



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

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Celiz

Assistant City Attorney Lam stated for the record that Commissioner Garcia returned to the dais at 6:07 p.m.

**PUBLIC HEARING(S):**

**CONTINUED PUBLIC HEARING – MAJOR VARIANCE NO. 186, VESTING TENTATIVE TRACT MAP NO. 74700, ZONE RECLASSIFICATION NO. 323 AND GENERAL PLAN AMENDMENT NO. 55 – A REQUEST TO CREATE A SUBDIVISION FOR A 40-UNIT TOWNHOME DEVELOPMENT ON A 1.7 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF RIVERA ROAD AND CORD AVENUE, ON A VACANT PROPERTY PREVIOUSLY ADDRESSED 7650 PASSONS BOULEVARD, AND TO ALLOW THE 40-UNIT TOWNHOME DEVELOPMENT TO ENCROACH WITHIN THE REAR AND SIDE YARD STREET ADJACENT SETBACKS AND REDUCE THE AMOUNT OF REQUIRED PRIVATE OPEN SPACE, AND RECLASSIFY THE ZONE FOR THE SUBJECT PROPERTY FROM SINGLE-FAMILY RESIDENTIAL (S-F) TO MULTIPLE-FAMILY AND CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) TO HIGH DENSITY RESIDENTIAL (HDR)**

Senior Planner Gallagher began the staff report by informing the Planning Commission that the proposed development has been modified reducing the number of townhomes from 40 to 36 units. She stated that the public notice indicated 40 units, and for the sake of clarity, the subject line of the staff report was not changed. Ms. Gallagher introduced Economic Development Senior Manager Michael Garcia to present a brief report on how this proposed development will be beneficial to the City.

Senior Manager Garcia talked about a Purchase and Sale Agreement he worked on involving a couple of properties, one of which is 7650 Passons Blvd., the location of the proposed project. He stated that from an Economic Development standpoint, a new residential product in the City will contribute in increasing the median income in the City which is important because retail follows income. Mr. Garcia added that in marketing the City to different retailers and businesses, staff learned that retailers and businesses are looking at cities that meet its key demographic which is higher income. He added that the developers made good use of the outreach meetings with the community and

the modifications they have made to the proposed development is proof they listened to the concerns raised by the residents.

Senior Planner Gallagher explained the applications (MV 186; VTTM 74700; ZR 323; GPA 55) being presented to the Planning Commission for recommendation for approval to the City Council. She explained that the request to reclassify the zone from single family to multiple family residential is consistent with the General Plan Land Use designation change and both the General Plan Amendment and the Zone Reclassification are required in order to allow the development to go forward. Ms. Gallagher showed the layout of the proposed development which consisted of a total of seven buildings. Ms. Gallagher showed a preliminary grading plan pointing to the private drive aisles that will be created. She stated that interior streets and driveways will be privately owned and maintained by the homeowners association. There will only be one vehicle access and a stop sign will be installed at the development exit site to ensure safe exit onto the street. The development was approved by the L.A. County Fire Department and complies with emergency vehicle access. Ms. Gallagher talked about the setbacks and the reductions requested by the developer. She stated that the development will include and maintain 20 onsite guest parking spaces for a total of 92 onsite parking spaces; the Pico Rivera Municipal Code (PRMC) only requires 5 guest spaces. She mentioned that the developer will re-stripe a portion of Rivera Road along the southerly side of the property that will provide about 12 parking stalls that will be available to the public. In addition to setback reductions, Ms. Gallagher stated there is also a request to reduce the amount of required private open space. In exchange for the reduction, the developer proposed to provide approximately 11,800 sq. ft. of common open space throughout the development that will have picnic tables, benches, open field areas for recreation and possibly a bocce ball court. Paved walking paths will be provided throughout the development along with drought tolerant landscaping, irrigation, and lighting. Ms. Gallagher's presentation included images of the different floor plans each with features that include an attached 2-car garage, 2 to 3 bedrooms, and 2 ½ to 3 bathrooms. She showed proposed landscaping as well. Ms. Gallagher stated that per the California Environmental Quality Act (CEQA), the project will have no significant impact to any surrounding intersections or the environment. Ms. Gallagher recapped the three community open houses held which, in total, were attended by approximately 40 residents. She stated that the applicant continued community outreach after the scheduled meetings through informational letters, door to door visits, and corresponding directly with residents by email and phone. Ms. Gallagher emphasized that the project modification made by the applicant was in response to community comments. In closing, Ms. Gallagher recommended that the Planning Commission adopt the resolution approving Major Variance 186 subject to conditions of approval and the Mitigated Negative Declaration & Mitigation Monitoring Plan and adopt resolutions recommending City Council approval of VTTM 74700, Zone Reclassification 323, and General Plan Amendment 55 and the Mitigated Negative Declaration and Mitigation Monitoring Plan.

Commissioner Zermeno opened the public hearing and asked the applicant to come up and speak.

