The regular meeting of the Planning Commission was called to order at 7:00 pm by Chair Dang in the City Hall Council Chambers located at 8838 E. Valley Boulevard.

PLEDGE OF ALLEGIANCE – Vice-Chair Tang

INVOCATION – Commissioner Lopez

ROLL CALL – Commissioners Eng, Herrera, Lopez, Vice-Chair Tang and Chair Dang

ABSENT – Commissioner Herrera

STAFF PRESENT – City Attorney Thuyen, Community Development Director Kim, City Planner Valenzuela, Associate Planner Hanh, Assistant Planner Lao, and Commission Secretary Lockwood.

1. EXPLANATION OF HEARING PROCEDURES AND APPEAL RIGHTS

City Attorney Thuyen presented the procedure and appeal rights of the meeting.

2. PUBLIC COMMENTS FROM THE AUDIENCE

None

3. PUBLIC HEARINGS

A. MODIFICATION 17-04 - Peiji Tong has submitted a Modification Application requesting to modify Conditional Use Permit 17-05. Conditional Use Permit 17-05 was approved by the Rosemead Planning Commission on August 7, 2017, for an automobile rental establishment. The applicant is proposing to incorporate automobile sales to a previously approved automobile rental establishment. The subject site is located at 9510 Valley Boulevard, in the Medium Commercial with Design Overlay (C-3/D-O) zone. Per Rosemead Municipal Code (RMC) Section 17.120.110(C), a proposed change that does not comply with the criteria identified in subsection B of [RMC Section 17.120.110], or any other provision of the Zoning Code, may only be approved by the original review authority for the project through a modification permit application filed and processed in compliance with [RMC Chapter 17.120].

PC RESOLUTION 17-19 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROSEMead, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING MODIFICATION 17-04, A MODIFICATION OF CONDITIONAL USE PERMIT 17-05 TO INCORPORATE AUTOMOBILE SALES TO A PREVIOUSLY APPROVED AUTOMOBILE RENTAL ESTABLISHMENT. THE SUBJECT SITE IS LOCATED AT 9510 VALLEY BOULEVARD (APN: 8593-001-042), IN A MEDIUM COMMERCIAL WITH A DESIGN OVERLAY (C-3/D-O) ZONE.

STAFF RECOMMENDATION - It is recommended that the Planning Commission ADOPT Resolution No. 17-19 with findings and APPROVE Modification 17-04, subject to the 34 conditions.

Assistant Planner Lao presented the staff report.

Chair Dang asked the Planning Commission if there were any questions or comments for staff.
Vice-Chair Tang asked if the site is not currently operational and is it still under construction.

Assistant Planner Lao replied yes.

Vice-Chair Tang asked if the sign plan is submitted during this process or afterwards.

Assistant Planner Lao replied the applicant has not submitted a sign plan.

Vice-Chair Tang asked if the signage will be requested when this transforms into an automobile sales/rental car dealership.

Assistant Planner Lao replied yes.

Vice-Chair Tang asked if there are other automobile sale/rental businesses in the City of Rosemead.

Assistant Planner Lao replied yes, it was recently approved by the Planning Commission; it is called "Vehicles in California" and is located on Valley Boulevard.

Vice-Chair Tang stated the only difference he sees between a rental use and a car sales use would be that customers would want to test drive the vehicles before purchasing them. He asked if there are conditions of approval that address test driving vehicles.

Assistant Planner Lao replied no, currently there is not.

Vice-Chair Tang asked if the code addresses car dealerships specifically or does it distinguish the difference between car rentals verses a car dealership.

Assistant Planner Lao replied no. She explained the parking requirements are the same and there is no mention of test driving in the municipal code.

Chair Dang opened the Public Hearing and invited the applicant to the podium.

Feifei Yuan, representative for the owners, stated they are requesting a modification to their conditional use permit to include car sales even though the primary business will still be car rentals. She requested that the Planning Commission approve this item and indicated she is available to answer any questions they may have.

Vice-Chair Tang asked what the timeline is in regards to their construction and opening their business.

Representative Yuan replied the building plans have been approved, so once this item is approved, they will begin construction.

Vice-Chair Tang asked how long they anticipate that will take.

Representative Yuan replied it will take about two months.

Chair Dang if there were any other comments or questions from the public.

