

**CITY OF SOUTH EL MONTE
PLANNING COMMISSION OFFICIAL MINUTES
TUESDAY, FEBRUARY 18, 2020
CITY HALL COUNCIL CHAMBERS
1415 SANTA ANITA AVE
SOUTH EL MONTE, CALIFORNIA 91733**

1. CALL TO ORDER

Chairperson calls meeting to order at 6:00 P.M.

2. ROLL CALL

COMMISSIONERS PRESENT: Chairperson Rudy Bojorquez, Vice-Chairperson Larry Rodriguez, Ruby Rose Yepez, Jeff Ortiz and Leo Barrera.

Also Present: (Assistant City Attorney) Christy Lopez of Aleshire & Wynder, LLP, (Public Works Director) Rene Salas, (Planning Assistant) Ian McAleese, (Planning Commission Secretary) Angie Hernandez

3. FLAG SALUTE

Chairperson, Ruby Bojorquez led the flag salute.

4. APPROVAL OF AGENDA

A motion was made by Commissioner Rodriguez and seconded by Commissioner Barrera and carried (5-0) to approve the agenda as-is.

Vote: Approval of Agenda
Ayes: Bojorquez, Barrera, Ortiz, Rodriguez, Yepez
Nays: None
Absent: None
Abstain: None
Action: Approved

5. PUBLIC COMMENT

Chairperson Bojorquez requested Commissioner Yepez to give a brief intro of herself to the commission. City Councilmember Richard Angel addressed the commission and thanked them for their service during the last term, and wished them great success in the upcoming term.

6. CONSENT CALENDAR

6.a. Minutes of January 21, 2020

A motion was made by Commissioner Barrera and seconded by Commissioner Rodriguez and carried (5-0) to approve Consent Calendar (Minutes of January 21, 2020)

Vote: Approving Consent Calendar – Minutes of January 21, 2020
Ayes: Bojorquez, Ortiz, Yepez, Barrera and Rodriguez
Nays: None
Absent: None

Abstain: None
Action: Approved

7. PUBLIC HEARINGS

7.a. Consideration of Resolution No. 19-20 approving a Conditional Use Permit (CUP) (No. 19-20) to allow for a Type 21 Off-Sale General license to allow the off-sale off beer, wine, and distilled spirits at 1954 Central Avenue known as the Ai Hoa Central Market.

The property located at 1954 Central Avenue South El Monte, CA 91733 ("Property") is currently developed with a 11,752 square foot commercial building that contains a restaurant, supermarket, and a hair stylist located at the southeast corner of Rush Street and Central Avenue in the City of South El Monte ("City"). A supermarket had operated at the location for many years and eventually closed down in 2014. In October of 2019, Ai Hoa Central Market opened up as a family owned neighborhood supermarket and has been continually operating since. The market's hours of operation will be Monday through Sunday from 9:00 a.m. to 6:00 p.m.

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 19-20, approving Conditional Use Permit (No. 19-20) as conditioned.

Below are comments that were noted during the public hearing of this item:

1. Question by: Commissioner Rodriguez to staff, To clarify this application is only for the ABC License, we are not talking about the restaurant or the beauty parlor, correct? Response by: Assistant Planner, yes, that is correct. This is specifically for the unit the Market is taking up for the Type 22 license for distilled spirits and wine.
2. Comment by: Chairperson Bojorquez to staff, Are those questions open to the applicant as well? Response by: Assistant Planner, Yes, any questions related to the market or the operations, the applicant is here to answer any questions you may have.
3. Question by: Commissioner Rodriguez to staff, When the restaurant decides to open, they will bring the CUP before the Planning Commission? Response by: Assistant Planner, the restaurant is allowed by right, they are not required to apply for a conditional use permit to operate their business at this location. Only if the restaurant wanted to sell beer and wine, they would be required to apply for a conditional use permit.
4. Question by: Commissioner Barrera to staff, Along those same lines, Would the restaurant be required to apply for business license? And would a CUP be required to operate a restaurant ?. Response by: Assistant Planner, Yes the restaurant is required to apply for a business license, but the zoning at this location does not require them to apply through the CUP to operate a restaurant since it is a permitted use in the commercial zone. The food truck is still operating here, is that by right as well ? Assistant Planner, no the food truck was allowed through a temporary use permit, while there were tenant

improvements being completed. They are currently operating through a temporary use permit. Additional comment by Assistant City Attorney: To add to this conversation, as an update – the City is in contact with the owner of the food truck and will be moving forward with this topic. Chairperson Bojorquez asked the following question: Is there an end date on the food truck? Assistant City Attorney answered: The permit they are currently operating under, has expired and the City will be talking to them.

