

OFFICIAL MINUTES OF THE REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION HELD TUESDAY, OCTOBER 16, 2018, IN THE CITY COUNCIL CHAMBERS, 1415 N. SANTA ANITA AVENUE, SOUTH EL MONTE, CALIFORNIA 91733 – CALLED TO ORDER AT 6:05 P.M.

ROLL CALL:

Commissioners Present – Chairman Leo Barrera, Sara Gaeta-Anguiano, Gabriella Landeros and David Diaz. Commissioners excused absent- Lorenzo Lauria. Also Present – City Attorney, Stephanie Cao; City Manager, Jennifer Vasquez; Assistant Planner, Ian McAleese and Interim Department Secretary, Angie Rodriguez. In the audience were Mayor Olmos and Councilmember Acosta.

FLAG SALUTE:

Planning Commissioner, Sara Gaeta-Anguiano, led the flag salute.

APPROVAL OF AGENDA:

Motion made by Commissioner Diaz and seconded by Commissioner Landeros to approve the agenda as is.

Vote: Approval of Agenda / VOTE: 4-0
Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano
Noes: None
Absent: Lauria
Abstain: None
Action: Approved

PUBLIC PARTICIPATION: City Manager welcomed and introduced the new Community Development Director, Jose D. Jimenez to the Planning Commission and Staff. He gave a brief intro and looks forward to begin on November 1, 2018.

CONSENT CALENDAR:

1. Minutes of August 21, 2018

Motion made by Commissioner Diaz and seconded by Commissioner Gaeta-Anguiano to approve Consent Calendar Item #1 (Minutes of August 21, 2018)

Vote: Approving Consent Calendar – Minutes of August 21, 2018 / VOTE: 4-0
Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano
Noes: None
Absent: Lauria
Abstain: None
Action: Approved

PUBLIC HEARINGS:

G1. ADOPTION OF RESOLUTION NO. 18-08 APPROVING A CONDITIONAL USE PERMIT (CUP NO. 18-09), WHICH WOULD ALLOW FOR THE ON-SALE OF BEER AND WINE WITHIN A BONA FIDE EATING PLACE AND THE OPERATION OF FIVE VIDEO GAMES AT 1949 DURFEE AVE.

Applicant is proposing the establishment of a restaurant land use, Rio's Pizza at 1949 Durfee Avenue, South El Monte, CA. 91733. As part of the request, the applicant is requesting permission to provide for Beer & Wine in conjunction with a food establishment. In addition, the request includes a license to operate five video games.

The Assistant City Planner presented a staff report.

Following staff's presentation, Chairman Barrera opened the item for public comment.

Applicant: Pam Rios stated she is excited and thrilled to open a second location in South El Monte. She opened an Instagram account to help promote the business and so far has 300 followers and is excited for the grand opening.

Commissioner Diaz: Asked if a bike rack can/would be added. The City Manager stated she would ask the architect and/or builder to see if they can provide, but no guarantees were made.

Commissioner Landeros: Asked if Rios will provide delivery service. Applicant said they will be partnering up with a third party vendor like "Grubhub", "Doordash" and "Uber Eats" to allow for delivery. The applicant excitedly said yes.

Chairman Barrera closed the public testimony portion of the hearing.

A motion to approve was made by Commissioner Diaz and that was seconded by Chairman Barrera recommending the approval of Item #G1, and adopting Resolution No. 18-08 approving a CUP 18-09, which would allow for the on-sale of beer and wine within a bona fide eating place and the operation of five video games at 1949 Durfee Ave.

Vote: Approving Item #G1 Reso 18-08 for CUP 18-09 at 1949 Durfee Ave

Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano / VOTE: 4-0

Noes: None

Absent: Lauria

Abstain: None

Action: Approved

G2. CONSIDER RESOLUTION NO. 18-11 TO APPROVE A ZONE TEXT AMENDMENT (NO. 18-13), WHICH WOULD MAKE A CHANGE TO ZONING CODE CHAPTER 17.62 “ADVERTISING SIGNS”, AND CONSIDER RECOMMENDING THAT CITY COUNCIL ADOPT THE ATTACHED DRAFT ORDINANCE TO ALLOW FOR THE CREATION OF MURALS IN NON-RESIDENTIAL ZONED AREAS.

The Current Zoning Code does not address Murals (art pieces). This Code amendment is intended add a new section of the Zoning Ordinance that would allow for murals to be considered, subject to a Mural Review and Approval process.

The Assistant City Planner presented a staff report.

Following the staff’s presentation, Chairman Barrera opened the item for public comment. During public testimony, no comments were received. Thereafter, Chairman Barrera closed public comment.

During Commissioner Discussion, Commissioner Diaz suggested the use of an AD HOC committee to review the request and design of the mural.

A motion to approve was made by Commissioner Gaeta- Anguiano and seconded by Chairman Barrera to approve Item #G2 and Adopting Resolution No. 18-11 which would adopt an Ordinance to allow for murals in non-residential zoned areas and correcting the staff report Page 2, first paragraph – last sentence replacing “Planning Commission” to read: “City Council” will then review the report and renderings... to reflect on the Ordinance.