None

Chair Dang closed the Public Hearing and asked if the Planning Commission had any further comments or questions.
Vice-Chair Tang requested a correction be made on page three of the staff report, the second paragraph under Municipal Code Requirements, it should state “August 7, 2017”, and not October 23, 2017, and verified with staff that is correct.

Assistant Planner Lao replied that is correct.

Vice-Chair Tang made a motion, seconded by Commissioner Lopez ADOPT Resolution No. 17-19 with findings and APPROVE Modification 17-04, subject to the 34 conditions.

Vote resulted in:

Ayes: Dang, Eng, Lopez, and Tang
Noes: None
Abstain: None
Absent: Herrera

Community Development Director Kim stated the motion passes with the vote of 4 Ayes, 0 Noes, 1 Absent, and explained the 10-day appeal process.

B. ZONE VARIANCE 17-02 THROUGH 17-05 - Efrain Lopez has submitted a Zone Variance Application proposing to construct an 880 square foot single-family dwelling on an existing vacant lot, located at 8133 Artson Street. The applicant is requesting four variances to deviate from the required minimum front yard setback, side yard setback, rear yard setback, and first floor area. The project site is located in the Light Multiple Residential (R-2) zone. Per Rosemead Municipal Code Section 17.140.020, a Variance is required for any development that is not consistent with applicable development standards or other regulations of the Rosemead Zoning Code.

PC RESOLUTION 17-20 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING ZONE VARIANCE 17-02 THROUGH 17-05, GRANTING EXCEPTIONS TO THE MINIMUM FRONT YARD SETBACK, MINIMUM SIDE YARD SETBACK, MINIMUM REAR YARD SETBACK, AND MINIMUM FIRST FLOOR AREA REQUIREMENTS FOR THE DEVELOPMENT OF A SINGLE-FAMILY DWELLING, LOCATED AT 8133 ARTSON STREET (APN: 5287-011-026), IN A LIGHT MULTIPLE RESIDENTIAL (R-2) ZONE.

STAFF RECOMMENDATION - It is recommended that the Planning Commission ADOPT Resolution No. 17-20 with findings and APPROVE Zone Variance 17-02 through 17-05, subject to the 24 conditions.

Associate Planner Hanh presented the staff report.

Chair Dang asked if there were any questions or comments for staff.

Commissioner Eng thanked staff for providing the letter and asked if staff knows which property this is from on Artson Street.

Associate Planner Hanh replied this residence is located on the south side of the street, three homes to the west.

Commissioner Eng asked if the site can be viewed on Google Maps.

Associate Planner Hanh replied yes and pointed to the project site.

Commissioner Eng referred to the site and asked if this development will include the dead end portion of the property.
Associate Planner Hanh replied yes, it will include portions of the dead end.

Commissioner Eng asked if this is zoned as R-2 and what is the current lot size requirement to develop in an R-2 zone.

Associate Planner Hanh replied it is zoned as R-2 and for a creation of a new lot, it would require 6,000 square feet of lot area.

Commissioner Eng asked if this lot has 3,200 square feet.

Associate Planner Hanh replied this lot, including the private street, has 3,260 square feet. If the private street is not included, then it has 2,200 square feet.

Commissioner Eng asked if the variance is being requested because it is deficient.

Associate Planner Hanh replied no, and explained if the applicant was just building a home as a permitted use, they would not need a variance for the existing lot.

Commissioner Eng stated the applicant is requesting four variances for this development and asked what are the guidelines or circumstances in which variances are granted.

Associate Planner Hanh replied the findings that are outlined in the staff report are the findings that need to be made for a variance to be granted. If the Planning Commission finds that those findings can be met, they may grant the variances.

Commissioner Eng asked what the width of the street of this development is.

Associate Planner Hanh replied it is 24 feet total.

Commissioner Eng commented that she did a site inspection and has a small car, but noticed that it was a tight fit. She asked if this project was sent to the Fire Department for review/comments and did the City receive any comments.

Associate Planner Hanh replied it was sent to the Fire Department for review and no, they did not have any requirements or comments.

Commissioner Eng asked if there are no requirements from the Fire Department, would they be able to provide service to this property once it is developed.

Associate Planner Hanh replied if the variances are granted, the applicant will be required to submit this to Building and Safety, which will require a second Fire Department review. He reiterated that the Fire Department did not have any comments during the Planning review process.

