



# **PLANNING COMMISSION AGENDA**

## **CITY OF EL MONTE PLANNING COMMISSION**

TUESDAY, MAY 25, 2021

7:00 P.M.

CITY HALL EAST – COUNCIL CHAMBERS  
11333 VALLEY BOULEVARD

### **CITY OF EL MONTE PLANNING COMMISSION**

#### **CHAIRPERSON**

Rafael Gonzalez

#### **VICE-CHAIRPERSON**

Cesar Peralta

#### **COMMISSIONER**

Alfredo Nuño

#### **COMMISSIONER**

Amy Wong

#### **COMMISSIONER**

Vacant

**Members of the public wishing to observe the meeting may do so in one of the following ways:**

- (1) Attend the meeting in person at the City's Council Chambers. All COVID-19 safety precautions (e.g. wearing a mask and social distancing) shall be followed at all times.
- (2) Turn your TV to Channel 3.
- (3) Visit the City's website at:  
<http://www.elmonteca.gov/378/council-meeting-videos>
- (4) Call-in Conference (253) 215-8782; Meeting ID 940 1408 9589 and then press #. Press # again when prompted for participant ID.

**Members of the public wishing to make public comment may do so in one of the following ways:**

- (1) Call-in Conference (253) 215-8782; Meeting ID 940 1408 9589 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press \*9 to request to speak.
- (2) Telephone– All interested parties can submit comments in advance to the Planning Division's general telephone line: (626) 258-8626. All comments must be received by the Planning Division no later than 3:00 pm, May 25, 2021.

**Instructions regarding accommodation under the Americans with Disabilities Act can be found on the last page of this Agenda.**

### **OPENING OF MEETING**

1. **Call Meeting to Order**
2. **Flag Salute**
3. **Roll Call**

Phone: (626) 258-8626  
[www.elmonteca.gov](http://www.elmonteca.gov)  
[planning@elmonteca.gov](mailto:planning@elmonteca.gov)

4. **Approval of Agenda**
5. **Commission Disclosures**
6. **Public Comments**

Citizens wishing to address the Planning Commission on land use and development matters may do so at this time. Note that the Commission cannot respond to or take any action on the item.

Citizens wishing to speak on an agenda item will be given the opportunity to speak after the item is presented by staff.

Limit your comments to three (3) minutes. State your name and address for the record.

### **CONSENT CALENDAR**

#### **7.1 Approval of Modification Committee Minutes**

None

#### **7.2 Approval of Planning Commission Minutes**

April 27, 2021 and May 11, 2021

### **PUBLIC HEARING**

8. **None**

### **REGULAR AGENDA**

#### **9. Code Amendment No. 795 – Residential Code Amendment Study Session**

*Address:* Citywide

*Case Planner:* Jason C. Mikaelian, Deputy Director

*Recommendation:* Receive the study session presentation from staff and provide comments on the proposed Code amendment updates; and Recommend staff return to the Planning Commission with a Resolution and draft Ordinance for Code Amendment No. 795.

### **REPORTS AND OTHER ITEMS**

10. **Director's Report**
11. **City Attorney's Report**
12. **Commissioner Comments**

**NEXT SCHEDULED CITY PLANNING COMMISSION MEETING**

**Tuesday, June 8, 2021 at 7:00 P.M.**  
City Hall East – City Council Chambers

**Availability of staff reports:** Copies of the staff reports or other written documentation relating to each item of business described hereinabove are available on the City's Home Page at [www.elmonteca.gov](http://www.elmonteca.gov) or <https://www.ci.el-monte.ca.us/AgendaCenter/Planning-Commission-2>. You may also call the Planning Division at (626) 258-8626 for more information.

**Individuals with special needs:** The City of El Monte wishes to assist individuals with special needs. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (626) 258-8626. Notification 48 hours prior to the meeting will enable us to make reasonable arrangements to ensure accessibility to this meeting. [28 Code of Federal Regulations 35.102-35.104 ADA Title II]

**Appeal Process:**

Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days of the adoption of the resolution. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of \$2,080.96. Any individual that received notice of this meeting from the City of El Monte will receive notice of an appeal, if one is filed.