5. Commissioner Ortiz asked, So the restaurant and the beauty parlor will be leasing from the Market owner? Assistant Planner answered: No, the grocery store does not own the property. They are leasing the space from the property owner. Each tenant at that location is renting the space, none of the businesses that run in that location are the property owner.

6. Commissioner Rodriguez asked, Is this the property owner? Assistant Planner answered, No the applicant here today is the owner of the store, not of the property.

7. Question by: Commissioner Barrera, Is there any way we can add a condition for the applicant to come back after a year, I know we've added similar conditions to other applicants in the past, Is this something we can include here as well? Assistant City Attorney answered, Certainly- if that is the Commissions' will, I am happy to prepare it and add it.

8. Commissioner Rodriguez added, Can we make the condition start from the date they opened, so we can come back a year later to the progress? Response by: Assistant City Attorney, So you'd like to have the applicant come back one year after they open. Commissioner Ortiz stated, the market is currently open, but they currently don't sell alcohol. Assistant City Attorney, restated: Okay so, Maybe asking them to come back one year from the date they start selling alcohol ? Commissioner Rodriguez agreed.

9. Commissioner Rodriguez continued by stating the following: Based on the last meeting, there were some topics of concern that were tabled one of which included what, if any, are the conditions imposed on other liquor stores in the nearby area-like the dairy or the Seven-Eleven with times of sales? Assistant Planner answered, the Dairy I know for a fact has been opened for so long, that it never had a conditional use permit on file, so it has been operating as a legal non-conforming use. There is no way to limit operations or times of operation to that business. For the Seven-Eleven, I'm not sure what the limit on when they are allowed to sell alcohol. I had no idea, this information was needed. I can get that information for you and provide an update at the next meeting, but for the purpose of this meeting, I can tell you that most likely it follows the similar sales times as other liquor stores which is either Midnight 12:00 a.m. or 2:00 a.m. depending on what planning commission approved when it opened.

10. Applicant/ Business Owner: Linda Hang, arose to the podium to address the Commission.

11. Commissioner Barrera, thanked Ms. Hang for opening her business here at the City, he stated that the location has been empty for a few years and we appreciate that your business will only be open from 9:00 a.m. to 6:00 p.m., but we are concerned because this location has had a history of loitering and unacceptable activity. Do you understand the conditions that are being requested? There are many conditions, and we want to confirm you understand. Ms. Linda Hang, confirmed she understands the conditions.

12. Commissioner Rodriguez asked the applicant, Ms Linda Hang, Are there any precautions you have taken or will take to address the concerns we have voiced here today ? Ms. Linda Hang replied, we are a family market, we trying to sell to those who are shopping for groceries, and not necessarily to the homeless and have the customers loitering around. So you will work with us on this concern? Ms. Linda Hang agreed.

13. Commissioner Ortiz, asked the applicant, I know you have a gate near your entrance that will help with the concerns we have, what time will you typically lock that gate?. Ms. Linda Hang, answered, well we close at 6:00 p.m. but we clean up as well, so normally at 7:00 p.m.

14. Commission Barrera made a comment: Ms. Linda Hang, We do want your business to thrive here in South El Monte and welcome. Ms. Linda Hang added, we have also heard from the community that they are glad we are here because there isn't a market close by, and they appreciate they have affordable options for seafood and meats and groceries.

15. The Public Works Director asked the applicant, In the last meeting there was a comment about the Recycling center at this location. Just to confirm there is no recycling center operating there at your location? Ms. Linda Hang answered, correct. There is no recycling center operating at our location. Assistant Planner interjected by stating, there used to be cans and bottle recycling bin that used to operate on the property. Ms. Linda Hang, confirmed, no there is currently no recycling center operation running here.

16. Commissioner Yopez, made the following comment: The proximity to schools is very close as well as other locations that already sell alcohol. I'm curious to know, has your clientele ask for this product, Is this why you are deciding to sell this product? Ms. Linda Hang answered, Yes they have said it would be more convenient to buy alcohol while they do their shopping. Will the product be on a shelf or enclosed somewhere? Ms. Linda Hang answered, the hard liquor will be sold behind the counter which I will personally be responsible for, and the beer will be sold in the refrigerated section at the back of the store with a camera facing them.