Commissioner Eng stated she is concerned because this project is at the end of a cul-de-sac, which is a narrow street, and as a safety concern, if vehicles are parked on both sides of the street, a fire truck may not be able to get through. She supports the opportunity to provide housing and the development of a new two-bedroom home, but reiterated her concern for safety and access for the Fire Department. She asked staff if there are any other two-story homes on this street.

Associate Planner Hanh replied not on the north side of the street.
Commissioner Eng asked if staff has received any feedback from Caltrans due to this being so close to the wall.

Associate Planner Hanh replied no.

Commissioner Eng asked if Caltrans usually gives feedback on developments like this.

Associate Planner Hanh replied for single-family dwellings they typically do not.

Vice-Chair Tang referred to the map and stated it shows a private street easement and asked how the City regulates that.

Associate Planner Hanh replied because this is a private street, Public Works will not be involved with the maintenance of the street.

Vice-Chair Tang asked if this project will essentially assume the private street easement or is it split amongst the north and the south properties.

Associate Planner Hanh replied that half of the private street at the end belongs to the subject property.

Vice-Chair Tang clarified that Associate Planner Hanh means the top/north half and asked if they would be responsible for maintaining it. He asked if there are municipal codes also to adhere to that maintenance.

Associate Planner Hanh replied yes, it is the top/north side and the subject property will maintain it. He added there are not municipal codes specifically regarding maintenance, and because it is private property the city is not involved with it.

Vice-Chair Tang asked if the property owner wanted to build something on the private street easement is it possible.

Associate Planner Hanh replied they can't because there is an access easement.

Vice-Chair Tang stated they are in a cul-de-sac and they are at the end of the block.

Associate Planner Hanh stated Planning would not approve a project that is being built in the access area.

Vice-Chair Tang asked when the design incentives enforced, do they occur during the plan check process, or during the final site visit.

Associate Planner Hanh replied that before the applicant submits to Building and Safety for their building plan check, staff will verify to make sure they have met all the requirements for the incentives. He added at the final inspection for Planning, we also verify that they have met all the incentives, so they may get their FAR bonus.

Chair Dang asked if the applicant does not seek a variance, would the current Municipal Code require a minimum of 25 feet from the garage.

Associate Planner Hanh replied yes.

Chair Dang stated the lot is only 32 feet deep, so this is not feasible without getting a Variance.

Associate Planner Hanh replied yes.

Chair Dang commented that these lots are irregular now, and from his understanding, these lots were larger in the past. He stated because of eminent domain or other reasons when the freeway came in, it took away land. They
may not have always been irregular and undersized. He then referred to the private street question and explained that even though it is a private street and is not maintained by Rosemead Public Works, it is still a legal instrument and you cannot build in there, construct in there, or put a fence and that there are some real estate laws that tie into that private street easement. He asked if staff is deeming that as a private street as if it were a public street for the purpose of the zoning application meaning the yard that parallels that easement is the front yard.

Associate Planner Hanh replied yes.

Chair Dang asked if the Planning Commission had any further questions or comments.

None

Chair Dang opened the Public Hearing and invited the applicant to the podium.

Efrain Lopez, applicant, stated the lot belongs to his mother and himself and his mother is planning to retire this year. He added with the way property is costing currently, she will never be able to afford a new home. He stated he is hoping this will get approved, as they have been going back and forth, and working with staff to get the best possible design to fit into this area. He stated that they wanted to design a green home with fire sprinklers and with a good size garage to be able to get in and turn around. He said he has the support of the neighbor across the street and they have no issues with this home being built. He also provided pictures to the Planning Commission showing the perspective as you are going onto the on-ramp going east of the 10-Freeway. He added there is a stop light, and the one thing you can see is the empty lot with graffiti, the loitering, and all the cars parked there illegally. He stated that is the first thing that you can see as you are there. He added you can see that or rather a nicer view of that corner with a newly designed single-family home, plus the City will benefit from the property tax, and this will be a benefit instead of a detriment. He stated on that side of the street, all the homes have the same setback in the front yard and it is not something they will be requesting on the north side of the street. He stated they are requesting something that is very feasible and fair on that side of that street. He referred to parking and added that it will be the same issue as everyone else has on that street. He stated he is requesting and hoping this will have a positive outcome.

Commissioner Eng asked if this development will be owner-occupied.

Applicant Lopez replied yes.

Commissioner Eng asked how long the applicant has owned the lot.