## **PLANNING COMMISSION MINUTES**

### **ACTION MINUTES FOR THE PLANNING COMMISSION MEETING HELD ON TUESDAY, APRIL 27, 2021 AT CITY HALL COUNCIL CHAMBERS 11333 VALLEY BOULEVARD, EL MONTE, CALIFORNIA**

- 1. Call Meeting to Order** – Meeting was called to order by Chairperson Gonzalez at 7:08 p.m.
- 2. Flag Salute** – The Flag Salute was led by Chairperson Gonzalez.
- 3. Roll Call** – The roll call was led by Senior Planner Bu.

**Commissioners present:** Gonzalez (virtual), Peralta (virtual), Nuño (virtual), & Wong (virtual).

**Commissioners Absent:** None

**Staff present:** Community and Economic Development Director Donavanik  
Community and Economic Development Deputy Director Mikaelian  
Deputy City Attorney Tabares (virtual)  
Senior Planner Bu  
Planning Technician Martinez  
Senior Office Assistant Perez

#### **4. Approval of Agenda:**

Motion: by Vice Chairperson Peralta to approve agenda; seconded by Commissioner Nuño.

Motion carried 4 - 0.

**5. Commission Disclosures:** None.

**6. Public Comments:** None.

### **CONSENT CALENDAR**

#### **7.1 Approval of Modification Committee Minutes:**

None

#### **7.2 Approval of Planning Commission Minutes:**

March 23, 2021 and April 13, 2021

Motion: by Commissioner Nuño to approve agenda; seconded by Commissioner Wong.

Motion carried 4 - 0.

## **PUBLIC HEARING AGENDA**

### **8.1 Tentative Tract Map No. 80034 and Design Review No. 05-21**

A Tentative Tract Map and Design Review are requested to demolish three (3) existing single-family units to construct four (4) new two-story detached dwelling units with one (1) common lot on property that is 23,716 square feet in size. This request is pursuant of Chapter 16 and Chapter 17.22 of the El Monte Municipal Code (EMMC).

*Planning Technician Martinez provided a PowerPoint presentation.*

#### **PUBLIC COMMENTS:**

**Applicant:** EGL Associates – Sheila Harganto

**Existing Tenant:** Cesar Romo - Tenant on the property for 22 years.

#### **COMMISSIONER COMMENTS:**

##### **Chairperson Gonzalez:**

- Inquired on the response from neighbors and near-by residents. Planning Technician Martinez responded that there were no formal written responses; however, Staff spoke to an existing tenant who was concerned with the future of their tenancy. Chairperson Gonzalez asked, if the tenant was made aware of their rights? Planning Technician Martinez confirmed that the tenant is aware and referenced SB 330.

##### **Vice-Chairperson Peralta:**

- None

##### **Commissioner Nuño:**

- Inquired if trash-pickup has been discussed. Planning Technician Martinez stated that the resolution contains a condition for the Applicant to work with Staff for trash management. Commissioner Nuño would like to get Public Works involved to establish red striping along the property's frontage/curb face to ease access of trash pickup. The Applicant stated the trash bins are proposed to be located within the side-yards and will be wheeled out to the street for trash pick-up. Deputy Director Mikaelian stated that Staff could expand upon the existing condition of approval to include addressing accessibility issues. Commissioner Wong stated that Staff should look at previous examples of near-by developments. Tenant Romo stated that trash management is an issue in the neighborhood and immediate area. Vice Chairperson Peralta recommended providing a shared trash enclosure (instead of individual trash containers) at the rear of the property where the site contains a surplus of open parking spaces.

##### **Commissioner Wong:**

- Inquired if there is a condition of approval to have the Applicant add a sidewalk along the property's frontage. Planning Technician Martinez confirmed that there is a condition for the Applicant to add a sidewalk.

