

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

**JULY 20, 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  
Commissioner Michael Saenz

Staff:

Gabriel Bautista, City Planner  
Eric Garcia, Associate Planner  
D. Craig Fox, City Attorney  
Arturo Cervantes, Administrative Analyst II  
Norma Stein, Secretary

**APPROVAL OF MINUTES**

**1. MINUTES OF THE REGULAR MEETING OF JUNE 15, 2017**

Commissioner Saenz moved and Vice Chairman Anderson seconded to approve the minutes of June 15, 2017 Planning Commission meeting.

**MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:**

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**PUBLIC HEARING**

**2. CONDITIONAL USE PERMIT NO. 318**

Associate Planner Eric Garcia provided a brief review of the staff report via a PowerPoint presentation. Mr. Garcia stated that this is a request for approval of

Conditional Use Permit Number 318 to replace the existing cupola housing roof mounted cellular wireless equipment with a newly designed cupola at 13701 Hillsborough Drive, within the Planned Unit Development (PUD) Zoning District. Mr. Garcia added that no changes were being proposed to the existing wireless facility equipment.

Mr. Garcia stated that Mr. Tim Byus, Representative for T-Mobile (the "Applicant"), filed the Conditional Use Permit application and that the subject site is bound by Avenida San Martin to the north, Hillsborough Drive to the east, an undeveloped remnant parcel to the south, and single-family residential units to the west.

Mr. Garcia mentioned that on September 17, 2009, the Planning Commission approved Conditional Use Permit Number 282 allowing the installation of a minor wireless facility which included the construction of a cupola on the roof of the existing church. He also mentioned that the cupola was intended to house and decoratively conceal the roof mounted wireless equipment. He added that the Planning Commission, as part of the 2009 project, also approved a height modification for the cupola which was constructed along the roofline of the Sanctuary/Fellowship Hall building with a downward slope towards the rear of the building.

Mr. Garcia explained that the existing cupola's roof material is comprised of a lightweight Fiberglass Reinforced Plastic (FRP) which allows uninterrupted transmission of wireless signals. He also stated that due to the cupola's roof design and the construction materials inability to withstand wet weather, the Applicant is now seeking to replace the cupola with a new design which will allow the utilization of construction materials that can withstand the elements while still allowing uninterrupted transmission of wireless signals.

Mr. Garcia explained that the design of the existing cupola, while compatible with the architectural modern design of the church, uses unconventional construction materials in order to maintain a 360 degree wireless transmission. He added that the use of unconventional materials allowed roof leaks to occur causing damage to the interior of the church. Mr. Garcia also explained that the new design would allow the utilization of conventional construction materials that can withstand the elements while maintaining uninterrupted transmission of wireless signals. Mr. Garcia proceed to describe the revised design of the cupola that will include a gable roof, roof tiles to match the existing church, FRP walls, simulated stucco finish and color to match the existing church.

Mr. Garcia stated that the height of the proposed cupola will not exceed 38'-6" and that the project complies with all applicable provisions of the Zoning Ordinance.

Mr. Garcia stated 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.

Mr. Garcia concluded by recommending that the Planning Commission conduct a public hearing, adopt the Categorical Exemption, and adopt Resolution No. P-03-17 approving Conditional Use Permit No. 318, subject to the conditions contained therein and/or additional limitations the Planning Commissions may wish to add.

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

Mr. Tim Byus representing T-Mobile stated that he was available for any questioning on the proposed 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 Saenz asked how is the new structure of the cupola going to keep it from leaking.

Mr. Garcia responded and stated that the new design will utilize conventional roofing material with overhangs so that rain water sheds properly thereby preventing water from leaking into the interior of the structure.

Commissioner Chung identified a typo in condition number three and requested that the height be corrected to read "38 feet, 6 inches."

Chairman Olsen stated that he thought the new cupola could have been designed to be in better harmony with the design of the existing church.

Chairman Olsen asked for a motion.

**Commissioner Saenz moved and Commissioner Chung seconded to adopt the Categorical Exemption: and adopt Resolution No. P-03-17 approving Conditional Use Permit No. 318 to replace the existing cupola, housing a roof mounted wireless facility with a newly designed cupola, on a church building located at 13701 Hillsborough Drive within the Planning Unit Development (PUD) Zoning District.**

**MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:**

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

**NOES: None**

**ABSENT: None**  
**ABSTAIN: None**

**PUBLIC HEARING**

**3. CERTIFICATE OF COMPATIBILITY NO. 59 AND ADMINISTRATIVE ADJUSTMENT NO. 42**

Administrative Analyst II Arturo Cervantes provided a brief review of the staff report via a PowerPoint presentation. Mr. Cervantes stated that this is a request by Ms. Bozena Jaworski for consideration of a Certificate of Compatibility (CofC) and an Administrative Adjustment (AA) to develop a new, two-story, 3,695 square foot single-family residence with an attached 788 square foot, three car garage on a parcel located on the east side of Ocaso Avenue, and south of Olive Branch Drive, within the Single Family Residential (R-1-15,000) Zoning District.