Applicant Lopez replied since "2013". He stated it is difficult to get funds and his mother is about to retire, this will give her the opportunity to get her 401K, and get some of her funds back. He added it is so expensive to do things and just applying for the Variances was an expense. It took him awhile to come to a plan that works for both the City, himself, and to get the funds and to take the gamble on whether this is approved or not.

Commissioner Lopez asked who designed the home.

Applicant Lopez replied CB Homes and introduced the designer.

Designer Germaine Cortez from CB Homes stated he is the actual designer for the home.

Applicant Lopez stated they used every inch possible to utilize the space and trying to conform to the rules/regulations of the city and the design. He added in the past he has received letters from the City stating there is loitering and graffiti at this lot and he has had to spend money to have this all cleaned up. He stated he sees this as a much better option than having an empty lot and there is not much more he can do with it.
Commissioner Eng asked once permits have been approved, how long they anticipate construction will take.

Designer Cortez replied it will take four to six months.

Vice-Chair Tang is if this home will be owner occupied.

Applicant Lopez replied yes, and considering the cost he would implement a green home. He added Tesla now has a solar roof, so there will not be ugly panels on the home, and it will look like a regular roof. He stated it will produce electricity and the insulation is now foam fire retardant and sound proof. He stated all of this will help with the noise from the freeways.

Vice-Chair Tang stated he would like to commend him and the designer on a beautifully designed home that maximizes the space there, given the certain restrictions they had with this lot. He also invited the designer to the podium to repeat his name and company.

Designer Germaine Cortez stated he is from CB Home Design.

Commissioner Eng commented that this home may inspire the neighbors to update their properties also.

Designer Cortez stated he would offer his services if it’s within his range.

Chair Dang asked if this proposed home will flush with the front yards of the homes on the north side of Artson Street.

Applicant Lopez replied yes, because they have an easement and a setback.

Chair Dang asked if the neighbor’s home will be in line with his home.

Applicant Lopez replied yes.

Chair Dang commented that he likes modern architecture and asked the designer why they picked comp shingles as opposed to a tile roof.

Designer Cortez explained that Tesla roofing was what really was requested, but the approvals had not been released, so he could not call it out. The State of California requires that you need an ICC number.

Chair Dang stated he is a fan of the Tesla solar panels and not a great fan of the comp shingles and asked if there is another product they can use. He also asked if the Tesla shingles are glued on or is there a pedestal system.

Applicant Lopez replied it is a new type of panel that it looks like a roof tile, which lays flat and cosmically looks like a flat roof. He added since his project is small it is a small expense for him.

Chair Dang asked hypothetically if the tiles do not work for him, what is his fall back alternative, as opposed to the comp shingles, would it be a tile roof.

Designer Cortez replied a tile roof will work.

Chair Dang recommended that a condition of approval be added to say it would be a tile roof as opposed to comp shingles in the event that the solar panels do not work out.

Planning Commissioners agreed to the recommendation.
Chair Dang asked if there was anyone else wishing to speak on this item.

None

Chair Dang closed the Public Hearing and asked the Planning Commission if there were any further questions or comments.

Commissioner Lopez recommended that this project get approved and commented that this is an outstanding home for such a small property and it will benefit the City.

City Attorney Thuyen clarified that the motion is to approve staff’s recommendation with the modification recommended by Chair Dang to add an additional condition of approval regarding the roof.

Commissioner Lopez made a motion, seconded by Vice-Chair Tang, to ADOPT Resolution No. 17-20 with findings and APPROVE Zone Variance 17-02 through 17-05, subject to the 25 conditions. (Condition of Approval number 25 regarding roofing material was added by the Planning Commission on 11-6-17).

Vote resulted in:

Ayes: Dang, Eng, Lopez, and Tang
Noes: None
Abstain: None
Absent: Herrera

Community Development Director Kim stated the motion passes with 4 Ayes, 0 Noes, and 1 Absent vote and explained the 10-day appeal process.

4. CONSENT CALENDAR

A. PC Minutes 10-16-17

Vice-Chair Tang requested that the word precedence be corrected to precedent throughout the minutes beginning on page two.

Commissioner Lopez made a motion, seconded by Vice-Chair Tang, to approve PC Minutes 10-16-17 with the correction.

Vote resulted in:

Ayes: Dang, Eng, Lopez, and Tang
Noes: None
Abstain: None
Absent: Herrera

Community Development Director Kim stated the motion passes with the vote of 4 Ayes, 0 Noes, and 1 Absent.

