

Larry Rodriguez, Chair
Jeff Ortiz, Vice Chair
Leo Barrera, Commissioner
Emily Lares, Commissioner
Kenneth Tang, Commissioner



Guillermo Arreola,
Executive Director/ Director of
Community Development
Renee Reyes,
Secretary
Christy Lopez,
Assistant City Attorney

**CITY OF SOUTH EL MONTE
REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION**

AGENDA

June 18, 2024, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/84259060808>

Webinar ID: 842 5906 0808

Or Call In: 1 669 444 9171, when prompted, enter 842 590 60808#

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 652-3180 or (626) 652-3121 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email reyes@soelmonte.org or call (626) 652-3175 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The Planning Commission holds regular meetings on the Third Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/373/Agendas-Minutes> or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Renee Reyes, Commission Secretary
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Barrera, Lares, Tang, Vice Chair Ortiz, Chair Rodriguez

2. PLEDGE OF ALLEGIANCE

Commissioner Lares

3. PRESENTATIONS - NONE

4. APPROVAL OF AGENDA

By motion of the Planning Commission, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

5. PUBLIC COMMENT

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Planning Commission, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Commission objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Planning Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

6. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

6.a. Approval of the Regular Planning Commission Meeting Minutes for April 16, 2024

RECOMMENDATION: Staff recommends the Planning Commission approve Minutes for the April 16, 2024, Regular Planning Commission meeting.

7. PUBLIC HEARING - NONE

8. GENERAL BUSINESS

8.a. Review of Conditions of Approval for Conditional Use Permit No. 20-03 Tacos El Chaparrito

Planning Commission adopted Resolution No. 20-03 that allowed for establishment of a Type 41 on-sale beer and wine in conjunction with a bona fide eating place ("Project"). CUP No. 20-03 detailed all conditions applicable to the

restaurant, Tacos El Chaparrito (“Applicant”), located at 9611 Garvey Avenue #105 (“Property”). Pursuant to the conditions of approval there is a requirement for a six-month review was established to allow for the Planning Commission to review how the business has operated after the establishment of a use that has the possibility to negatively impact surrounding uses.

RECOMMENDED ACTION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

8.b. Review of Conditions of Approval for Conditional Use Permit No. 20-11 Pho Huynh

Planning Commission adopted Resolution No. 20-11 for property located at 9706 Garvey Avenue South El Monte, CA 91733 (“Property”) approving a Conditional Use Permit (CUP) (No. 20-11) to allow for a Type 41 License, on-sale of beer and wine in conjunction with a bona fide eating establishment (“Pho Huynh”). is currently developed as a 1,872 square foot commercial building that contains a restaurant located on the southeast corner of Garvey Avenue and Humbert Avenue in the City of South El Monte (“City”). The Property has been operating as a Vietnamese restaurant for over fifteen years, with the current owner operating for the past decade.

RECOMMENDED ACTION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

8.c. Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

RECOMMENDED ACTION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., Conferences, seminars, training etc.) at the next regular meeting of the legislative body.

10. CORRESPONDENCE – NONE

11. COMMISSIONERS AGENDA- NONE

12. ADJOURNMENT

Tuesday, July 16, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 13th day of June 2024.


Secretary

CITY OF SOUTH EL MONTE
REGULAR PLANNING COMMISSION MEETING MINUTES
Tuesday, April 16, 2024, 6:00 P.M.

1. **ROLL CALL** – Chair Rodriguez called the meeting to order at 6:00 p.m.

PRESENT: Commissioner(s): Lares, Rodriguez, Tang, Vice Chair Barrera, and Chair Ortiz.

STAFF PRESENT: Christy Lopez, Assistant City Attorney; Guillermo Arreola, Director of Community Development; Gerardo Marquez, Planning Manager; and Renee Reyes, Secretary.

Zoom was provided for the Public to participate during public comment via teleconference.

2. **PLEDGE OF ALLEGIANCE** – Commissioner Barrera led the Pledge of Allegiance.

3. **PRESENTATIONS** – None

4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Lares, seconded by Vice Chair Ortiz, to approve the agenda. Motion passed 5-0-0 by the following vote:

AYES: Commissioner(s): Lares, Barrera, Tang, Vice Chair Ortiz
and Chair Rodriguez

NAYS: Commissioner(s): None

ABESNT: Commissioner(s): None

5. **PUBLIC COMMENT**

No Public Comment

6. **CONSENT CALENDAR**

A motion was made by Commissioner Tang, seconded by Commissioner Barrera, to approve the agenda. Motion passed 5-0-0, by the following vote:

- 6.a. **Approval of the Regular Planning Commission Meeting Minutes for April 16, 2024**

RECOMMENDATION: Staff recommends the Planning Commission approve Minutes for the April 16, 2024, Regular Planning Commission meeting.