*Motion:* Commissioner Wong motioned to adopt a Resolution approving the Tentative Tract Map and Design Review and to adopt a Categorical Exemption; seconded by Vice Chairperson Peralta.

*Motion carried 4-0.*

## **8.2 Design Review No. 01-21**

Design Review No. 01-21 is requested to construct a three-story, 17-unit apartment complex with 37 open parking spaces (including 14 tandem spaces), and approximately 3,523 square feet of common open/recreation space. The subject site is 28,500 square feet in size and is located within the MMU (Mixed/Multi-Use) zone. This request is pursuant of Chapter 17.22 of the El Monte Municipal Code (EMMC).

*Senior Planner Bu provided a PowerPoint presentation.*

### **PUBLIC COMMENTS:**

**Applicant:** David Gutierrez, Platinum Connections, LLC.

- Mentioned that the developer and property owner accepts all of the conditions of approval.

**Property Owner:** Sylvia Villasenor

- Property was purchased her by family in the early 1970s and has been in operation as an auto camper-shell retail site.
- Mentioned that the purpose of the proposed Spanish design was to reflect the history of the community.

**Nearby Resident:** Ilene

- Resides behind the proposed development off Giovane Street.
- Concerned with potential increased activity within the rear alley.
- Concerned with potential privacy issues with the proposed three-story building.

### **COMMISSIONER COMMENTS:**

**Chairperson Gonzalez:**

- Inquired if there will be any affordable units a part of the project. Senior Planner Bu stated that all of the units will be at market-rate.
- Inquired if Staff had concerns regarding increased activity in the rear alley and potential privacy issues with the new three-story building, as raised by the nearby resident. Senior Planner Bu stated that the rear alley will not be utilized by the project as the property and rear parking lot will be completely enclosed with a block wall. In addition, the proposed three-story apartment will be located approximately 84 feet away from the rear property line and the perimeter will be lined with trees to enhance privacy.

**Vice Chairperson Peralta:**

- Welcomes the project and likes the design.

- Inquired if any bicycle racks will be included at the site. Senior Planner Bu stated that there are at total of five (5) bicycle racks proposed within the common open space area.

**Commissioner Nuño:**

- Inquired if any of the apartment units will be ADA compatible. The Applicant stated that all units proposed apartment units will be ADA compatible.

**Commissioner Wong:**

- Likes the development and appreciates the design.
- Compared the proposed Spanish-revival design to Union Station in downtown Los Angeles.

*Motion:* Vice Chairperson Peralta motioned to adopt a Resolution approving the Design Review and to adopt a Categorical Exemption; seconded by Commissioner Nuño.

*Motion carried 4-0.*

## **REGULAR AGENDA**

### **9. None**

## **REPORTS AND OTHER ITEMS**

### **10. Director's Report:**

- The next Planning Commission (on May 11<sup>th</sup>) will be a Study Session for the Housing Element Update.
- The KB Homes project will be presented to City Council on May 4<sup>th</sup>.

### **11. City Attorney's Report:**

#### **Ethics Training Update**

- City of El Monte will hold ethics training Thursday, April 29, 2021 at 6:00 pm. Confirmed Commissioner attendance and the method of attendance:
  - Commissioner Wong attending virtually;
  - Vice Chairperson Peralta attending virtually;
  - Chairperson Gonzalez attending virtually; and
  - Commissioner Nuño attending virtually.

### **12. Commissioner Comments:**

#### **Commissioner Wong:**

- Mentioned that the City should have a weekly newsletter or something to announce future developments.

#### **Commissioner Nuño:**

- Expressed his appreciation for the farmer's market.

- Requested an update from Staff on the Flair Spectrum and Gateway sites.

**Vice Chairperson Peralta:**

- None

**Chairperson Gonzalez:**

- Express his appreciation for the farmer's market.
- Concurred with Commissioner Wong about promoting the City's proposals and accomplishments to keep the residents aware of future developments.

### **13. Adjournment**

Meeting adjourned at 8:36 p.m.

