



Monday, April 3, 2017

A regular meeting of the Planning Commission was held at 6:00 p.m. in the City Hall Council Chamber, 6615 Passons Boulevard, Pico Rivera, CA.

Chairperson Fred Zermeno called the meeting to order at 6:00 p.m. on behalf of the Planning Commission.

**PRESENT:** Celiz, Elisaldez, Gomez, Zermeno

**ABSENT:** Garcia [Note: Commissioner Garcia arrived at 6:30 p.m.]

Commissioner Zermeno made a motion to formally excuse Commissioner Garcia and it was seconded by Commissioner Elisaldez. Motion carried by the following vote:

**AYES:** Celiz, Elisaldez, Gomez, Zermeno

**NOES:** None

**ABSENT:** Garcia

**PLEDGE OF ALLEGIANCE:** Led by Julia Gonzalez, Community & Economic Development Dept. Deputy Director.

**PUBLIC HEARING(S):**

**Continued Public Hearing – Conditional Use Permit No. 726 to construct a 2-story, 8-unit apartment complex on a 12,410 square foot site located at 9244 Beverly Road (Assessor Parcel No. 6374-005-037) in the Community Commercial (C-C) Zone District**

Senior Planner Christina Gallagher requested the Planning Commission approval to continue item to a future date uncertain to allow applicant additional time to resolve the concerns discussed by the Commissioners during the March 20, 2017 Planning Commission meeting. Ms. Gallagher stated that the individuals who came to the March 20, 2017 were notified of the continuance.

Commissioner Elisaldez made a motion to continue the public hearing as requested by staff and it was seconded by Commissioner Celiz.

There was no oral or written communication nor were there public comments on non-agenda items.

**MINUTES:**

Commissioner Elisaldez made a motion to approve the minutes from the February 6, 2017 Planning Commission meeting and it was seconded by Commissioner Celiz. Motion carried with the following vote:

**AYES:** Celiz, Elisaldez, Gomez, Zermeno  
**NOES:** None  
**ABSENT:** Garcia

**PLANNING COMMISSION REPORTS:**

- **City Council meeting of March 28, 2017** – Commissioner Zermeno had nothing to report.

Director Carmona reported on the first reading of City ordinance regarding overnight parking of oversized vehicles. He gave an overview of the factors that contributed to the need for an ordinance including the type and size of vehicles that are considered oversized. Mr. Carmona stated that the ordinance will have some flexibility such as allowing for loading and unloading and a temporary 48-hour parking permit for residents and residents' visitors. Mr. Carmona mentioned that violations will be handled similar to surrounding cities that have adopted the same type of ordinance. He added that the proposed ordinance will be effective 30 days after it is approved by the City Council.

Commissioner Zermeno stated that the situation at Walmart had improved but recently he has observed motor homes and trucks parking there again.

Director Carmona stated staff will bring this to Walmart's attention again. He stated that some of the vehicles are making deliveries and they are permitted to stay by Walmart. He said that the parking lot is private property but Walmart had agreed to the City's request to place new signage that will allow towing. Mr. Carmona stated that he will provide an update at the next Planning commission meeting.

Director Carmona also talked about how the temporary 48-hr. permit works and how violations reported will be handled.

- Commissioner Gomez confirmed his attendance to the City Council meeting of Tuesday, April 11, 2017.

**NEW BUSINESS:**

**Initiate General Plan Amendment for the vacant property located on the northwest corner of Rivera Road and Cord Avenue**

Senior Planner Gallagher reported that staff received a General Plan Amendment application to re-designate an existing vacant lot located on the northwest corner of Rivera Road and Cord Avenue from low density residential to high density residential. She stated that pursuant to Section 18.62.050 of the Pico Rivera Municipal Code, amendments to the General Plan are required to be initiated by adoption of a motion by the Planning Commission. Ms. Gallagher explained that before the General Plan Amendment application can be approved or denied, the Planning Commission needs to

approve to initiate which will allow staff to research and do an analysis, and bring back results and full report for consideration within 30 or 60 days. She explained that the General Plan Amendment application will be presented in conjunction with other applications—to rezone the property from single to multiple family residential; to request a subdivision for 40 townhome units; to request to encroach within rear and side property lines; to reduce the amount of private open space. Ms. Gallagher re-emphasized to the Planning Commission that for now, staff is only seeking approval to initiate—not an approval or denial of the request to re-designate the subject property from low density to high density residential.

Commissioner Elisaldez stated that he does not support the request even if it is only to initiate.

Deputy Director Gonzalez asked the Planning Commission to consider the fact that what was presented by Ms. Gallagher was not a full staff report. She added that the applicant should be given the opportunity to be heard and for staff to provide a complete staff report. She stated that what staff is recommending is only procedural to ensure all legal requirements are met before presenting a full report to the Planning Commission.

Commissioner Elisaldez stated he was still against request to initiate.

Commissioner Celiz said that simply put, Commissioner Elisaldez does not even want to know result of research and analysis. He just wants to stop going any further as the lot is small and there will be the same problems as the apartment units that were previously on the subject property.

Senior Planner Gallagher stated that the proposal is for 40 townhomes that will be for sale and the apartments previously on the subject property numbered 90 units.

Commissioner Elisaldez stated that at that time, the size of the property was larger.

Senior Planner Gallagher agreed but stated that the size was not significantly larger.