AYES: Commissioner(s): Lares, Barrera, Tang, Vice Chair Ortiz
and Chair Rodriguez

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

7. PUBLIC HEARING

7.a. **Consideration of Time Extension Request (TX 24-02) for Conditional Use Permit No. 21-11 to upgrade from a Type 41 (On-Sale Beer and Wine – Eating Place) to a Type 47 (On-Sale General – Eating Place (e.g. beer, wine and spirits) in conjunction with a bona fide eating establishment, a proposed addition to the existing restaurant, and to allow live entertainment at 2327 Rosemead Blvd. (Mariscos San Isidro)**

Planning Manager, Gerardo Marquez, provides a brief background on the project. This project was presented to and approved by Planning Commission on March 15, 2022 for an addition of 1,728 square feet to the dining area, a 186 square foot storage area, upgrade their ABC License Type 41 to Type 47 and incorporate live entertainment. The applicant/owner, Luis roman, submitted the extension citing COVID-19 pandemic as an unforeseen financial burden and request for a time extension.

Chair Rodriguez opens public comment.

1. Luis Roman – Applicant/owner, Answers questions that Planning Commissioners have regarding when the project will be complete. Luis assures the Commissioners that he will do his best to get the project going.
2. Gloria Olmos – Advocates to the Commissioners to grant a time extension to the applicant to prevent further financial loss and to promote a business-friendly environment in the City.

Chair Rodriguez closes public comment.

A motion was made by Vice Chair Ortiz , seconded by Commissioner Lares, to recommend adopting Resolution No. 24-03, approving Time Extension TX 24-02 for Conditional Use Permit (No. 21-11). Motion passed 5-0-0, by the following vote:

AYES: Commissioner(s): Lares, Tang, Barrera, Vice Chair Ortiz
and Chair Rodriguez

NAYS: Commissioner(s): None

ABSTAIN: Commissioner(s): Lares

8. GENERAL BUSINESS

8.a. 2023 Housing Element Annual Progress Report

Planning Manager, Gerardo Marquez, presents a 2023 Annual progress report. It is a report that is sent out to the State giving them an update on the progress of the RHNA allocation. And progress on City's policies and goals within our Housing Element. It summarizes the activity of the Community Development Department from January 1, 2023 – December 31, 2023. In 2023, the City developed 23 units, within those 23 units, staff took the median income in adjacent jurisdictions to review what rent was like, square footage and averaged it out to get the price per square feet. Then took that price per square feet and applied it to the 23 units and categorized them into low AMI to above AMI.

RECOMMENDED ACTION: Staff recommends that the Planning Commission receive and forward the Housing Element Annual Progress Report for Calendar Year 2023 to the City Council.

A motion was made by Commissioner Barrera, seconded by Commissioner Tang to receive, and forward to City Council. Motion passed 5-0-0, by the following vote:

AYES: Commissioner(s): Lares, Barrera, Tang, Vice Chair Ortiz,
and Chair Rodriguez

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS

Vice Chair Ortiz attended League of California Cities, Planning Commissioners Academy on March 6-8, 2024. He gained valuable insights into new laws and codes, as well as techniques for effectively engaging with audience members and staff. He recommends other Commissioners to attend the next workshop.

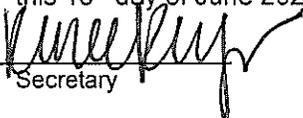
10. CORRESPONDENCE – None

11. COMMISSIONERS' AGENDA – None

12. ADJOURNMENT

At 6:32 p.m. there being no more business before the Commission, Chair Rodriguez adjourned the meeting to a regular Planning Commission Meeting on Tuesday, May 21, 2024, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 13th day of June 2024.


Secretary



Planning Commission Agenda Report

Agenda
Item No.
8.a.

DATE: June 18, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Gerardo Marquez, Planning Manager

SUBJECT: Review of Conditions of Approval for Conditional Use Permit No. 20-03 Tacos El Chaparrito

BACKGROUND: At its June 16, 2020 meeting, the Planning Commission adopted Resolution No. 20-03 that allowed for establishment of a Type 41 On-Sale beer and wine in conjunction with a bona fide eating place (“Project”). Resolution No. 20-03 detailed all conditions applicable to the restaurant, Tacos El Chaparrito (“Applicant”), located at 9611 Garvey Avenue, #105 (“Property”). Pursuant to the conditions of approval, a requirement for a six-month review was established to allow for the Planning Commission to review how the business has operated after the establishment of a use.

At the December 15, 2020 Planning Commission meeting, staff brought to the Commission’s attention that the Applicant had yet to receive their Type 41 license at the time. It was recommended that Planning Commission bring back the project for review after the Applicant received their license to review how they were operating. Which was subsequently scheduled for July 20, 2021.