17. Councilmember Richard Angel, commented the following: If I'm not mistaken, the license is for beer and wine, Why will there be hard liquor? Assistant City Attorney added, and distilled spirits. This includes hard liquor? Assistant City Attorney, yes this includes hard liquor. Is there a gate on the other side ? Staff and Commissioners, confirmed. Well this won't eliminate the problem. The other side of the gate will still grant access to the parking lot only making the entrance and exit one way. When you mention the owner, she is the leasee ? She is the one leasing the property, not the owner of the property, right ? Assistant Planner, yes, that is correct, she is not the owner of the property. The responsible party of allowing the recycling center would be the owner of the property, and not the owner of the business. I just want to clarify that, since I heard she was the owner of the business, which in fact she is the leasee. She is the business leasee and has no say on what is going on at the property.

18. Commissioner Ortiz added to Mr. Richard Angel's comment: the other gate is open until the restaurant closes, and I know Omaña's would close at 1:30 a.m. or 2:00 a.m. But at least the gate would minimize who is going in and out of the parking lot. Mr. Richard Angel replied, The point is, it would not eliminate the possibility of people loitering and hanging out in the parking lot when the market closes.

19. Commissioner Rodriguez added, In this situation, the property owner would be responsible to install or require a separate gate for the restaurant and the market to stop the thru traffic. He stated he recalls how much the market, and the recycling center caused so many problems there. I know the business said they would work with the city, but in this situation wouldn't the responsible party be the property owner? Mr. Richard Angel confirmed in agreement with Commissioner Rodriguez's statement. Mr. Richard Angel added, that's another issue we are dealing with and are taking care of, separate from this matter.

20. Commissioner Rodriguez asked the following question, Do we address the ABC License today and then ask the property owner to come back and address these other issues? Assistant City Attorney responded by stating, Legally I'm trying to figure out how we can do this, It's not entirely uncommon to have conditions that apply to the owner in this type of application, but then we would make the owner part of the process. They would then be required to agree to the conditions of the CUP and acknowledge receipt of the conditions being imposed, Which is not the case here. At this point, I don't see continuances are an option. I don't know how to bring him back to the prevue of the planning commission, unless there were some land use provisions the property is sitting on? Assistant Planner responded, currently there are no entitlements on the property. Assistant City Attorney stated, then that means there are no legal mechanisms. I don't know how we can do that right now. I would have to think about that. Assistant Planner stated: we can take note of what the commission's concerns are and myself and the Interim Director can meet with the property owner to discuss remedies to the concerns instead of imposing legal actions. Assistant City Attorney stated, I was thinking we can change the review period from one year to six months to allow the property owner to be part of the six-month review.

21. Commissioner Rodriguez stated I'm sure Ms. Lang will advise the property owner, the concerns we've stated here tonight, and if the property owner agrees then we can approve the permit otherwise, we can continue the item until the property owner agrees. But I totally understand, the application is for the ABC license which is separate from the gate or anything else.

22. Public Works Director stated: That is valid concern the commission is stating given the history at this property. If it is the same owner from the past, then the concerns are valid, as we don't want those same concerns resurfacing again. This is something staff can address with the property owner, and he believes the six-month review period is a great idea. Assistant Planner responded by stating: The property owner did change hands during the 2013, 2014- and 2015-time frame, so it has changed ownership since Rush Market last operated at this location.

23. Commissioner Rodriguez made a motion to revise the amended condition to be a six-month review.

24. Discussion around including additional no loitering signs continued and was agreed upon by the commission to add language addressing this were included in the amendments. A five-minute break was granted to the Assistant City Attorney to gather the language appropriate for the newly added amendments to the conditional use permit.

The following amendments were added to the Conditional Use Permit, as agreed by the Planning Commission and amended by the City Attorney:

New Condition #40 – This Conditional Use Permit shall be reviewed by the Planning Commission six (6) months after the business begins to sell alcoholic beverages pursuant to its Type 21 Alcohol Beverage Control (“ABC”) license.

New Condition #41 – The applicant shall install “No Loitering” signs near both entrances, in addition to four (4) signs installed on each side of the building. Signage shall be posted to the Director’s satisfaction.

Confusion regarding the vote to revise the amendment to a six-month review was made by Commissioner Rodriguez. Clarification regarding the items the Commission was voting on were made and a vote was called to clarify any confusion regarding the vote for the adding the amendment for a six month review and a separate vote was called for the approval of the conditional use permit with the amendments made by the Assistant City Attorney.

