

CITY OF SAN GABRIEL

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

January 12, 2015

The regular meeting of the Planning Commission of the City of San Gabriel was held in the City Council Chambers at City Hall, 425 S. Mission Drive, San Gabriel, California, on Monday, January 12, 2015.

Vice-Chair Klawiter called the meeting to order at 6:30 p.m. and led the pledge of allegiance.

**Meeting Called to Order;
Pledge of Allegiance**

ROLL CALL

ROLL CALL

PRESENT:

Vice-Chair Thomas Klawiter, Commissioner Jingbo Lou, Commissioner Camelia Vera and Commissioner Vince Zawodny

ABSENT:

Chairman Norman Garden (excused)

STAFF PRESENT:

City Attorney Robert L. Kress, Planning Manager Mark Gallatin, Associate Planner Larissa De La Cruz, Assistant Planner Fang-zhou Zhou, and Planning Commission Secretary Jackie Wong

ELECTION OF OFFICERS:

Vice-Chair Klawiter moved to re-elect Chairman Garden as Chair. Commissioner Vera seconded the motion. Unanimously approved.

Commissioner Zawodny moved to re-elect Vice-Chair Klawiter as Vice-Chair. Commissioner Lou seconded the motion. Unanimously approved.

ELECTION OF OFFICERS:

Chairman Garden re-elected as Chair. Vice-Chair Klawiter re-elected as Vice-Chair for 2015.

CONSENT ITEMS

Minutes of the Special Planning Commission Meeting on December 22, 2014.

Commissioner Lou moved to approve the minutes. Commissioner Vera seconded the motion. There being no objections, the minutes were approved.

CONSENT ITEMS

Minutes of the Special Planning Commission Meeting on December 22, 2014. Approved.

INTRODUCTION OF NEW COMMUNITY DEVELOPMENT DIRECTOR

Ms. Arminé Chaparyan was introduced to the Planning Commission. On December 17, 2014, she was hired as the new Community Development Director in which she oversees the department's four divisions: Planning, Building & Safety, Neighborhood Improvement Services and Economic Development.

INTRODUCTION OF NEW COMMUNITY DEVELOPMENT DIRECTOR

Ms. Chaparyan was introduced to the Planning Commissioners.

PUBLIC COMMENTS

Vice-Chair Klawiter asked that speakers come forward who wish to address the Planning Commission on non-agenda items. No one else came forward to speak; therefore he closed this portion of the meeting.

PUBLIC COMMENTS

None

EXPLANATION OF PUBLIC HEARING PROCEDURES

City Attorney Kress explained the public hearing procedures for the items on this evening’s agenda.

EXPLANATION OF PUBLIC HEARING PROCEDURES

Explained by City Attorney Kress

PUBLIC HEARING ITEMS

- 1. 721 W. Las Tunas Drive
Planning Case No. PL-14-105
Applicant: Saagar Daven (Major’s Liquor and Market)**

This item was presented by Assistant Planner Fang-zhou Zhou regarding Conditional Use Permit (CUP) to open a liquor store at 721 W. Las Tunas Drive in the C-1 (Retail Commercial) zone, which is located across the street from its current location.

PUBLIC HEARING ITEMS

- 1. 721 W. Las Tunas Drive
Planning Case No. PL-14-105
Applicant: Saagar Daven
Denied.**

ENVIRONMENTAL DETERMINATION: The project was reviewed and exempted for compliance with the California Environmental Quality Act (CEQA) requirements, per Guidelines Section 15301, Class 1 (Existing Facilities).

RECOMMENDATION: Staff recommends that the Planning Commission deny PL-14-105.

Applicant provided the Planning Commission with letters of support he gathered. The Planning Commission reviewed and commented that most of the letters came from people who either do not live within the City of San Gabriel or had no addresses indicated on the letters.

Jennifer Oden, 426 Culver Blvd., Playa Del Rey, CA, applicant’s attorney and representative, disagreed with staff’s recommendation. She stated that the liquor and market business has been at its current location at 704 W. Las Tunas since 1988. The current owner, Mr. Daven, bought the business three years ago and wants to relocate the business across the street because his landlord is raising his rent. The new location, while it is smaller in size, will have a lower rental rate. Mr. Daven is currently applying for a premise-to-premise ABC license transfer. Ms. Oden provided a list of proposed conditions of approval for the Planning Commission’s consideration.