Mr. Joe Oftelie of City Ventures complimented staff on the presentation. He gave an overview of City Ventures and spoke briefly about their new homes that include features such as water saving & high efficiency fixtures, heat resistant barrier roof sheeting, and solar panels. He stated that these and more are standard in City Ventures homes but typically cost extra in other new homes. He added that each home is pre-wired for electric vehicle charging.

Commissioner Garcia asked what the average homeowners association fee would be and what it covers, who will install the water pipes, and what will the water pipes be made of.

Mr. Oftelie stated that dues are typically under \$200/monthly and covers everything onsite that is on the exterior of the homes like roof, exterior stucco paint, landscaping, streets within the development, and sewer & water mains. He stated that the City has a water line that runs through the proposed project so the developer will need to connect to it and will hire a subcontractor. He stated the developers will abide by City requirements with regards to what the water pipes will be made of.

Commissioner Elisaldez asked staff what formula was used to determine traffic density and was the City's current traffic density part of the formula. He also asked when the last time a study done.

Commissioner Elisaldez stated that the City has a major parking problem, and the changes requested by the developer validates that the proposed development does not fit in that area. Commissioner Elisaldez stated he would prefer to see single family homes.

Commissioner Gomez stated that the issue is parking, not the development. With parking always an issue with developments brought before the Planning Commission, he suggested having a discussion on parking only to see what can be done. He stated that the proposed project is something nice and new for the City. With regards to the impact on traffic, he stated that the controlled traffic light that was installed, which was not there before, will help lessen the impact.

Deputy Director Julia informed the Commissioners that staff will be addressing parking very soon. She stated that funding has been requested for a parking consultant to do a parking study that staff will bring forth to the Planning Commission and City Council.

Commissioner Celiz thanked Mr. Oftelie for bringing a project to the City. She said that it will help the schools in the City.

Commissioner Garcia stated that tandem parking is a nice concept but he still prefers the standard two-car garage where spaces are side-by-side.

Mr. Oftelie informed the Commissioners of the requirement in their CC&Rs that require

homeowners to park vehicles in the garage. He stated that HOA has a management company that will monitor guest parking spaces and homeowners that frequently use guest parking stalls will be cited and/or towed.

Commissioner Zermeno expressed his appreciation to the developer for bringing the proposed project to the City and added that he hopes the association dues remain low since there are no pools or a clubhouse. He asked Mr. Oftelie if the trees that exist in the proposed project area are City trees.

Mr. Oftelie stated there are existing trees on Cord Avenue that are maintained by the City, and trees inside the proposed development will be maintained by the HOA.

Commissioner Zermeno asked Mr. Oftelie if there will be a gate to the proposed project.

Mr. Oftelie said there will be no vehicular gates.

Commissioner Zermeno asked if the City will be handling street sweeping since there is no gate or are the streets private.

Senior Planner Gallagher responded that streets will be private and will be maintained by the HOA.

Commissioner Gomez asked approximately how many mailers went out to the community regarding the outreach meetings. He stated that he recalled from the staff report that at most only about 40 went to the meetings.

Senior Planner Gallagher stated approximately 18 attended each of the meetings.

Commissioner Gomez asked if the same or different people attended the meetings.

Mr. Oftelie stated there was a core group that showed up at each meeting that were in favor of the proposed project and there were some new people as well.

Commissioner Gomez asked how many people present were opposed to the proposed project.

Since there were none, Commissioner Gomez stated that this basically reflects the public's acceptance of the proposed project and the Commissioners should take note of that.

Director Carmona stated that it helped that developers walked door to door to reach out to the community further.

Commissioner Zermeno asked City staff how many additional parking space would be created on Rivera Rd. and if there will be additional parking on Cord Ave.

Senior Planner Gallagher stated there will be about 12 on Rivera Rd. and there will also be parking on Cord Ave.

Director Carmona stated that 72% of the City's housing stock was built between 1940 and 1969 and new housing stock in the community will be beneficial, attracting younger families which will help keep sales tax revenue coming in. He stated that current City demographics are older and spending less money.

Director Zermeno asked if there were any other speakers for or against the proposed project. There were none.

Commissioner Elisaldez made a motion to close the public hearing which was seconded by Commissioner Gomez. There being no objections, motion carried.

Commissioner Zermeno stated that the Commission will approve staff recommendations; however Assistant City Attorney Lam stated that a motion was necessary to approve staff recommendation.

Commissioner Gomez made the motion to approve staff recommendation and it was seconded by Commissioner Celiz. Motion carried with the following vote:

**AYES:** Celiz, Gomez, Zermeno

**NOES:** Elisaldez, Garcia

**ABSENT:** None

Commissioner Zermeno asked if anyone wanted to speak on non-agenda items. There were none.

### **MINUTES:**

Commissioner Elisaldez stated he did not receive minutes for April 3, 2017.

Staff clarified that the minutes before the Planning Commission are for March 6, 2017, March 20, 2017, and April 17, 2017, and that the April 3, 2017 minutes were not yet complete.

Commissioner Gomez called to staff's attention a correction on the April 17, 2017 minutes. He stated that the voting was not all ayes, that there were two noes (Commissioners Elisaldez and Garcia). Staff stated they would verify and make the appropriate correction.

