CITY OF TEMPLE CITY

PLANNING COMMISSION MINUTES

REGULAR MEETING
Tuesday June 14, 2022, 7:30 P.M.
City Council Chambers, 5938 Kauffman Avenue, Temple City
www.templecity.us

OPENING MATTERS:

- **Call to Order**
- **Roll Call:**
  - PRESENT: Haddad, Lee, O'Leary, Chair Cordes
  - ABSENT: Vice-Chair Guan

  Commissioner O'Leary moved to excuse Commissioner Vice-Chair Guan for due cause. Seconded by Commissioner Lee and unanimously carried.

  - ALSO PRESENT: Community Development Director Reimers, Deputy City Attorney Gutierrez, Associate Planner Liu, Management Analyst Coyne and Planning Secretary Scott.
- **Pledge of Allegiance**

ORAL COMMUNICATIONS / PUBLIC COMMENT: NONE

CONSENT CALENDAR:

1. Planning Commission Minutes of May 24, 2022.

Commissioner Lee made a motion to approve the minutes of May 24, 2022, listed on the Consent Calendar. Seconded by Commissioner O'Leary and approved by the following votes:

AYES: Commissioner – Lee, O'Leary, Chair Cordes
ABSTAIN: Commissioner – Haddad
NOES: Commissioner – None
ABSENT: Commissioner – Vice-Chair Guan

PUBLIC HEARING ITEM:

2. **PL 21-3099** A request for approval of a tentative parcel map and site plan review to allow the construction of three attached condominium dwelling units

   Address: 5956 Encinita Avenue

   Recommendation: Adopt the attached Resolution finding that the project is exempt from CEQA and approving File 21-3099, subject to the recommended conditions of approval.

   Project Planner: Hesty Liu

Associate Planner Liu gave a brief presentation.

Commissioner Haddad asked how long this area has been an R3 zone.

Mrs. Liu responded that this area had been zoned R2 since at least the 1980s and it was changed to R3 through the General Plan update in 2017.

Commissioner Haddad asked if the General Plan update was a process of a community-wide effort involving local citizens and stakeholders.

Mrs. Liu confirmed it.

Chair Cordes asked about R3 and R1 zone being on opposite corner and the consideration the project has given for the neighbors.

Mrs. Liu responded that consideration has been given to the project design including a larger setback on the third floor and placing windows away from the easterly and rear elevations except for egress windows. In addition, the R3 zone has larger setbacks when adjacent to R1 zoned properties.

Chair Cordes opened the hearing for public comment.

Eric Tsang, the project architect, emphasized that the project meets the zoning code standards, and the side yard setback on the east side is large-than-required because it is next to a 20-foot driveway. He also mentioned that the subject property could potentially be developed with up to seven units. The project being reviewed was proposing three units only. He agreed to all conditions of approval.

Genzao Zhang, translated for his neighbor who has concerns about noise, construction, traffic and privacy.

Tina Padilla, resident, spoke about traffic, noise, and privacy. She stated that the project would result in a drastic change which will affect the neighborhood as the site is small for a 3-story building. She asked if the project could be reduced to 2-stories instead.

Mike Robertson, resident, spoke about traffic, parking issues, construction time, dust, and issues with construction vehicles.

Feng Liu, a resident, expressed concerns about the construction of a 3-story building and impact on privacy.

Sui, a resident, was concerned about traffic and density.

Frank Huang, a resident, was concerned about traffic, trees and value of the property. He stated that the building would change the environment in the neighborhood. He asked if the street trees would be removed as a result of the project.

Commissioner Lee moved to close the public comments. The motion was seconded by Commissioner Haddad.

Mr. Tsang, the project architect and the applicant, responded to the concerns brought up by the residents. He stated that the driveway is designed to preserve the street trees. The garages will not be visible from Encinita Avenue or from Woodfuff Avenue. Each of the 3-units will have its own 2-car garage, which complies with the zoning code. As a comparison, ADU projects are not required garage parking. The project will help the City with its housing requirements. Noise issues will be addressed by following the City's regulations. He also mentioned that the project includes the new courtyard requirement. If he would have proposed underground parking, then he would have proposed building seven-units but it will not help the neighbor's concerns. The lot is not big enough to build underground parking. The units would have been smaller and there would not be enough parking.

Commissioner Lee asked the applicant if he had looked into undergrounding the living area to reduce the building height.

Mr. Tsang responded that the initial design considered underground parking. The current three-unit design was more economically feasible.

Commissioner Haddad asked about construction hours.

Mr. Reimers responded that the hours of construction are Monday through Friday between 7:00 a.m.-7:00 p.m.; and Saturday between 8:00 a.m. and 4:00 p.m. Constructions on Sundays is not allowed. If people have concerns about noise, residents are welcome to call City Hall and staff will notify the contractor.

Commissioner O'Leary asked about SB 9.

Mr. Reimers stated that SB 9 is a law passed last year by the State which allows applicants to subdivide a single-family lot into two lots with an allowance of two units per lot. The parking standard is no more than one parking space per unit. If this site was zoned single-family the applicant could build four, three-story units with only four parking spaces.