Testimonies

Testimonies

1. Efraim Chavez, 217 S. Circle Dr., San Gabriel, spoke in support for the project. He stated that Mr. Daven is a big supporter of the Mission Church and none of the children or anybody in the neighborhood will be impacted by his relocation.
2. Sofie Wong, 15565 Brookhurst St., Suite B, Westminster, CA, represented East to West Management, Inc. for the 721 W. Las Tunas property, spoke in support for the project. She stated that they did a background check and are happy to have Mr. Daven be a tenant at their property. She also spoke about how the parking requirement is the same as the prior tenant, which was a massage store.
3. Jamie Kohl, 129 Franklin, San Gabriel, spoke against the project due the following reasons:
 - Safety of her children. She felt that the clientele that the liquor store attracts are not appropriate to be around the children in the area who regularly walk in that commercial complex to and from school.
 - Concerned if it is also a check-cashing place wherein a certain type of clientele also is associated with that kind of business.
 - Overflow parking on residential streets.
 - Concerned why there should be a security guard at the complex which is being perceived as an unsafe place.

4. Cindy Reimers, 138 Franklin, San Gabriel, spoke against the project due to the following reasons:
 - Increased traffic.
 - Parking issues and overflow parking into residential areas.
 - Concerned about crime or increase in crime activity in the area.
 - Overconcentration of liquor stores in a given radius.
 - Concerned about vagrancy.
 - Proposed that the business remain in its current location or move elsewhere.

5. Marie Magrdchian, 1355 Pasqualito Dr., San Marino, spoke against the project due to the following reasons:
 - The census tract has already surpassed the maximum allowable ABC license.
 - The applicant will be the only one benefitting from relocating his business and not the families who live in the area, especially those who have young children.
 - Due to late hours of operation, the business will attract vagrancy and crime.
 - More families would have been present at tonight's meeting in opposition of this project; however, parents are home with their children helping with homework or getting them ready for bed.
 - Parking congestion in residential areas.
 - Proposed conditions by the applicant are problematic.
 - Shared a quote from the City's General Plan regarding the City providing its residents quality of life unparalleled in the Los Angeles region.

Ms. Oden clarified that there was nothing in the applicant's proposed conditions that required having a security guard on the premises but instead having security cameras available. The parking requirements are within what the Code requires. She added that most customers for the liquor store do not spend a long time there as opposed to its previous tenant, a massage establishment, whose clients typically stay for longer periods of time. She pointed out that the business is already in the area, and moving 250 feet across the street would not stop it from being a good neighbor.

Vice-Chair Klawiter asked if Mr. Daven provides check-cashing services. Mr. Daven stated that he does only for about two to three regular customers but added that it is not a primary part of his business and he doesn't advertise it.

Mr. Daven explained that he contemplated selling his business but his current landlord stated that he cannot give his lease to whoever buys his business. Now that his landlord is raising his rent, he thought of moving somewhere close by so he would not lose his current customers in the area. He also stated that there are no schools around the new location and that there are residents in the area that support his business.

Ms. Reimers inquired about the applicant's proposed condition regarding the licensee continuing to patrol the area. She stated that the residents may have thought that the applicant will hire a security guard but was unsure, if selling his business, that there is no guarantee from the new owner what he/she will bring to the property.

Mr. Daven clarified that he wanted to sell the business a year ago but reconsidered when he found a lower rental rate across the street. He offered to propose conditions to satisfy the City and its residents. He has no police issues involving his business and that moving across the street won't harm anybody.

This concludes the public hearing portion.

Commissioners' Discussion

Commissioners' Discussion

The Planning Commissioners conceptualized and discussed the project. They inquired about accessibility in the rear of the building that parallels the residential properties behind it.

Mr. Zhou explained that there is no parking or doors behind the building. Everything is in front and installing access doors to the rear is prohibited by Code. Even if it were allowed, the doors would have to be recessed a few feet, but it is not allowed by Code given how the area is laid out.

Commissioner Lou stated that the current location is more situated in a commercial area, away from single family homes, where it is appropriately located. By moving across the street, it would change the area's dynamics and he shares the same concerns with the neighbors. He also stated that he respects the business owner in the neighborhood but he also felt that the area's dynamics would significantly change if the business relocates across the street.