Respectfully submitted,

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Planning Commission Chairperson  
Rafael Gonzalez

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Planning Commission Secretary  
Adrian Perez

## **PLANNING COMMISSION MINUTES**

### **ACTION MINUTES FOR THE PLANNING COMMISSION MEETING HELD ON TUESDAY, MAY 11, 2021 AT CITY HALL COUNCIL CHAMBERS 11333 VALLEY BOULEVARD, EL MONTE, CALIFORNIA**

- 1. Call Meeting to Order** – Meeting was called to order by Vice-Chairperson Peralta at 7:02 p.m.
- 2. Flag Salute** – The Flag Salute was led by Vice Chairperson Peralta.
- 3. Roll Call** – The roll call was led by Senior Planner Bu.

**Commissioners present:** Peralta (virtual), Nuño (virtual), Wong (virtual).

**Commissioners Absent:** Gonzalez

**Staff Present:** Community and Economic Development Director Donavanik  
Community and Economic Development Deputy Director Mikaelian  
Deputy City Attorney Tabares (virtual)  
Senior Planner Bu  
Senior Office Assistant Perez

#### **4. Approval of Agenda:**

Motion: by Commissioner Nuño to approve agenda; seconded by Commissioner Wong.

Motion carried 3 - 0.

**5. Commission Disclosures:** None.

**6. Public Comments:** None.

### **CONSENT CALENDAR**

#### **7.1 Approval of Modification Committee Minutes:**

None

#### **7.2 Approval of Planning Commission Minutes:**

None

## **PUBLIC HEARING AGENDA**

### **8. None**

## **REGULAR AGENDA**

### **9. Study Session on 2021-2029 Housing Element Update**

On December 2, 2020, RRM Design Group entered into a Professional Services Agreement (PSA) with the City of El Monte to assist the Planning Division with updating the City's General Plan Housing and Public Health and Safety Elements. The Housing Element is required to be updated for the 2021-2029 planning cycle (6th Cycle) which would need to be submitted to the State Department of Housing and Community Development (HCD). For this Study Session, Planning Division Staff and RRM Design Group is interested in soliciting the Planning Commission's feedback on issues and concerns related to housing, affordable housing and services for special groups.

*Senior Planner Bu and Consultants provided a PowerPoint on the item.*

#### **PUBLIC COMMENTS:**

**Consultant:** RRM Design Group – Diane Bathgate

**Consultant:** Veronica Tam & Associates – Veronica Tam

#### **COMMISSIONER COMMENTS:**

##### **Vice-Chairperson Peralta:**

- A viable location to possibly develop as housing could be the former Sears site. Deputy Director Mikaelian stated that it is something that Staff could explore and report back to the Commission.
- Housing within Flair Park may be problematic because there are no schools within walking distance. Four (4) schools are closing in El Monte and it is important for the children's safety to have schools within close proximity of the housing areas.
- Are mobile home parks considered to be affordable housing? Deputy Director Mikaelian stated that the City has a rent stabilization ordinance that is based on inflation and there is process to go through to raise the rents. In addition, there are protections in place for residents, should the mobile home park close down.
- Is there a way to transition mobile home parks to higher-density affordable housing? Deputy Director Mikaelian stated that there are over 30 mobile homes parks within the City, each have a full range of existing conditions which Staff would need to research.
- Shopping Center off Lower Azusa Road and Arden Way could be a viable location for housing.

##### **Commissioner Nuño:**

- Thanked Staff and the Consultants for the presentation and research.