Mr. Reimers brought up the Housing Accountability Act and advised the Planning Commission about its decision relation to that Act. In regards to privacy, Mr. Reimers mentioned that there might be some potential to adjust the floor plan on the upper floors to reduce the number of windows facing the abutting neighbors. In terms of dust, the South Air Quality Management District has strict rules which require that the applicants provide fencing, rumble plates, and gravel to prevent dust from coming out from the site. During demolition and grading, they need to water the soil down so that it does not blow into the air. If there is concerns about construction the residents can call the building staff. Since the project will have a long driveway on the east, construction vehicle parking can be accommodated on the site. Traffic generated from three, multi-family dwelling units would be 7.3 trips per day, per unit. Single-family uses typically generate 9.44 trips per day. The net increase created by this project would be approximately 12.52 trips per day. Encinita Avenue is a local collector street which likely has 5,000 trips per day. As a result, the added trips created by this project are minimal compare to the existing traffic volume. The applicant of this project is not required to address existing safety issues related to traffic on the street. The issues will have to be addressed by the City's Public Safety and Transportation Commission.

Deputy City Attorney Gutierrez stated that a court ruling based on the Housing Accountability Act indicated that if a City denies a project like this it could be a violation of the Housing Accountability Act. The situation in that court case was very similar to the project being reviewed in that the building height of the project was an issue for the surrounding single-story residences. The ruling clearly curbed the power of a City to deny a housing project which complies with the development standards. It also prohibited a decision body to impose conditions which will render the project infeasible to build.

Commissioner Haddad stated that the Planning Commission needs to follow State law. The designer is willing to work with the city. If there is concerns with traffic it needs to be addressed by the Public Safety Commission. This may be the first, 3-story building in town. But it will not be the last.

Commissioner O'Leary was in favor of the project.

Commissioner Lee thanked the public for coming. And he had taken notes of their comments. The city needs to follow the state law.

Chair Cordes stated that he had seen a lots of changes in the City, some of which may not be in agreement with people's belief. Nevertheless he agreed with the project.

Commissioner Haddad made a motion to approve file PL 21-3099. Seconded by Commissioner O'Leary carried by the following roll call vote:

AYES: Commissioner – Haddad, Lee, O'Leary, Chair Cordes
ABSTAIN: Commissioner – None

NOES: Commissioner – None
ABSENT: Commissioner – Vice-Chair Guan

3. **PL 22-3340** A conditional use permit to allow a business to operate between midnight and 6:00 a.m. The proposed business is for an 18,334 square-foot fitness center located at 5665 Rosemead Blvd. The business is requesting to operate 24 hours a day, seven days a week.
   Address: 5665 Rosemead Boulevard

   Recommendation: Adopt the attached Resolution finding that the project is exempt from CEQA and approving File PL 22-3340, subject to the proposed recommended conditions of approval.

   Project Planner: Andrew Coyne

Management Analyst Coyne gave a brief presentation.

Chair Cordes opened the hearing for public comment.

Kevin Kohan, applicant, spoke in regards to noise concerns. He stated that there is a 6-foot block wall that separates the use from the sheriff's department and the wash. He hopes that these will act as a noise barrier. There will be no speakers in the outdoor area. He accepted all conditions of approval.

Fenland Liu, resident, is in support of this project. She stated that Temple City should make it easy when applicants apply for a business license and when residents apply for planning approval. She asked if staff can reduce some of the regulations to make it easier.

Kenny Chung, a nearby property owner, welcomed Chuze fitness and asked about landscaping, and upkeep of greenery.

Commissioner O'Leary moved to close the public comments. The motion was seconded by Commissioner Haddad.

Mr. Reimers said this application took about 60 days to be processed. He thanked members of the public for providing comments about the city's business license program. He stated that staff will make an effort to make the process more efficient. In regards to the upkeep of the trees or any overgrown tree will be considered a public nuisance and it will be referred to Community Preservation. In regards to water usage, he stated the project will comply with the water efficiency landscape ordinance (WELO).

Commissioners made final comments.

Commissioner Lee made a motion to approve file PL 21-3052. Seconded by Commissioner O'Leary carried by the following roll call vote:

AYES:	Commissioner – Haddad, Lee, O'Leary, Chair Cordes
ABSTAIN:	Commissioner – None
NOES:	Commissioner – None
ABSENT:	Commissioner – Vice-Chair Guan

FUTURE AGENDA ITEMS AND REPORTS:

4. **Community Development Director's Report**

Mr. Reimers gave an update about the Housing Element; comments have been sent for a third review to the State and staff is waiting to receive comments. It normally takes about sixty days to receive comments. 9465 Las Tunas Drive, mixed use project had a community meeting in May. This application will be brought to the Planning Commission on the second meeting of July. Also the Objective Design Standards will be brought for a second draft. Lastly a request for proposals was sent to environmental consultants for the application to sub-divide Casa Robles.

5. **Comments from Commissioners**

Commissioner Haddad – Went to the community meeting for the project at 9465 Las Tunas Drive.
Commissioner Lee – Spoke about the drought that he voted, and thanked staff for the presentations.
Commissioner O'Leary – Wished everyone a happy Father's day.
Vice Chair Guan – Absent
Chair Cordes – Thanked staff for their work.

ADJOURNMENT:

6. The Planning Commission Meeting was adjourned at 9:36 p.m.

Chair

Secretary