With no further questions or comments, a motion was made by Commissioner Rodriguez and seconded by Commissioner Barrera and carried (5-0) to approve Item # 7.a - Consideration of Resolution No. 19-20 approving a Conditional Use Permit (CUP) (No. 19-20) to allow for a Type 21 Off-Sale General license to allow the off-sale off beer, wine, and distilled spirits at 1954 Central Avenue known as the Ai HOA Central Market as amended by the City Attorney.

Vote: Approving Item #7.a. considering Resolution No.19-20
Ayes: Bojorquez, Barrera, Ortiz, Rodriguez and Yopez
Nays: None
Absent: None
Abstain: None
Action: Approved

7.b. Consideration of Resolution No. 20-01 requesting that Planning Commission ask the City Council to consider a Zone Text Amendment (No. 20-01), to approve a draft ordinance to amend the South El Monte Municipal Code (SEMMC) Section 17.04.975 “Accessory Dwelling Units” (ADU) Ordinance, to comply with the recently updated State Legislative requirements as set forth by the California Housing and Community Development Department (“HCD”).

This item was continued from the January 21, 2020 Planning Commission Meeting.

On October 9, 2019, Assembly Bills 881 and 68 and Senate Bill 13 were signed into law amending existing State Law regulations concerning Accessory Dwelling Units (ADUs). The amended law imposes further limitations on local regulations of ADUs and allows for the establishment of ADUs within multi-residential zones. The adopted provisions became effective on January 1, 2020, and staff is incorporating the state’s requirements into the City’s zoning ordinance. In November 2017, the City Council adopted the existing Accessory Dwelling Unit Ordinance, South El Monte Municipal Code Section 17.38 (SEMMC), to allow by-right approval of ADUs in the single-family

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residential zoning districts subject to certain criteria (e.g. owner-occupancy requirement and various development standards such as size, setback, and height limits, etc.). The existing criteria were established to address concerns voiced by the public related to the potential for additional traffic, increased density, massing of development, privacy issues, and potential loss of neighborhood character and identity. In the past several years, there have been considerable discussions throughout the state regarding a housing shortage in California, which is associated with rising housing costs and a shortage of affordable housing options. In recognition of these issues, Assembly bills 881 and 68 and Senate Bill 13 were signed into law, amending California Government Code Sections 65852.2 and 65852.22 to further limit local regulation of ADUs. The changes implemented by the State that affect the existing South El Monte Municipal Code are detailed below:

- When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those off-street parking spaces be replaced.
- A local agency shall not impose an owner-occupancy requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency is prohibited from imposing an owner-occupancy requirement.
- A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:
 - 850 square feet.
 - 1,000 square feet for an accessory dwelling unit that provides more than one bedroom
- Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) of Government Code Section 65852.2, shall not impose parking standards for an accessory dwelling unit in any of the following instances:
 - The accessory dwelling unit is located within one-half mile walking distance of public transit.
 - The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
 - When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - When there is a car share vehicle located within one block of the accessory dwelling unit.

- A local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create one accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:
 - The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
 - The space has exterior access from the proposed or existing single-family dwelling.
 - The side and rear setbacks are sufficient for fire and safety.
 - The junior accessory dwelling unit complies with the requirements of Government Code Section 65852.22.

- A local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create one detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A) of Government Code Section 65852.2(e)(1). A local agency may impose the following conditions on the accessory dwelling unit:
 - A total floor area limitation of not more than 800 square feet.
 - A height limitation of 16 feet.

- A local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

- A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

- A local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

- A local agency may, by ordinance, limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence already built on the lot.
- A local agency may, by ordinance, require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:
 - A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.
 - A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.
- A local agency may, by ordinance, require a permitted junior accessory dwelling unit to be constructed within the existing walls of the structure, and require the inclusion of an existing bedroom.
- A local agency may, by ordinance, require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the structure, with an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.
- A local agency may, by ordinance, require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:
 - A sink with a maximum waste line diameter of 1.5 inches.
 - A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas.
 - A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

Item was OPENED for public hearing.