Vote: Approving Item #G2 Reso No. 18-11 for Zoning Code ordinance allowing Murals in non-residential zoned areas
Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano / VOTE: 4-0
Noes: None
Absent: Lauria
Abstain: None
Action: Approved

Motion also made by Commissioner Gaeta-Anguiano instructing staff to create an AD HOC committee to review the request and design for the Murals Ordinance and seconded by Commissioner Landeros

Vote: Instruct staff to create an AD HOC Committee for the Murals Ordinance
Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano / VOTE: 4-0
Noes: None
Absent: Lauria
Abstain: None

Action: Approved

G3. APPROVAL OF RESOLUTION NO. 18-10 TO APPROVE ZONE TEXT AMENDMENT (NO. 18-12), WHICH WOULD MAKE A CHANGE TO ZONING CODE CHAPTER 17.74 “PUBLIC HEARINGS – PROCEDURE AND CONDUCT” AND RECOMMENDING THAT THE CITY COUNCIL ADOPT THE DRAFT ORDINANCE TO AMEND THE SOUTH EL MONTE MUNICIPAL CODE (SEMMC) SECTION 17.74.050(B) “APPEALS – COUNCIL REVIEW” TO ALLOW FOR A SINGLE MEMBER OF THE CITY COUNCIL TO APPEAL A DECISION OF THE PLANNING COMMISSION.

Current Zoning Code does not address City Council call-ups or review of Planning Commission actions. The current code requires two city councilmembers to submit a request to the City Clerk no later than 10 days from the effective date of a decision in order to consider an appeal. The proposed amendment would revise the appeal process and allow for one councilmember requesting a review by the City Council

The Assistant City Planner presented a staff report.

Following Staff’s presentation, Chairman Barrera opened for public comment.

Commissioner Diaz suggested the two City council members if they would like to comment or input (Mayor Olmos and Council Member Acosta). Mayor Olmos stated City Manager has made some valuable insights and has no further comment since this item has not been presented to City Council and has not been reviewed. After no further comment Chairman Barrera closed public comment.

Motion also made by Commissioner Gaeta-Anguiano and seconded by Commissioner Diaz to approve Resolution No. 18-10 to approve zone text amendment (no. 18-12), which would make a change to zoning code “appeals – council review” to allow for a single member of the city council to appeal a decision of the planning commission.

Vote: Approve Item #G3 Approving Resolution No. 18-10 for ZTA 18-12

Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano / VOTE: 4-0

Noes: None

Absent: Lauria

Abstain: None

Action: Approved

G4. ZONE TEXT AMENDMENT TO CHAPTER 17.38 ACCESSORY DWELLING UNITS SECTION 17.38.040 “DEVELOPMENT STANDARDS”

Currently the Accessory Dwelling Unit (ADU) Ordinance limits the height of ADU’s to the height of the primary dwelling unit. The correction would allow the height of construction of an ADU to match the height of the primary residence.

The Assistant City Planner presented a staff report.

Following Staff's presentation, Chairman Barrera opened for public comment. No public testimony on this matter was provided. Thereafter, Chairman Barrera closed public comment.

Motion was made by Commissioner Diaz and seconded by Chairman Barrera to approve Resolution No. 18-13 to approve zone text amendment (no. 18-15), which would make a change to the municipal code to allow the construction of an ADU to either one story or two stories depending and limited to the height of the primary residence.

Vote: Approve Item #G4 Approving Resolution No. 18-13 for ZTA 18-15

Ayes: Barrera, Landeros, Diaz and Gaeta-Anguiano / VOTE: 4-0

Noes: None

Absent: Lauria

Abstain: None

Action: Approved

H. PLANNING COMMISSION ITEMS:

Commissioner Landeros wanted to clarify both electronic agenda & staff reports would replace the hard print binders? City Manager stated they would not unless requested by Commissioner. Chairman Barrera requested if City Staff can send either Code Enforcement or Maintenance staff to clean up the parking lot at the 99th shopping center. He also invited Staff and Commissioners the Halloween Mixer hosted by the EM/SEM Chamber of Commerce at Cardinal Finishes by Legg Lake on Wednesday 10/17/18 at 5:30pm with a haunted house, costume contest, music and an In-&-Out food truck as well. Commissioner Diaz thanked the City of South El Monte for their support and acknowledged a great turn out to the Merced Avenue Project Community Meeting held on 10/4/18. He invited Staff and Commissioners to the Santa Ana Tour which is a walking/ biking tour of a green route here in the City being held on 10/26/18 from 9am-2pm.

I. STAFF ITEMS: None.

J. ADJOURNMENT: Motion made by Commissioner Gaeta-Anguiano and seconded by Commissioner Landeros to adjourn meeting at 7:07 p.m. until next Planning Commission Meeting set for November 20, 2018 at 6:00pm.