

**CITY OF BELL GARDENS
PLANNING COMMISSION REGULAR MEETING
WEDNESDAY, JULY 17, 2019
MINUTES**

LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS

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CALL TO ORDER – Chairperson Rivera called the meeting to order at 6:00 p.m.

INVOCATION – was led by Associate Planner, Hailes H. Soto.

PLEDGE OF ALLEGIANCE – was led by Planning Intern, Adrian Flores.

ROLL CALL OF PLANNING COMMISSIONERS

Present: Commissioner Flores, Commissioner Villalobos, and Chairperson Rivera.

Absent: Commissioner Ramirez

Staff Present: Marc Tran, Interim Assistant City Attorney, Hailes Soto, Associate Planner, Erika Gutierrez, Planning Secretary and Samantha Lubrani, Translator

PUBLIC COMMENT ON NON-AGENDA ITEMS

With no one wishing to speak, Chairperson Rivera closed public comment.

PUBLIC HEARING (Item No. 1-2)

1. **(CONTINUED) - AM-PM TOWING AUTOMOBILE IMPOUND YARD
CONDITIONAL USE PERMIT No. 2019-024 7535 SCOUT AVE. (FILE NO.
2019-014)**

Chairperson Rivera stated that it was staff recommendation that the Planning Commission continue the public hearing on this item to the August 21, 2019 Planning Commission meeting.

A motion was made by Commissioner Villalobos and seconded by Commissioner Flores to continue Conditional Use Permit No. 2019-024 to the August 21, 2019 Regular

Planning Commission meeting. Motion carried by a 3-0.

2. VARIANCE No. 2019-045 – SEVEN UNIT APARTMENT DEVELOPMENT – 7604 PERRY ROAD/ KRESS AVENUE (FILE NO. 2019-045)

Mr. Soto gave the presentation on Variance No. 2019-045.

Chairperson Rivera asked the Commission if there were any comments for staff on this Public Hearing Item.

With no question from the Commission, Chairperson Rivera asked the owner if he would like to speak.

Mr. Karl Dakteris, Architect for the project approached the podium thanking staff for the great staff report and stated that he would be providing a very attractive apartment complex with great amenities. Mr. Dakteris stated that he had one issue with one of the conditions stated in Resolution PC #2019-04, condition No. 42 in reference to the roof material. Mr. Dakteris stated the material that is being asked for is concrete tile roof, but he was proposing an asphalt shingle roof which is more of an appropriate style of architecture. Mr. Dakteris further stated that the concrete tile roof tends to crack, is really heavy and can be more of a maintenance issue and does not quite fit the proposed project.

Commissioner Rivera asked Mr. Dakteris if the option to not wanting to have roof tile was due to economic concerns. Mr. Dakteris stated it was not an economical concern, in essence the asphalt shingles are more expensive to maintain than the concrete tile roof, but stated the change was more for design purposes as well as maintenance.

Commissioner Rivera asked Mr. Dakteris if he reviewed all the conditions of approval.

Mr. Dakteris stated he did and only had a concern with the condition pertaining to the roof material.

With no questions from the Commission, Chairperson Rivera opened the public hearing.

Ms. Margie Martin, resident that lives on Kress Avenue on the back street of the proposed project approached the podium stating that this proposal would not only bring additional people, traffic as well as additional vehicles. Ms. Martin further stated that there is currently an issue on Kress Avenue concerning the parking and Perry Road's parking situation is not any better. Ms. Martin further indicated that on Kress Avenue, parking is an issue due to individuals from Perry Road, Clara Street, and nearby business parking on this street leaving no residential parking and is very concerned about the

proposed project. Ms. Martin further asked if these apartment units were going to be rented, if so this would create additional in and out traffic, and depending on the rent amount there would be more than one family living in each unit. Ms. Martin further indicated what if these units were to be sold as condos, people would not be able to afford them. At this point it would result in two families living in each unit with two vehicles, totaling four vehicles per unit, with a grand total of 28 vehicles that will be added to the vicinity which would not be good for the residents.

Chairperson Rivera asked Ms. Martin in reference to the 28 vehicles mentioned and stated that the project is proposing a two car garage per apartment unit for a total of 14 parking spaces in addition to four open parking spaces, totaling 18 parking spaces. Chairperson Rivera stated if anything there would be about 10 vehicles parking out in the street.

Ms. Martin asked Chairperson Rivera if he has been to Perry Road and Chairperson Rivera stated he has and understands it's a very crowded street. Ms. Martin stated two vehicles cannot be on the street passing each other, one has to pull over to let the other vehicle pass. Ms. Martin indicated that the residents on Kress Avenue struggle to find parking during the day due to vehicles that do not belong on the street. Ms. Martin further indicated that there are residents parking on their yards and getting cited because there is no parking on the street for them to park. Lastly, Ms. Martin advised the Commissioners to really consider this proposal, and maybe suggest to the applicant to reduce the number of units, but what really needs to be looked at is the way the street at this location is structured.