Below are comments that were noted during the public hearing of this item:

1. Commissioner Barrera asked, Is there a lot of interest for these ADU's in our city ? Assistant Planner responded by stating, Yes, the City receives a lot of questions regarding the how to build an ADU, converting a garage into an ADU, we get those individuals who have illegally converted the garage in the past and are working with our Code Enforcement to be in compliance. But you have a lot of traction in the City? Assistant Planner responded affirmatively, adding there have probably been about 19 applications alone last year. Which rounds up to 1.5 applications per month.
2. Commissioner Yopez asked about the setback requirements for safety & hazard, any verification they are not encroaching on utility setbacks? The reason I ask is that LA County is having many issues related to this topic and because of the municipal requirements, there's nothing that can be

done, so my concern is that utility companies are not given a chance to review the ADU plans and this is a current issue at the county level. The new standard is that the utility company has a chance to review and approve the plans before the City of LA approves the project, so my question is: Have you had any issues with encroachment on utility use setbacks? Assistant Planner responded, not currently that we are aware of. The plans are reviewed by our plan check process, so there is also the fire department approval for these applications. State law is saying the we can't sit on it for more than sixty days, which through our process it is reviewed within three weeks, so we fall under the sixty-day requirement and follow the plan check process.

With no further questions or comments, a motion was made by Commissioner Barrera and seconded by Commissioner Rodriguez to Approve Consideration of Resolution No. 20-01 Consideration of Resolution No. 20-01 requesting that Planning Commission ask the City Council to consider a Zone Text Amendment (No. 20-01), to approve a draft ordinance to amend the South El Monte Municipal Code (SEMMC) Section 17.04.975 "Accessory Dwelling Units" (ADU) Ordinance, to comply with the recently updated State Legislative requirements as set forth by the California Housing and Community Development Department ("HCD") and carried a vote of (5-0).

Vote: Approving Item #7.b. Resolution No.20-01
Ayes: Bojorquez, Ortiz, Rodriguez, Barrera and Yopez
Nays: None
Absent: None
Abstain: None
Action: Approved

7.c. Consideration of Resolution No. 19-27 requesting that Planning Commission ask the City Council to consider a Zone Text Amendment (No. 19-27), to Chapter 17.22 "Overlay Zone Districts", to set minimum residential development standards in order to comply with the requirements as set forth by the California Housing and Community Development Department ("HCD").

This item was continued from the February 18, 2020 Planning Commission meeting to the March 11, 2020 meeting.

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 19-27, recommending that the City Council adopt Zone Text Amendment (No. 19-27) to make certain adjustments to the South El Monte Municipal Code ("SEMMC") Chapter 17.22 "Overlay Zone Districts" to set minimum residential development standards.

The Chairperson read the title of item #7.c.

Item was OPENED for public hearing.

With no further questions or comments, Chairperson Bojorquez requested a motion to CONTINUE the item.

A motion was made by Commissioner Barrera and seconded by Commissioner Ortiz and carried (5-0) to **CONTINUE** Resolution 19-27 requesting that Planning Commission ask the City Council to consider a Zone Text Amendment (No. 19-27), to Chapter 17.22 “Overlay Zone Districts”, to set minimum residential development standards in order to comply with the requirements as set forth by the California Housing and Community Development Department (“HCD”) to the March 11, 2020 Planning Commission meeting.

Vote: Continuing item #7.C. Resolution No. 19-27
Ayes: Bojorquez, Ortiz, Yopez, Rodriguez and Barrera
Nays: None
Absent: None
Abstain: None
Action: Continue item to MARCH 11, 2020 / Approved 5-0

8. COMMISSIONERS’ AGENDA

Commissioner Barrera – Requested Lavender Massage follow-up? Assistant Planner responded by stating Code Enforcement has not noted any activity at this location, and I believe there is an on-going litigation on this matter. Commissioner Rodriguez requested a report stating how many businesses are warehouse and how many are retail. Assistant Planner stated he could contact the contractor HDL to get a list of those businesses creating sales tax revenue per his request, but wasn’t sure what kind of information was public record. The Assistant City Attorney stated that all the information regarding business licenses is public record, but what the Commissioner is requesting a less comprehensive list of businesses that are warehouse and which ones are retail. Commissioner Rodriguez stated, his concern was warehouses in the City that were actually generating business and not paying sales tax, and his concern to eliminate this type of activity. Assistant Planner stated that HDL is hired on to provide “Discovery” on businesses, where they gather information on who has license and those businesses that don’t. He stated that he wasn’t sure if they can discover the information about selling from the property or if the business was paying taxes or not. He stated he wasn’t sure if HDL had that capability or not. Chairperson Bojorquez asked what would be the easiest way to get a report that would identify a wholesaler who is having a sidewalk sale and isn’t paying sales tax, that we can drive by and confirm on a map or a list? Assistant Planner stated, he could send City staff a note, and the city would prepare something. Assistant Planner added by stating that the City Code allows for businesses in the Industrial Zone to provide 25% of their floor space for devoted retail sales or what’s known as a showroom. This includes wholesalers who have an online or instore retail portion devoted to retail service or walk-in retail space. City Manager included a statement that the City has been working with HDL and pursuing to expanding their scope of work, she included that a time frame is not available but that the City is working towards expanding the scope of services HDL is currently providing. City Manager stated an update

