

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING COMMISSION OF
THE CITY OF LA MIRADA**

December 21, 2017

CALL TO ORDER

The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Chairman Lee Olsen in Council Chambers at City Hall, 13700 La Mirada Boulevard, La Mirada, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present:

Chairman Lee Olsen
Vice Chairman Scott Anderson
Commissioner Changhai Ahn
Commissioner Keith Chung

Absent

Commissioner Michael Saenz

Staff:

Gabriel Bautista, City Planner
Arturo Cervantes, Administrative Analyst II
D. Craig Fox, City Attorney
Angel Leon-Martell, Planning Technician
Norma Stein, Secretary

APPROVAL OF MINUTES

1. MINUTES OF THE REGULAR MEETING OF November 16, 2017

Chairman Olsen moved and Commissioner Anderson seconded to approve the minutes of the November 16, 2017 Planning Commission meeting.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Chairman Olsen, Vice Chairman Anderson, Commissioner Ahn,
Commissioner Chung

NOES: None

ABSENT: Commissioner Saenz

ABSTAIN: None

PUBLIC HEARING

2. CONDITIONAL USE PERMIT NO. 320 AND VARIANCE NO. 165:

Administrative Analyst II Arturo Cervantes provided an overview of the staff report via a

PowerPoint presentation. Mr. Cervantes stated that Denco Family, Inc. and Pop Star, Inc. ("Applicant") submitted a request for Planning Commission consideration of Conditional Use Permit No. 320 and Variance No. 165, to construct and operate a fast food restaurant with a drive-thru aisle; reduce the required rear yard setback, reduce the required landscaping, and install one additional monument sign at the northeast corner of Imperial Highway and Santa Gertrudes Avenue at 15809 Imperial Highway, within Planning Area 3C (PA-3C) of the Imperial Highway Specific Plan (IHSP) Zoning District (collectively, "Project").

Mr. Cervantes mentioned that Planning Area 3C is part of the Imperial Highway Specific Plan (IHSP) Zoning District and sits on City's border. Each corner of the intersection includes an array of commercial uses, which include retail, gas, food, and personal services. He also mentioned that the properties to the east and north of the center are residential apartments, which are within unincorporated Los Angeles County's jurisdiction, and zoned as "Limited Density Multiple Residence."

Mr. Cervantes stated that subject site is a 16,553 square foot parcel located on the northeast corner of Imperial Highway and Santa Gertrudes Avenue. The parcel is adjacent to the La Mirada Towne Center (LMTTC). He added that the La Mirada Towne Center is a 5.27 acre site comprised of five parcels and two buildings with various commercial uses that include retail, restaurant, and personal services. The Center has access from four (4) driveway aprons along Imperial Highway, and two (2) aprons from Santa Gertrudes Avenue, enabling direct vehicle access from northbound Santa Gertrudes Avenue and indirect vehicle access from west and east bound Imperial Highway traffic via the driveway connected to the adjacent shopping center.

Mr. Cervantes mentioned that the subject site was previously developed as a gas station which was demolished 2002. He added that the site has remained vacant with only perimeter fencing.

Mr. Cervantes stated that Applicant submitted a Conditional Use Permit application requesting to construct and operate a new fast food restaurant with a drive-thru aisle. The request includes an application for a Variance to deviate from the established development standards relating to rear yard setbacks, landscaping, and signage.

Mr. Cervantes mentioned that if the request is granted, the Applicant would be able to develop the site improvement as indicated on the submitted plans.

Mr. Cervantes stated that the Project will include the construction of a new 2,260 square foot fast food restaurant building and various site improvements that will include a new parking lot, landscape planters, a trash enclosure, decorative paving and a drive-thru aisle.

Mr. Cervantes mentioned that the drive-thru aisle will be located along the north side

(rear) of the property to minimize the visual impact of vehicles queuing to the pick-up window. He added that the drive-thru aisle will provide queuing for a minimum of seven (7) vehicles as required by the City's Municipal Code.

Mr. Cervantes indicated that the restaurant will provide an 800 square foot dining area that will accommodate up to 46 patrons. He also noted that approximately 1,100 square feet will be utilized for the business operations, which includes a work area for preparing orders, storage areas, and a walk-in freezer and cooler.

Mr. Cervantes mentioned that as required by the Imperial Highway Specific Plan, the building façade will incorporate Mediterranean-Modern architectural elements with smooth stucco in warm and light earth tone colors; stone accents; stone towers with low-sloping roofs to provide horizontal variations in wall and roof planes; and typical franchise design elements such as false balconies and window shutters.

Mr. Cervantes stated that the Applicant has submitted a CUP application requesting to construct and operate a new fast food restaurant with a drive-thru aisle and a Variance application to deviate from the established development standards regarding rear yard setbacks, landscaping and the number of permitted ground signs. Mr. Cervantes stated that if the Variance is granted, the Applicant would be able to develop the site in substantial compliance with the submitted plans.

Mr. Cervantes mentioned that the variance request will remedy three nonconformities. He stated that since the site was originally subdivided to accommodate a gasoline station, the ensuing parcel is smaller than most commercial sites in the City, resulting in the request for reductions in the prescribed rear yard setback and landscape planter width.

Mr. Cervantes stated that the variance request would allow the applicant to develop the undersized site utilizing a 15'-6" setback from the rear property, instead of the required 20' setback. Mr. Cervantes explained that the required setback ensures new buildings provide a minimum distance from other structures. He added that the proposed building will be located approximately ninety (90) feet from the nearest structure, and will not impact any of the shared common areas, such as parking or drive aisles.