Commissioner Vera was concerned about the parking issue. She stated that oftentimes she could not find parking whenever she goes to El Pollo Loco. If the liquor store opens, it would need additional parking for drive by and feels it would encroach on the residential streets. She added that she respects staff's recommendation since they put a lot of work hours to come up with this. She pointed out that she flipped through the 167 letters of support provided by the applicant and noticed that many of them do not have addresses or zip codes. She also agreed with Mrs. Magrdchian that many families who will be affected were not present to voice their concerns. She hoped that the applicant would consider staying at the current location or move to another area that is not close to residential areas.

Commissioner Zawodny concurred with the other Commissioners. He stated that the Commissioners do not want to turn any business away but in this case, he supports staff's recommendation.

Vice-Chair Klawiter stated that he, too, is a small business owner and at the same time, a San Gabriel resident and a Commissioner. The Planning Commission has the obligation to look into issues such as oversaturation in a census tract. At the current location, it is convenient for a customer to park on the corner of the mall or on the street without having to spend time looking for parking. If it's across the street, the store is in the middle of the strip mall where parking is always full and that patrons would most likely park in the residential neighborhood. He offered two options that the applicant could do which are: 1) To appeal the Planning Commissioners' decision within 10 business days so that the City Council will be able to hear this case and make a final decision; and 2) Recommend that the applicant consider staying at his current location or move to another location.

Commissioner Zawodny made the motion to deny PL-14-105, per staff's recommendation. Commissioner Lou seconded the motion.

Ayes: Klawiter, Lou, Vera and Zawodny
Noes: None

4-0 vote. Motion carried to deny PL-14-105.

**2. 903 E. Las Tunas Dr.
Planning Case No. 14-075
Applicant: April Love**

**2. 903 E. Las Tunas Dr.
Planning Case No. 14-075
Applicant: April Love
Approved.**

This item was presented by Associate Planner Larissa De La Cruz regarding a request for a Conditional Use Permit (CUP) to allow a makeup academy in an existing commercial building located in a C-1(Retail Commercial) zone.

ENVIRONMENTAL DETERMINATION: The project was reviewed and exempted for compliance with the California Environmental Quality Act (CEQA) requirements, per Guidelines Section 15301, Class 1 (Existing Facilities).

RECOMMENDATION: Staff recommends that the Planning Commission approve this item, subject to the recommended conditions of approval.

Testimony

Testimony

Sandy Rosco, 620 W. Santa Anita, San Gabriel, San Gabriel Chamber of Commerce Executive Director, spoke in support of this project. She stated that the City should keep this growing business within the City, should accommodate its needs in order to thrive, and help generate tax dollars. She added that the Chamber wants to promote the City as being business-friendly as well as promoting the business' top-quality makeup products.

April Love, applicant, stated that she is a San Gabriel resident and would like to keep her business close to where she lives. She had a question about Condition #8 about imposing a limitation on the amount of students who take her courses on the weekends. She pointed out that there are three businesses in the commercial complex that are closed on Sundays, two of which are large businesses that take up most of the parking. On the report, it stated that the restrictions are for both weekend days but it was her understanding that it would only be for Saturdays. She would like overflow students to come on Sundays. She caters to San Gabriel High School students on the weekends who want to learn makeup artistry. She also does a lot of charity work. She explained that ideally, she would like to have eight students on Saturdays and Sundays. Students can park on the 11 marked spots on the weekends when other businesses are closed.

Ms. De La Cruz explained that majority of the businesses in the complex are closed on Sundays. Staff can support her concern about increasing parking requirements on Sundays. The overlap on Saturdays is based on demand. The number of students can be up to 27 from Sundays through Wednesdays but Ms. Love shared that it is rare that she has that many students on premises.

This concludes the public hearing portion.

Commissioners' Discussion

Commissioners' Discussion

The Planning Commissioners discussed and conceptualized the project. They were all in agreement that this is a business the City appreciates for its loyalty and for providing jobs in the area.

Vice-Chair Klawiter made the motion to approve PL-14-075, with minor changes to Condition #8 to increase the number of students from six to no more than eight on Saturdays and to allow up to the maximum of 27 students from Sunday-Wednesday. Commissioner Vera seconded the motion.

Ayes: Klawiter, Lou, Vera and Zawodny

Noes: None

4-0 vote. Motion carried.

3. **100 S. San Gabriel Blvd.
Planning Case No. PL-14-122
Applicant: John Cuykendall (Dudek Company) on behalf of Alex Alvarez
(property owner)**

This item was presented by Assistant Planner Zhou regarding a request for a Conditional Use Permit (CUP) to allow several motor vehicle-related businesses which includes a used car dealership, automobile service/repair shop, and vehicle storage in the C-1 (Retail Commercial) zone.