Mr. Tom Emtiaz, owner of the property approached the podium to address Ms. Martin's parking concerns. Mr. Emtiaz stated all proposed apartment units would have two car garages and one of the requirements stated on the lease would be that there could only be one family per unit with a maximum of two vehicles. Mr. Emtiaz further stated that there would be no need for any street parking being that four guest's parking spaces would be designated on the property.

Chairperson Rivera asked staff if this regulation could be added to the conditions of approval in reference to only allowing one family per unit.

Assistant City Attorney, Marc Tran stated this is something that staff could look into.

Mr. Emtiaz stated if they would like to add this regulation, it would then need to be a citywide regulation for all projects and not solely to this one. Mr. Emtiaz further indicated that the intent is to only allow one family per unit. Mr. Emtiaz further indicated that the proposed project would be providing sufficient parking and would also be enhancing the neighborhood in addition to increasing property values.

Ms. Araceli Bobadilla, resident at 7536 Kress Ave. approached the podium stated she has lived in Bell Gardens all her life and indicated that everyone on her street knows each other very well, more so like a big family. Ms. Bobadilla further indicated that the proposed project is beautiful, but if you look at all the surrounding homes, old beautiful homes are being knocked down and being replaced with apartments that are going to bring in additional crime and strangers. Ms. Bobadilla further indicated that she has a teenager and a 21 year old and would like to know that the place she grew up and her kids are growing up will be safe. Ms. Bobadilla indicated that she sleeps with her windows open and doors unlocked so her children could just walk in to their home after work. Ms. Bobadilla expressed that this proposal is going to change her way of life and asked the Commissioners to put themselves in her place. Ms. Bobadilla indicated that she agrees with Ms. Martins concern regarding multiple families renting out these apartment units. Ms. Martin indicated that all her children drive and have seven vehicles in her driveway and have to park in her yard area resulting in parking tickets she cannot afford to keep paying. Lastly, Ms. Bobadilla asked the Commissioners to help keep this street safe, beautiful and crime free and asked the Commission to really consider this proposal.

Mr. Tran asked Mr. Soto if the proposed project met all the parking requirements of the Bell Gardens Municipal Code.

Mr. Soto indicated that based on the Bell Gardens Municipal Code, the parking ratio for apartment units is 2.5 parking spaces for each unit, in this case a two car garages are being proposed in addition to 4 guest parking spaces, therefore; they do meet the parking requirements.

Chairperson Rivera asked for clarification on how many units could be built per lot being that this proposal is consisting of two adjoining parcels in the R-3 (High Density Residential) Zone.

Mr. Soto stated that the R-3 Zone designation has a tier density, the larger the lot the more units that could be built. In this case, the applicant would be allowed to build up to eight units, but is only proposing seven.

Chairperson Rivera expressed the fact that eight units could be built, but the applicant is only proposing seven units and asked staff if these units could only be rented out not sold. Mr. Soto stated that was correct, they would only be rented out. Mr. Soto indicated that if the owner would decide to convert the units into condominiums, the applicant would need to apply for a conditional use permit as well as a Tract Map to subdivide the land which would then have to go before the Planning Commission as well as the City Council approval. At this point, each unit could be sold individually.

Mr. Soto advised the Commission going back to the rental restriction. Mr. Soto indicated

that condition No. 48 pertains to having a Parking Management Plan in place which shall require all tenants to keep the garage spaces free and clear of any storage to ensure residents are using the garage for vehicle parking. Mr. Soto further indicated that if need be, staff could be able to conduct regular inspections and monitor the garages to ensure compliance with this condition.

Chairperson Rivera indicated that the Parking Management Plan shall cover the potential problem of having additional cars parked in the street.

Ms. Cynthia Ramirez, a resident on Perry Road for over twenty years approached the podium expressing her concern with parking in this vicinity as well. Ms. Ramirez indicated she is the caretaker of her grandparents which have difficulty walking and at times she has had to wheel her grandmother two blocks away to her parked vehicle. Ms. Ramirez further indicated that she has received multiple parking tickets for parking to close to a red curb in order to help her grandmother get out of the vehicle. Ms. Ramirez further indicated she does not mind the beautiful proposal, but stated she is concerned with how many more people this project is going to bring in to the vicinity. Ms. Ramirez stated that at this point she feels that the parking should be addressed instead of adding housing to this block.