Director Carmona stated there have been three community meetings, and the applicants walked the neighborhood adjacent to the project site to speak with residents. Mr. Carmona said that the meetings have resulted in some of the residents that were opposed to this type of project to become somewhat supportive. It was again emphasized to the Planning Commission by Mr. Carmona that what is being requested is approval to initiate and not an approval or denial of the project.

Deputy Director Gonzalez explained to the Planning Commission that staff is only requesting approval to initiate which will allow staff to bring back the full scope of the proposed project to make sure it is in compliance with the City zoning ordinance and also present a staff report of compliance.

Commissioner Celiz asked if the Commissioners approve to initiate, can they change their mind when staff presents the full report.

Deputy Director Ms. Gonzalez said yes and clarified that the vote is not for denial or approval of the proposed project.

Commissioner Elisaldez stated his arguments remain the same.

Director Carmona stated that the Commissioners comments are valid. However, the request at hand is just procedural and is necessary in order to move forward.

Commissioner Elisaldez asked what happens if the Commissioners do not agree to initiate.

Senior Planner Gallagher stated that the General Plan Amendment, the Zone Reclassification, and the Vesting Tentative Tract Map require City Council approval. But the Major Variance, if approved by the Planning Commission, will only become effective if the General Plan Amendment, Zone Reclassification, and Vesting Tentative Tract Map are approved by the City Council.

Commissioner Zermeno added that the Commissioners will then take to discussion when staff brings back a full report.

Senior Planner Gallagher stated that is correct.

Director Carmona stated that any applicant is entitled to due process and this is part of it.

Commissioner Zermeno made a motion to initiate the amendment to the General Plan and seconded by Commissioner Gomez. The motion was not carried as a result of the following vote:

**AYES:** Gomez, Zermeno  
**NOES:** Celiz, Elisaldez  
**ABSENT:** Garcia

Deputy Director Gonzalez stated that the item will be continued to the next Planning Commission meeting since legal counsel was not present.

Senior Planner Gallagher stated she understood the Commissioners' concerns, issues, and the impact but she believes the applicant has a right to due process and the opportunity to propose or explain how to resolve certain issues with the residents. She further explained that the initiation does not mean approval or support, it just allows the application to come forward to be presented to the Planning Commission for consideration of the project and at that time, the Commissioners may approve or deny the project.

Commissioner Elisaldez stated that right now it is strictly a recommendation to the City Council so it is going to City Council regardless.

Ms. Gallagher stated this is just an initiation so staff will bring a report back to the Planning Commission first before going to the City Council. She stated that Planning Commission action is required before it is taken to the City Council.

Commissioner Gomez informed the other Commissioners that if the Planning Commission does not approve to initiate, it does not allow anybody to do anything with the subject property, and it stays vacant.

Commissioner Elisaldez stated that something else can be built on the vacant lot; it does not have to be the proposed 40-unit townhomes.

Ms. Gallagher again stated that what is before the Planning Commission is a request to initiate so staff can do research and do an analysis and report back to the Planning Commission so that a decision can be made.

Commissioner Gomez stated that the land is currently zoned low density and asked what high density requires.

[Garcia arrives at this time—about 6:30p.m.]

Commissioner Garcia stated that the concerns with 40 units are the exits.

Commissioner Zermeno made a motion to re-vote on approving to initiate General Plan Amendment and seconded by Commissioner Gomez. Motion carried by the following vote:

**AYES:** Celiz, Gomez, Zermeno

**NOES:** Elisaldez; Garcia

**ABSENT:** None

Deputy Director Gonzalez asked Commissioner Zermeno to revisit the first agenda regarding continuance of the public hearing as there was only a motion and a second but no vote taken. Ms. Gonzalez wanted to be sure that a vote was taken on the continuance. As stated above, Commissioner Elisaldez made a motion to continue the public hearing and seconded by Commissioner Celiz. Motion carried by the following vote:

**AYES:** Celiz, Elisaldez, Garcia, Gomez, Zermeno

**NOES:** None

**ABSENT:** None

**OLD BUSINESS:**

Commissioner Zermeno received an inquiry from residents regarding ongoing construction of homes/townhomes off Catherine and Lindsey. He asked when construction stops for the day. He received a complaint regarding traffic and noise issues.

Senior Planner Gallagher stated the hours of construction is 7a.m. to 7p.m. She said that the developer hopes to complete the project in about 4 months. She said that the project is comprised of 7 single family homes.

Commissioner Gomez asked staff if City can do something about putting lights in a dead-end area—on Maxine off of Paramount. He stated there have been numerous incidents of cars being broken into due to the lack of street lights.

Commissioner Zermeno stated that with the construction of the dam scheduled to begin in a couple of years and if the Sports Arena will not be affected he asked why the City has not started the construction on the sign.

Director Carmona informed the Commissioner that he will look into this and provide an answer at the next Planning Commission meeting.

Commissioner Zermeno made a motion to adjourn the Planning Commission meeting at 6:37 p.m. There being no objection, it was so ordered.

**AYES:** Celiz, Elisaldez, Garcia, Gomez, Zermeno,

**NOES:** None

**ABSENT:** None

---

Fred Zermeno, Chairperson

**ATTEST:**

---

Steven Carmona, Director of Community& Economic Development  
Secretary, Planning Commission

I hereby certify that the foregoing is a true and correct report of the proceedings of the Planning Commission Regular Meeting dated April 3, 2017 and approved by the Planning Commission on June 5, 2017.

---

Steven Carmona, Director of Community& Economic Development  
Secretary, Planning Commission