to the restaurant and the primary sales should be from the food at this location.

T. Haupt asked how this was accomplished.

F. Ramirez indicated that it works on the “honor system” and this information can be requested in coordination with ABC in order to have the applicants provide ABC with the records for meals vs. alcohol sales.

PUBLIC STATEMENTS

Eric Rodriguez (applicant) – 226 N. Meyer Street, San Fernando, CA 91340 – E. Rodriguez stated that he is a 25 year resident and he wanted to invest in the City of San Fernando, he explained that he thought it was a good idea to open up the business, which took a lot of learning along the way to make it a successful business. He stated that Chief Parks encouraged him to call the police department but he didn’t know that those calls would be used against the future of his business. He wanted to go on record to clarify that those calls were initiated by the owners. He explained that the Valley Wing Pit is a family establishment and it serves a variety of foods and that he currently has a total of six (6) security guards on staff. He expressed that safety is his number one priority. He explained that he walks the premises, the perimeter making sure no

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one is drinking outside. He felt that with more security and new management it is a good sports establishment. He stated that the allegations made against the business are simply not true. He did acknowledge that mistakes were made but that they have learned from them and would like an opportunity to move forward. He asked that the Planning and Preservation Commission compromise with them.

AJ Blanco (applicant) – 3505 Tamarack Drive, Palmdale, CA 93551 – AJ Blanco stated that he too has copies of the service calls for 1245 San Fernando Road and that of the 18 calls for the location most are not logged in correctly. He stated that ABC has been out to their place of business and that they have been successful four out of the five visits. He stated that their entire staff has received the training and that the restaurant sales of meals 55% vs. 45% for alcohol. He stated that they have complied with all of Chief Parks requests but is asking the commission for their consideration of the amendment because the restaurant cannot continue to operate successfully under the current conditions. He stated that the restaurant is involved with the community at both the youth clubs and high school levels, they proudly display award community athletes on their “wall of fame”. He is asking that the commission consider a compromise since the calls for service were to request police presence as a preventative measure.

K. Beaulieu stated that the commission is being put in a hard position, he stated that facts are black and white.

E. Rodriguez stated that all meeting with staff have been positive, so he doesn’t understand the reasoning for the recommendation of denial. He stated that they have a good relationship with everyone including the property owner, but that it is an expensive business to run under the current conditions.

N. Hanchett explained the summary of calls that including suspicious activity in the parking lot, and she indicated that the calls are logged as according to how they are explained by the caller.

T. Haupt asked the applicant to consider amendment from 2:00 a.m. close to 1:00 a.m. close all live entertainment to be within the confines of the building and the kitchen to close at 12:30 a.m. He asked that the Police Department provide a list of service calls only associated with the restaurant. He suggested that the police department provide a summary of service calls requested for the business only, he stated that the current summary of services calls seems to too broad and may include activity in the multi-tenant parking lot and neighboring businesses.

E. Rodriguez stated that he is trying to convince the commission that he is not just operating a sports bar.

T. Haupt explained that it is not the police department’s responsibility to judge calls but to report them to staff accordingly.

Gustavo Franco – 1340 Celis Street, San Fernando, CA - Mr. Franco stated that he lives two blocks from the location. He stated that music from this business can be heard up until 12:45

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a.m. He stated that he has observed police activity at the location on an on-going basis. He stated that he wants the commission to take into consideration that there is a senior citizen housing facility one block away.

F. Ramirez informed the commission the based on the comments made the commission can consider an alternative in lieu of denial. He explained that there are 2 other options which were approve with modifications or continue the item to a date specific to allow for more time to gather information by city staff.

T. Haupt stated that this will allow for staff to monitor the Valley Wing Pit's behavior.

A. Durham stated that the disturbance calls were a concern to him.

K. Beaulieu stated that he wants to see the Valley Wing Pit succeed, but he also wants the business to comply with the police department's requirements. He stated that he would not recommend approval without the police department's approval.

F. Ramirez indicated that staff will meet with the applicant to go over the possible modifications to the original proposal.

Subsequent to discussion Vice-Chair A. Durham recommended the item be continued to the April 7, 2015, Planning and Preservation Commission meeting. Commissioner K. Beaulieu seconded the motion, the motion carried with the following vote:

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

STAFF COMMUNICATIONS

F. Ramirez provided the commission with a brief overview of the following items:

- California High Speed Rail Authority community open house;
- 2015 Greater Los Angeles Homeless Count and volunteer recruitment;
- Update on TOD Overlay Zone Project; and
- Assembly Bill (AB 60) Community Forum December 15, 2014.

COMMISSION COMMENTS

T. Haupt asked for an update regarding 650 Glenoaks Blvd.

F. Ramirez stated that the architect has submitted plans for site plan review and the associated fees have been paid.

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PUBLIC STATEMENTS

None.

ADJOURNMENT

Vice-chair A. Durham moved to adjourn to January 6, 2015. Second by Commissioner K. Beaulieu, the motion carried with the following vote:

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

8:24 P.M.
Fred Ramirez
Planning Commission Secretary