Chairperson Rivera asked Ms. Ramirez if she had street parking in front of her house or driveway being that she has a disabled grandmother. Ms. Ramirez stated she can never guarantee parking in her driveway due to the fact that her neighbor's visitors park in her driveway since they cannot find parking in the street. Mr. Rivera suggested requesting the curb in front of her property to be stripped for handicap parking. Ms. Ramirez stated she was not aware of this type of request and appreciated the suggestion, but feels she should have no need to have to request this, parking should be available. Ms. Ramirez further indicated that she has reached out to members of the City in the past regarding the parking issues as well as having an issue with the street being very narrow. Ms. Ramirez indicated two vehicles cannot pass each other without one having to pull over to let the other vehicle pass. Chairperson Rivera suggested maybe not allowing parking on one side of the street to maybe alleviate the parking situation and asked Ms. Ramirez for her opinion. Ms. Ramirez stated she does not feel this would alleviate the parking situation, there are already existing parking issues in which this proposal will only add to the existing issues.

Ms. Bobadilla approached the podium indicating that there are major issues on this street with speeding cars down the street, it almost feels like a race track. Ms. Bobadilla reached out to the Police Department to see if they could bring in a motorcycle officer to monitor the area in which they did for several hours and she further stated numerous tickets were issued. Ms. Bobadilla stated that having a driveway

opening on Kress Street would create more of a problem and indicated that this proposal is just not going to be suitable in this area. In addition as Ms. Martin indicated, this proposal will bring in a few more vehicles per unit being that one family would not be able to afford the rent. Chairperson Rivera indicated he is trying to find out a solution to all the problems being addressed and understands that parking has been a citywide issue.

Ms. Bobadilla also indicated that she feels this project would not increase property values and stated at this time she cannot afford to upgrade her property. Ms. Bobadilla asked the Commission to please consider all the concerns that are being expressed by the residents.

Ms. Martin stated that this proposal is going to not look very attractive being that all the homes on this street are single story, this will be the only two story building that would be on the block obstructing the privacy of nearby neighbors.

Ms. Ramirez approached the podium wanting to address the no parking on one way on Kress Avenue to alleviate the parking situation and indicated this would not alleviate the problem, she would actually be losing a parking space.

With no further questions from the Commission, Chairperson Rivera closed the public hearing.

Commissioner Rivera asked the Commission for a motion to approve or continue this item for further discussion to make a final decision.

A motion was made by Commissioner Villalobos and seconded by Commissioner Flores to continue Variance No. 2019-045 to the August 21, 2019 regular Planning Commission meeting. Motion carried by a 3-0.

Commissioner Rivera asked staff if they could provide the number of parking issues within this area and have someone from the Police Department attend the August 21, 2019 regular meeting to provide additional information on the two blocks.

CONSENT CALENDAR (Item No. 3)

3. APPROVAL OF JUNE 19, 2019 PLANNING COMMISSION MEETING

Chairperson Rivera asked for a motion on the Minutes of June 19, 2019. A motion was made by Commissioner Villalobos and seconded by Commissioner Flores to approve the Minutes of June 19, 2019. Motion carried by a vote of 3-0.

SUBSTANDARD PROPERTIES – NONE

4. SITE PLAN REVIEW NO. 2019-010 – NEW CONTRACTOR’S EQUIPMENT RENTAL OFFICE – 6622 CLARA STREET, BELL GARDENS (FILE NO. 2019-10)

Mr. Soto gave the presentation on Site Plan Review No. 2019-010.

Mr. Soto asked the Commission if they had any comments for staff.

Commissioner Rivera asked Mr. Soto if there was a condition as part of the approval of the project that no equipment shall allowed to be parked in the street as well as no loading or unloading of the equipment.

Mr. Soto indicated that there are similar conditions related to street parking but clarified that the condition that would like to be added would be to completely restrict any equipment to be stored or parked on the public right-a-way.

Chairperson Rivera indicated that was correct, he would like to see a condition added.

Mr. Soto indicated that the following two condition would be added to Resolution No. 2019-05 under the Miscellaneous section to read:

- *All business related equipment and vehicles shall be loaded and stored on the Subject Site behind the screen wall within the equipment storage area.*
- *Vehicles associated with the business of the proposed project shall not be permitted to park on the public right-of-way.*

Chairperson Rivera asked for a motion on Site Plan Review No. 2019-10 with the added conditions mentioned by staff. A motion was made by Commissioner Villalobos and seconded by Commissioner Flores to approve Site Plan Review No. 2019-010. Motion carried by a vote of 3-0.

STAFF COMMENTS – NONE

COMMISSION INFORMATION ITEMS – NONE

ADJOURNMENT - Chairperson Rivera adjourned the meeting and was seconded by Commissioner Villalobos at 7:27 p.m.

After meeting was adjourned, Mr. Dakteris approached the podium asking if he could speak in rebuttal to all the residents that spoke regarding Variance No. 2019- 045. Mr. Tran advised Mr. Dakteris that the public comment was closed and that this item

had been continued to the August 21, 2019 Planning Commission meeting. Mr. Tran suggested he could submit his comments to staff before that meeting if he would like.

RECORDED BY:



ERIKA GUTIERREZ, PLANNING SECRETARY