- The RHNA allocation needs to be adjusted to meet the current needs of residents. El Monte is a lower-income community; the RHNA affordability targets should reflect El Monte's lower income community. Larger developments, (e.g. KB homes), should provide more lower-income units.
- How are the RHNA numbers allocated throughout the State? Does the State take into consideration for building materials shortage or price increases (e.g. lumber) and how it impacts construction development? Deputy Director Mikaelian stated that the numbers for RHNA are allocated by the Southern California Association of Governments (SCAG) to local cities. The RHNA numbers for the 6<sup>th</sup> cycle was highly criticized and many cities ended up appealing their numbers. Almost all appeals were rejected.
- Is there any funding or financing for congregational institutions to develop housing? What is allowable through AB 1851? Consultant Tam stated that there is no funding that is available specifically through the Assembly Bill; however, there are programs that could be utilized to promote affordable housing. Commissioner Nuño suggested that Staff reach out to the congregational groups within the City. Senior Planner Bu stated that Staff reached out to the congregational groups for the stakeholder meetings, but had no response. Staff will reach out again to try to include congregational groups to the community outreach process.
- Is it possible to get an extension for the Housing Element Update? Consultant Bathgate stated that it is possible to get an extension for the deadline to send the Housing Element Update to the state; however, it would not be possible to extend the deadline beyond the eight (8) year cycle.
- Have the RHNA allocations ever been put on a ballot or have cities pursued a lawsuit to show the state that the numbers are not fair? Deputy Director Mikaelian stated that typically it is the State suing a City for not getting the Housing Element Update certified.
- What are the two (2) motels purchased by the City being converted into? Director Donovanik stated that the two (2) motels have a combined number of 133 rooms that are being converted into interim housing and after the sixth year, they will be permanent housing which can be counted to RHNA. The housing will be counted to low and very low affordable housing which is aimed at 30% and lower base median income (BMI).

#### **Commissioner Wong:**

- It is important that the Housing Element Update addresses the community's affordability needs. RHNA does not require the City to have a greater fulfillment for lower income units; however; future housing should be shaped around the residents currently within the City, not who is moving in.
- Who were the stakeholders that attended the stakeholder interviews? Consultant Bathgate responded that developers and service providers attended the interview. Senior Planner Bu added that specific attendees consisted of: Volunteers for America, Mercy Housing, Union Station Homeless Services, local realtors, etc.
- Is the City receiving responses from the community for Housing Needs Survey? Consultant Bathgate stated that there was a recent uptick in the number of surveys taken. Staff has taken the lead in advertising the survey to the residents. Senior Planner Bu added that Staff will be attending all the Farmers Markets during the month of May to further promote the housing survey.
- Is the Housing Survey available in other languages? Consultant Bathgate responded that the survey is available in English and Spanish. Senior Planner Bu added that it is also available in Mandarin (Chinese).

- Did the City meet the previous RHNA goal? Consultant Bathgate mentioned that the State does not penalize cities if they fall short on the housing production of units; however, the State requires that the City plan for the RHNA allocation. Senior Planner Bu stated the previous allocation was 2,142 total units (for years 2014-2021) and the City has thus far produced a total of 1,382 units. Therefore, there is a remaining 760 units to be produced during the year of 2021 to meet the RHNA allocation.
- Would the remaining units would be carried over to the following cycle? Consultant Tam stated that the remaining units would not carry over. The purpose of the Housing Element is to plan for the allocated units, not necessarily building it.
- Could Staff explain the proposed RHNA allocation for the upcoming cycle? Consultant Tam stated that the best housing practices allow lower income areas to plan for market-rate housing (vice-versa) to create a more balanced community.
- Would there be a narrative to describe the areas dedicated to housing opportunity? Consultant Bathgate stated that there would a narrative and a methodology to accompany the analysis.
- Supportive of exploring inclusionary housing as a policy. Prefers incentivized affordable housing over a developer paying into an in-lieu fund. How would the fees be allocated should the City collect it? Deputy Director Mikaelian stated that it would only be earmarked for City-initiated affordable housing projects. In addition, inclusionary housing is not always the best solution for every community. There are some drawbacks and some items that are hard to predict like the price of materials, land, labor, etc.