Mr. Cervantes mentioned that the requested variance would also allow a reduction in the minimum width of the landscape planters abutting the street and interior property line. The landscape planter along Imperial Highway would be reduced from the required ten feet to eight feet with a two foot vehicular overhang, while the landscape width abutting the interior property line would be reduced from the required five feet to three foot. He also mentioned that these requests will enable the applicant develop this site as proposed, while conforming to all other City development standards for parking, circulation, and landscaping, as well as the County of Los Angeles Fire Department's drive aisle requirement.

Mr. Cervantes added that the reduction in the landscaping area would not impact adjacent properties because landscaping materials will be utilized to help mitigate any aesthetic impacts. He also stated that as a whole, the Project will provide more site and parking lot landscaping than required.

Mr. Cervantes stated that the requested variance will also enable the Applicant to install a monument sign in excess of the current number of ground signs permitted within an integrated center. He added that since the applicant will not have use of the existing ground sign that serves the integrated center, the additional ground sign will enable the Applicant to better promote the restaurant without having any negative effect on the surrounding businesses.

Mr. Cervantes provided a brief overview of the Traffic Impact Analysis (TIA) prepared by LSA Associates, Inc. for the project. He reviewed LSA's conclusion that the project could be implemented without significantly impacting the existing circulation system; that the Level of Service would not change for the subject intersection; and that the drive-thru lane would provide sufficient queuing for the use.

Mr. Cervantes reviewed the City's authority to grant exceptions to development standards and provisions of the Municipal Code when there are special circumstances applicable. He stated that the Project is permitted to establish and operate within Planning Area 3C of the IHSP Zoning District and that the proper findings have been made to approve the requested Conditional Use Permit and Variance. He also stated that the intent of the IHSP is to promote the establishment of commercial/retail and mixed use development along the Imperial Highway corridor, and that the Project has been designed to best accommodate the proposed restaurant use with a drive-through, as well as on-site vehicular and pedestrian circulation given the limited size of the site.

Mr. Cervantes mentioned that upon review and consideration of the application and plans, staff has determined that the proposed project is categorically exempt from provisions of the California Environmental Quality Act of 1970 (CEQA) pursuant to Section 15332 ("In-Fill Development Project") and will have no significant effect on the environment, and will not need to be reviewed by Fish and Game.

Mr. Cervantes added that Public hearing notices were circulated for this new public hearing to owners of properties within a 300 foot radius of the subject site and that staff did not receive any comments prior to the start of the Planning Commission meeting.

At the conclusion of the review Mr. Cervantes recommended that the Planning Commission conduct the public hearing as prescribed by law; affirm the California Environmental Quality Act Exemption; and adopt Resolution No. P-07-17 approving Conditional Use Permit No. 320 and Variance No 165 to establish and operate a fast food restaurant with a drive-through; and reduce the required rear yard setback, reduce the required landscaping, and install one additional monument sign at the northeast

corner of Imperial Highway and Santa Gertrudes Avenue at 15809 Imperial Highway, within Planning Area 3C (PA-3C) of the Imperial Highway Specific Plan (IHSP) Zoning District.

Chairman Olsen opened the public hearing and asked if anyone wished to speak in support of the matter.

Rahul Marhah the developer of the restaurant expressed his support for the project and encouraged the Commissioners to approve the project.

Chairman Olsen asked if anyone wish to speak in opposition to the item.

No members of the public spoke.

Chairman Olsen closed the public hearing and opened the item for discussion.

Commissioner Chung asked if the driveway off Santa Gertrudes Avenue was an existing driveway.

Mr. Cervantes responded and stated that the driveway shown along Santa Gertrudes Avenue was existing.

Commissioner Chung asked the distance between the driveway and Imperial Highway.

City Planner Gabriel Bautista responded and stated that the distance was 35 feet from Imperial Highway.

Commissioner Chung asked if the proximity of the driveway to the intersection would impact traffic circulation.

Mr. Bautista responded and stated that the traffic analysis prepared by the traffic consultant did not identify any impacts from the location of the driveway.

Chairman Olsen stated that the driveway in question would be right turn in and right turn our only due to the raised center median.

There being no further discussion Chairman Olsen requested a motion on the item.

Commissioner Chung moved and Vice Chairman Anderson seconded to adopt Resolution No. P-07-17 approving Conditional Use Permit No. 320 and Variance No 165 to establish and operate a fast food restaurant with a drive-through; and reduce the required rear yard setback, reduce the required landscaping, and install one additional monument sign at the northeast corner of Imperial Highway and Santa Gertrudes Avenue at 15809 Imperial Highway, within Planning Area 3C

(PA-3C) of the Imperial Highway Specific Plan (IHSP) Zoning District.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

- AYES:** Chairman Olsen, Vice Chairman Anderson, Commissioner Ahn,
Commissioner Chung
NOES: None
ABSENT: Commissioner Saenz
ABSTAIN: None

PUBLIC COMMENT PERIOD

No one spoke

COMMISSION ANNOUNCEMENTS

Vice Chairman Anderson announced that he attended the City Tree Lighting Ceremony and wished everyone Happy Holidays.


Chairman Olsen also wished everyone Happy Holidays.

STAFF ANNOUNCEMENTS

Mr. Bautista thanked everyone for another year of dedicated service and wished everyone a Happy Holidays. He also stated that the next month's meeting will include a 2017 Summary of Community Development Department Projects and Activities; and possibly a Conditional Use Permit for AMC Theatres.

There being no further business to come before the Commission, the Planning Commission adjourned the meeting at 6:55 p.m. to the next regular meeting to be held on Thursday, January 18, 2018.

Submitted:



Norma Stein, Secretary

Attest:



Lee Olsen, Chairman