Commissioners Gomez and Elisaldez both stated they would abstain from voting on the March 6, 2017 minutes as they were not present in that meeting.

Assistant City Attorney Lam explained to Commissioners Elisaldez and Gomez that

approval of the minutes is only an administrative action and they did not need to be present in the meeting, therefore, they are free to vote on the minutes provided the Commissioners that were present at the meeting have no objections to the contents.

Commissioner Zermeno made a motion to accept the minutes for the Planning Commission meetings of March 6, 2017, March 20, 2017, and April 17, 2017 and it was seconded by Commissioner Gomez.

Assistant City Attorney Lam pointed out to the Commissioners that Commissioner Elisaldez wanted to abstain from voting on the minutes.

Commissioner Elisaldez clarified that he only wanted to abstain from voting on the March 6, 2017 minutes.

#### **PLANNING COMMISSION REPORTS:**

- **City Council meeting of April 25, 2017** – None.
- Commissioner Garcia tentatively confirmed his attendance to the City Council meeting on Tuesday, May 9, 2017.

#### **NEW BUSINESS:**

Commissioner Zermeno asked if staff can conduct a survey on speeding vehicles on San Gabriel River Parkway now with the area much busier, the increased activity at the golf course, and more children residing in the Fairways Community. He stated there are only a couple of stop signs—from the Rose Hills exit and one before reaching Beverly Blvd.—and more are needed because the exit to the Fairways has become dangerous. He said there have been numerous collisions in the last few months which staff can validate from Sheriff's Dept. and Fire Dept. reports.

Commissioner Zermeno also brought to staff's attention that the "No Turn on Red" sign on San Gabriel River Parkway and Beverly Blvd. is causing a lot of problems. He stated the duration of the traffic signal is causing a long line of vehicles. He explained there is a "No U Turn" sign on Beverly Blvd. for vehicles going eastbound. He stated that if the traffic signal for the "Right Turn" could stay on longer, this would allow more vehicles to make the turn and help reduce the long line of vehicles.

Director Carmona stated it is a visibility issue that is caused by a fence surrounding one of the businesses at the location, and Public Works staff is currently looking into this situation by reaching out to the business owner to discuss further.

Commissioner Celiz asked if homeowners in the City are, in fact, allowed to rent out all

the bedrooms in their homes, as she was previously told. If so, she asked if the City can pass an ordinance because this is partly the cause of the parking issues in the City.

Commissioner Gomez stated this is like the issue discussed in a previous Planning Commission meeting and staff was going to look into this.

Deputy Director Gonzalez stated it is a timing and staffing issue but staff is looking at a list of rentals in the City that are Air B&Bs and have thus far identified 25. She stated further that if Commissioner Celiz is referring to room rental, there are no provisions prohibiting renting rooms.

Assistant City Attorney Lam explained to the Commissioners that the expansion of state laws has resulted in additional rights to residential property owners. He stated that many cities are dealing with residential care facilities which are basically commercial businesses that are within a house as long as occupants are less than six. He said that state law prohibits these rentals to be treated as businesses. With regards to a homeowner who just wants to rent out rooms to share/split the rent/mortgage, it is partially a legal issue and an evidentiary issue and will be difficult to enforce. He stated that if staff desires, the City Attorney's office can look into more effective ways of trying to enforce.

Director Carmona encouraged the use of the City's MyApp to report illegal construction or illegal garage conversions.

Commissioner Celiz asked if Code Enforcement staff only goes out to investigate when they get a complaint or if they take appropriate action if they happen to observe a violation while in the field.

Director Carmona stated that investigations are currently on a complaint basis but parking enforcement officers are transitioning into being more proactive. He stated that additional funding is being requested to implement weekend enforcement. A pilot program was started as there are a lot of activities happening during the weekends and additional parking and code enforcement staffing has been requested throughout the weekend to help curtail illegal vendors that are out there.

### **OLD BUSINESS:**

With regards to an update on a meeting with Walmart regarding parking of oversized vehicles in their parking lot, Director Carmona reported that the meeting was postponed. He did say that staff will be meeting with Vestar to coordinate City's efforts. He informed the Commissioners Vestar manages a portion of the Towne Center, Lowes owns another portion, and Walmart owns their parcel. Staff has found that a lot of RVs and diesel trucks know that Walmart does not actively enforce so they are parking on their property. He stated that staff has reached out to the government affairs person for Walmart who have been responsive, and they will get with their management team to

meet with City staff to address the issue. He informed the Commissioners that he will provide the Planning Commission with an update.

With regards to the Sports Arena sign, Director Carmona stated there continues to be some issues with the Army Corps of Engineers and management staff is working out those issues. He stated he will continue to provide the Planning Commission progress reports as they come in.

Commissioner Zermeno stated that the Planning Commission hopes something can be done soon as this issue has been unresolved for some time now.

**ADJOURNMENT:**

Commissioner Zermeno adjourned the Planning Commission meeting at 7:30 p.m. There being no objection, it was so ordered.

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Fred Zermeno, Chairperson

**ATTEST:**

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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 May 1, 2017 and approved by the Planning Commission on June 5, 2017.

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