## **REPORTS AND OTHER ITEMS**

### **10. Director's Report:**

#### **Gateway Update**

- Director Donovanik stated that there is a new owner for Parcel 2 (which was previously entitled for 212 market rate units) and the entitlements have expired. The any new projects at the site would need to be presented at a future Planning Commission meeting.
- Director Donovanik stated that the Trustee for Parcel 4 is currently conducting a structural study of the partially constructed building would provide the commission with an update after the study is complete. The City would review the study to identify what would need to be repaired/retrofitted. The units on site would count towards the upcoming RHNA numbers.

#### **Flair Spectrum Update**

- Director Donovanik stated the entitlements for the Flair Spectrum project expired in 2019; however, the Specific Plan for the location is still valid. The Specific Plan was approved to develop a shopping mall, hotel, and housing units. Commissioner Nuño mentioned that he notice a homeless encampment onsite and large mounds of dirt. Director Donovanik clarified that the property owner has filed permits to clear out the dirt and the Police Department is taking necessary steps to relocate the homeless population.

#### **New Business**

- Director Donovanik announced that Andrea's Kitchen will open on Friday, May 18, 2021.

**11. City Attorney's Report:**

- None

**12. Commissioner Comments:**

**Commissioner Wong:**

- Thanked everyone for the thoughtful discussion.
- Appreciates that Staff is being proactive in implementing better housing practices and policies.

**Commissioner Nuño:**

- Thanked Staff and Consultants for the discussion today.

**Chairperson Gonzalez:**

- Thanked everyone for a good meeting.

### **13. Adjournment**

Meeting adjourned at 9:09 p.m.

Respectfully submitted,

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Planning Commission Chairperson  
Rafael Gonzalez

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Planning Commission Secretary  
Adrian Perez

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**BY:** JASON C. MIKAELIAN, AICP  
COMMUNITY & ECONOMIC DEPUTY DIRECTOR

**SUBJECT:** CODE AMENDMENT NO. 795

**LOCATION:** CITYWIDE

**APPLICANT:** CITY OF EL MONTE

**RECOMMENDATION:** RECEIVE STUDY SESSION PRESENTATION FROM  
STAFF AND PROVIDE COMMENTS ON PROPOSED  
CODE AMENDMENT UPDATES

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## **BACKGROUND**

Over the past several years, the Planning Division has presented multiple Code Amendments to the City of El Monte's (the "City") residential zoning districts. This includes the following:

- 2016 – Updated the City's Rurban Housing Overlay District (RHOD);
- 2019 – Revised the City's Accessory Dwelling Unit (ADU) Ordinance; and reduced the Floor Area Ratio (FAR) in the R-1A single-family zone; and
- 2020 – Further updated the City's ADU Ordinance; reduced heights in residential zones; removed the Conditional Use Permit (CUP) requirement for multi-family residential and replaced it with a Design Review requirement; removed housing as a permitted use in industrial zones; and increased FAR and lowered open space requirements for housing in commercial zones.

For this Study Session, staff will present background information and options to consider for the following topic areas:

- Single-family zones – Updates to permitted uses; and updates to maximum density based on lot width or area in the R-1B zone;
- Multi-family zones – No recommended updates related to height, setbacks, upper story step backs, density as permitted in the General Plan and ADUs;

- Multi-family zones – updates related to:
  - Permitted uses;
  - Maximum density based on lot width or area in the R-3 zone;
  - Maximum FAR;
  - Minimum open space (private and common);
  - Maximum lot coverage;
  - Minimum off-street parking; and
  - Updated Planned Residential Development (PRD) section.

There are several reasons staff is recommending changes to the multi-family development standards. The bulk of the standards were developed in the 1960s and 1970s, when apartment block buildings were common. Today, ownership townhouse units are the most common. Staff has also found that some quality developers are bypassing El Monte because of the development standards. Over the past decade, a significant number of variances and modifications have been requested for density, parking, FAR and open space. This creates uncertainty for staff, applicants and decision makers.

### **RECOMMENDATION**

Staff recommends that the Planning Commission consider the following actions:

1. Receive the study session presentation from staff and provide comments on the proposed Code amendment updates; and
2. Recommend staff return to the Planning Commission with a Resolution and draft Ordinance for Code Amendment No. 795.