would be provided as soon as it becomes available. Chairperson Bojorquez wanted to confirm if the wholesaler wants to have a retail space they are allowed up to 25% of their square footage. Assistant Planner, confirmed and added, that there is even a portion on the city license application that indicates if a showroom or a dedicated retail space will be part of their business model. During the process, the business would have to provide a seller's license if they choose to be a wholesaler that sells online or in-person. City Manager commented if the Commission could be clear on what information they were looking for so that City staff can provide an update. Commissioner Bojorquez stated the easiest way to look up a business address and the type of business it was, so we can verify it is allowed to have retail space. City Manager added that due to limited resources and technology updates, the City would work on getting that information for the Commission. The Public Works Director added that creating the list was not the delay, but providing a color coded or distinguished map would take some time to provide. Commissioner Rodriguez included that he wanted a list that would identify a retail, a wholesale, a manufacturer and hold the business accountable for having a retail portion without paying sales tax or creating revenue for the City. City Manager stated the City would be working on these types of goals moving forward, in order to capture sales revenue on behalf of the City. Assistant Planner added that the City website includes a public portal that includes the business name and address that could be of some assistance with the data request the Commission is requesting. Chairperson Bojorquez asked if that data would include if the retailer is paying tax revenue? City Manager added, we would have to verify what data is allowed to be shared. Commissioner Rodriguez stated to City staff, this is the direction, or type of data they are requesting and if staff could work on it and have an update in the coming months, that would be appreciated. Commissioner Ortiz continued to state that he attended the Tour of the upcoming housing project coming to the City. He stated he enjoyed the Tour. The Assistant City Attorney added a friendly reminder that anytime a Commissioner talks to, attends, does a site visit or has any type of contact no matter how small or big with any person, business or project that comes before the Commission in a public hearing that the Commissioner would disclose that before the public comment even opens. Commissioner Yopez had nothing to report. Chairperson Bojorquez stated he attended the Community Services Commission meeting and the Warmington Housing Project Tour as well. He added that the Mayans project is having open house and those units look nice. He brought up the 8 units for low income project that Warmington is selling at \$65,000. He mentioned he spoke with the Real Estate Agent for Mayans and those units are selling at \$550,000 but the lower income are selling at \$460,000. He made a comment that We need to be more scrutinous when it comes to the basis of affordable units, because \$460,000 doesn't seem affordable while the Warmington units at \$65,000 sounds a lot more realistic. Commissioner Ortiz commented on the priority for South El Monte residents versus everyone else. Public Works Director stated that the Warmington project is fully funded on private funds the involvement the City has is limited, while the Mayans project was funded with government funds and the regulations they must follow are based on income and the type of units they will be providing. The Mayans project is providing Low Income units which differ from the Very Low and Extremely Low Income units Warmington is providing. Planning

Commission Secretary stated the four income levels regulated by annual income are: Extremely Low, Very Low, Low and Moderate Income levels. She stated the sales price are based on income level.

9. STAFF ITEMS

Planner's Report – No items to report.

Secretary's Report – Special Meeting announcement was made regarding the new date of the next Planning Commission meeting being moved from the normal schedule of the third Tuesday of the month to the special date of March 11, 2020 at 6:00pm in the City Council chambers at City Hall.

Director's Report – No items to report.

10. ADJOURNMENT

A motion to adjourn the meeting was made by Commissioner Rodriguez and seconded by Commissioner Ortiz and carried (5-0) to adjourn meeting at 7:05 p.m. and reconvene next month on March 11, 2020 at 6:00pm

Vote:	Adjourn meeting to March 11, 2020
Ayes:	Bojorquez, Barrera, Ortiz, Rodriguez and Yopez
Nays:	None
Absent:	None
Abstain:	None
Action:	Approved to adjourn meeting