During the public hearing on June 16, 2021, the Applicant requested to extend the operating hours beyond what were originally proposed. The Applicant submitted a letter requesting an extension of operating hours from the original hours of 8:00 am to 10:00 pm seven days a week, to an extended 8:00 am to 1:00 am, seven days a week. The Commission decided that when the Project came back for review, they would determine if the extended operating hours would not negatively impact the Property or adjacent areas.

As reported by the Sheriff Department and Code Enforcement, the business has not had any complaints within the last year of operation. At the July 20, 2021 meeting, Planning Commission found that no violations had occurred and directed staff to bring the item back for public hearing to consider extending hours of operation.

At the September 21, 2021 Planning Commission meeting, staff recommended that the Planning Commission adopt modification to Resolution No. 20-03 to expand the hours of operation for Thursdays through Saturdays from 8:00 am to 1:00 am. To date, neither Planning staff nor Code Enforcement has received any complaints from residents, patrons, or the general public in regard to their operation.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff's report on whether the business is operating in compliance with the CUP.

ANALYSIS:

- The Los Angeles County Sheriff Department has reported that no calls for service have originated from the Property regarding their operations.
- There have not been any incidents reported to the South El Monte Code Enforcement Department.
- There have been no incidents reported to the California Department of Alcoholic Beverage Control.
- The business is current with their business license and has not had any violations.
- Staff has not received any complaints from adjacent properties or the public regarding the operation at this location.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in CUP 20-03, then it should not negatively impact the area. If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.



Planning Commission Agenda Report

Agenda
Item No.
8.b.

DATE: June 18, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Gerardo Marquez, Planning Manager

SUBJECT: Review of Conditions of Approval for Conditional Use Permit No. 20-11 Pho Huynh

BACKGROUND: At its March 16, 2021, meeting, the Planning Commission adopted Resolution No. 20-11 for property located at 9706 Garvey Avenue South El Monte, CA 91733 (“Property”) approving a Conditional Use Permit (CUP) (No. 20-11) to allow for a Type 41 License, on-sale of beer and wine in conjunction with a bona fide eating establishment (“Pho Huynh”) is currently developed as a 1,872 square foot commercial building that contains a restaurant located on the southeast corner of Garvey Avenue and Humbert Avenue. The Property has been operating as a Vietnamese restaurant for over fifteen years, with the current owner operating for the past decade.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

ANALYSIS:

- The Los Angeles County Sheriff Department has reported that no calls-for-service have originated from the Property regarding their operations.
- There have not been any incidents reported to the South El Monte Code Enforcement Department.
- There have not been any incidents reported to the California Department of Alcoholic Beverage Control.
- The business is current with their business license and has not had any violations.
- Staff has not received any complaints from adjacent properties or the public regarding the operation at this location.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in CUP 20-11, then it should not negatively impact the area. If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.



Planning Commission Agenda Report

Agenda
Item No.
8.c.

DATE: June 18, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Gerardo Marquez, Planning Manager

SUBJECT: Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business (“Project”). Conditional Use Permit (“CUP”) No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue (“Property”). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review, and voted to uphold the Planning Commission’s decision approving the CUP.

On March 19, 2024, staff provided an update to the Planning Commission regarding the status of the conditions of approval. The commission received and filed the report requesting future updates from staff on the progress of the conditions of approval.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff’s report on whether the business is operating in compliance with the CUP.

ANALYSIS: Staff has been working closely with the Applicant regarding the conditions of approval, and more specifically, the following:

- **Parking Agreement with the School District:** On February 21, 2024, the applicant submitted a signed parking agreement with the School District. In order to operate the rental facility, the parking agreement must be in good standing. The parking agreement is in effect for two years from the date of execution (02/21/24), and the contract can be extended up to a maximum of four (4) years total. The applicant will be required to submit proof of the extension and will have to enter into another contract prior to the expiration of the existing contract, otherwise, the applicant may not operate the rental facility.
- **Payment Plan:** The applicant had accumulated a total of \$16,500 in total fines. The applicant began paying off those fines starting in November, with a \$3,000 payment. On

March 4th, the applicant paid an additional \$4,500, bringing the remaining balance to \$9,000.00. The applicant has made a payment of \$1,000 since then, bringing their balance down to \$8,000.00. The applicant has agreed to pay off the balance by December 2024.

- **Plan Submittal:** Plans are in the plan check process. The applicant was provided corrections on April 29, 2024 and the plans were resubmitted back for recheck on June 6, 2024.
- **Removal of parking lot equipment:** Parking lot equipment was removed to make room for the required parking area.
- **Complaints:** Staff has not received any complaints from adjacent properties or the public regarding the operation at this location.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in Resolution No. 23-04, then it should not negatively impact the area. If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.