3. **100 S. San Gabriel Blvd.
Planning Case No. PL-14-122
Applicant: John Cuykendall (Dudek Company) on behalf of Alex Alvarez
(property owner)
Approved.**

ENVIRONMENTAL DETERMINATION: The project was reviewed and exempted for compliance with the California Environmental Quality Act (CEQA) requirements, per Guidelines Section 15301, Class 1 (Existing Facilities).

RECOMMENDATION: Staff recommends that the Planning Commission approve this item, subject to the recommended conditions of approval.

Mr. Zhou stated that he received a complaint from Ms. Ana Dong, property owner to the west of the project's location, regarding ongoing trash and debris on the lot. Ms. Dong claims that the tour bus operators that use the property owner's lot cause these problems and is requesting that the property owner provide trash bins for them.

Mr. Alex Alvarez, 100 S. San Gabriel Blvd., San Gabriel, property owner, stated that he personally took photos of the trash and debris and had the area cleaned today. He added that there are five restaurants surrounding his property and suspects that when their trash bins get full, employees would throw the trash over the chain link fence into his property. He acknowledged that the tour bus drivers bring and eat their lunch onsite. He promised that he would be hiring someone who will clean the property and the trash bins once a month.

Testimonies

Testimonies

1. Christina Yang, 150 S. San Gabriel Blvd., San Gabriel, San Gabriel Plaza representative, spoke against this project due to the following reasons:
 - Continued unclean and unsanitary environment caused by tour bus operators.
 - Uncertainty how the proposed business will be run.
 - Hoped that the City would attract high-profile businesses in the area.

Mr. Alvarez explained that he does not think tour bus drivers create these problems but instead speculated that kids or young adults who patronize the nearby skating rink and card game establishment are the source. He has had received complaints from other businesses that these patrons smoke pot, break glass and bottles, etc., which often happen Fridays-Sundays at night. He emphasized that he is there to make sure the area is clean and safe at all times.

2. Joe Shen, 730 E. Las Tunas Dr., San Gabriel, spoke against this project due to the following reasons:
 - Pollution from cars.
 - Business owner should look after the future of the City.

This concludes the public hearing portion.

Commissioners' Discussion

Commissioners' Discussion

Commissioner Zawodny stated that he hopes to see a more ambitious project be built on that site since it is on one of the desirable corners in the City. He suggested that the trash issue be resolved and to keep the area clean.

Commissioner Vera addressed the concern of Mr. Shen. She didn't find anything in the staff report that addressed the pollution issue and explained that it is going to be the same type of use as the previous business. She feels that this is a good opportunity to revitalize the area and it is what the General Plan has laid out.

Commissioner Lou stated that the proposed project is consistent with the prior use. He also recommends that the area be kept clean at all times. The Commissioners are not there to point whose fault it is but emphasized that it is every business owner's responsibility to maintain cleanliness in the area at all times.

Vice-Chair Klawiter stated that he is in support for the proposed project and to keep it viable until a better development and entitlement are proposed in the future. It is a better option rather than keeping it vacant for a long time.

Ayes: Klawiter, Lou, Vera and Zawodny
Noes: None

4-0 vote. Motion carried

STAFF ITEM

1. Preview of Proposed Mixed-Use Development at 201-217 S. San Gabriel Blvd.
This is only a preview. No action was required.

2. Preview of Proposed Mixed-Use Development at 400-420 W. Valley Blvd.
This is only a preview. No action was required.

STAFF ITEM

1. Preview of Proposed Mixed-Use Development at 201-217 S. San Gabriel Blvd.
No action required.

2. Preview of Proposed Mixed-Use Development at 400-420 W. Valley Blvd.
No action required.

PLANNING COMMISSION ITEMS

None.

PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

There being no further business to discuss, Vice-Chair Klawiter moved to adjourn to the Regular Planning Commission on Monday, February 9 at 6:30 p.m. in the Council Chambers, City Hall, 2nd Floor, 425 S. Mission Drive, San Gabriel, CA.

ADJOURNMENT

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The Planning Commission meetings are available on tape and may be reviewed within 90 days after the meeting in the Community Development Department office at City Hall during regular business hours.

Thomas Klawiter, Vice-Chair
City of San Gabriel
Planning Commission

ATTEST: _____
Jackie Wong, Secretary
City of San Gabriel Planning Commission