5. MATTERS FROM STAFF

City Planner Valenzuela introduced and welcomed the new Community Development Director Ben Kim.

Chair Dang and the Planning Commission also welcomed Community Development Director Ben Kim to the City of Rosemead.
City Planner Valenzuela updated the Planning Commission on two items that had been discussed at the previous Planning Commission meeting. The first item was Commissioner Lopez's concern in regards to the rat infestation at the Senior Garvey Center. It has been reported by the management company that the issue has been addressed and staff followed up with a confirmation from Mrs. Lopez. She added if there are any other issues in the future, please let staff know and we will address it. She added the second item was Chair Dang’s concern regarding cars parking on Rosemead Boulevard and creating a traffic hazard. She informed the Planning Commission that after speaking to Public Works Director Ramirez, this is under Caltrans jurisdiction, and the City cannot address this concern.

Commissioner Lopez asked what part of Rosemead Boulevard is this taking place.

Chair Dang replied it is between the 10 Freeway and Valley Boulevard.

Commissioner Lopez stated that stretch during that time of day is usually open.

City Planner Valenzuela stated Code Enforcement informed her that the signs are not visible anymore, Caltrans was contacted, but it has not been taken care of.

Chair Dang stated in the morning it is usually open, but during the rush hour 6:00 am and 9:00 am, you are not supposed to park there.

Vice-Chair Tang commented if Caltrans is unresponsive, the City can contact the local state legislative representative and request this is addressed.

City Planner Valenzuela stated the City Engineer, Rafael Fajardo, has told her he will contact a Caltrans representative to look into this issue.

Commissioner Lopez asked if Caltrans controls both sides.

City Planner Valenzuela replied yes, and they control the entire corridor.

Commissioner Lopez stated he thought the City controlled one side.

City Planner Valenzuela replied Caltrans controls both sides.

Vice-Chair Tang stated that it is up to the City, because Temple City has taken over their segment, and currently it is under their management.

Commissioner Lopez commented that it is amazing that one side of the street is Rosemead and the other is Caltrans.

Vice-Chair Tang commented the same situation is on Graves Avenue.

Commissioner Lopez commented it is on Walnut Grove Avenue also.

Vice-Chair Tang stated if City Engineer, Rafael Fajardo, cannot get through to his contact at Caltrans, then he encourages staff to contact the local representatives.

Community Development Director Kim announced the date, time, and location of the Christmas Tree Lighting.

Chair Dang asked if the City will be doing anything for Thanksgiving.
City Planner Valenzuela replied no.

6. MATTERS FROM THE CHAIR & COMMISSIONERS

Commissioner Eng welcomed Community Development Director Kim to the City of Rosemead. She thanked City Planner Valenzuela for filling in and all her hard work. She stated a lot of cities have information available online and building permits are also available online. She requested that staff look into including this in the future and to also include the Zoning Code, forms, and building permits in the Community Development page. She suggested the City of Long Beach is a good example of what can be available and will help staff also.

Chair Dang stated he would also like to thank City Planner Valenzuela for a great job as Interim Community Development Director.

Vice-Chair Tang stated he echo’s his colleague’s comments and also thanked City Planner Valenzuela. He also welcomed Community Development Director Kim. He stated that he is a representative of the Garvey Avenue Specific Ad Hoc Committee and reported that there had been a meeting that morning, which consisted of technical changes and clarifications. He added the timeline is that there will still be a joint session tentatively on December 12, 2017 with all the Commissions and City Council. He added staff will confirm the date and commented that when it is completed everyone will see that it is a good project.

Chair Dang asked if the same consultant is on board.

Vice-Chair Tang replied yes, it is MIG.

City Planner Valenzuela announced that the City Website is going to be revamped and reported the Planning page will have current projects and there will be more details. She stated they are still working on having Building Permits available. She explained Building Permits will take some time but Planning is incorporating a lot of new things.

Chair Dang thanked staff for the 11X17 maps available at the dais and commented it is a great idea.

7. ADJOURNMENT

The meeting adjourned at 7:46 pm.

The next regular Planning Commission meeting will be held on Monday, November 20, 2017, at 7:00 pm in the Council Chambers.

Sean Dang
Chair

ATTEST:

Rachel Lockwood
Commission Secretary