Mr. Cervantes stated that the CofC Application process is intended to provide a means to review and ensure that the design, scale and mass of any new structures maintain harmony, compatibility, and sensitivity to the existing architecture, character, and mass of existing structures within the surrounding neighborhood. Mr. Cervantes also stated that the AA process allows for minor modifications to certain requirements of the Zoning Code, where such requests constitute a reasonable use of property not permissible under the literal or strict interpretation of regulations.

Mr. Cervantes stated that the subject 15,055 square foot parcel is located on the east side of Ocaso Avenue, approximately 500 feet south of Olive Branch and that the site has never been, and currently remains, undeveloped. He added that the abutting properties are all developed with single-family residential homes.

Mr. Cervantes mentioned that the subject site has a steep slope that will require the installation of retaining walls along the rear portion of the property. He stated that the first phase of construction will include the grading of the site and the installation of the retaining walls. He also mentioned that the homeowner has already submitted grading plans for review by the Building and Safety Division. Mr. Cervantes stated that the conditions of approval require that the perimeter retaining walls be completed within six (6) months of obtaining permits for such work.

Mr. Cervantes explained that the applicant proposes to build a two-story, single family residential home with an attached three (3) car garage and that the residence will have a total of 3,695 square feet of livable area and a maximum average height of thirty-five (35) feet. He also explained that the residence will have Mediterranean architectural style which will include tiled roofs, stucco walls, arches, and a large front door with ornate details. Mr. Cervantes added that the home will be finished with stucco using light, natural colors with darker shades for the window trims and doors; and that the site

improvements will include the construction of a six foot fence with wrought iron and a stucco finish to complement the proposed home.

Mr. Cervantes mentioned that in conjunction with the CofC, the applicant is requesting an AA for minor relief of the front yard setback requirement. The AA will allow for the main entryway porch, which is centered in relation to the structure, to encroach a maximum of two feet into the front yard setback of 20 feet.

Mr. Cervantes explained that the first floor will consist of 1,850 square feet and will include a foyer, living room, great room, dining room, kitchen, and one bedroom. The foyer will include a vaulted ceiling and the stairway leading to the second story. He also explained that the second story will include an additional 1,845 square feet of livable area and be comprised of four (4) bedrooms, three (3) bathrooms, and a laundry room.

Mr. Cervantes stated that any work in the public right-of-way, such as the installation of a new driveway apron, will require approval and permits from the Public Works Department and that the project will also need to comply with the State of California Model Water Efficient Landscape Ordinance (MWELO), which will require drought tolerant landscape materials with automatic, permanent irrigation.

Mr. Cervantes stated that the project, as conditioned, complies with the applicable provisions of the City's Zoning Code in which it is to be located, and is consistent with the General Plan's Low Density Residential land use designation. He added that the project is permitted within the Single-family (R-1) Zoning District, subject to the approval of a CofC and AA.

Mr. Cervantes mentioned that granting of the AA to allow for the 10% reduction in the front yard setback will not be economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area and the public interest, health, safety, convenience, or general welfare. He also explained that the subject site is physically suitable for the requested minor reduction in the front yard setback and that the Project will be consistent with the goals and policies of the general plan.

Mr. Cervantes stated that the Project, as conditioned, complies with the applicable provisions of the Zoning Code including lot coverage, building height, floor area ratio, and parking. The Project will have a total floor area ratio (FAR) of .25 and a lot coverage area of 18%, which are under the Code established maximums. He added that the attached garage will provide more than the required minimum of two enclosed parking spaces and that the approval of the AA will allow for the project to deviate from the required front yards setback, but the project will comply with the minimum requirements for the rear and side yard setbacks.

Mr. Cervantes stated that as part of the development of this site, the applicant will install and upgrade, as necessary, all utilities to accommodate the Project, including gas, water, power, and sewer, without impacting the public's health and safety.

Mr. Cervantes mentioned that the Project is compatible with, and has no potential to erode the established surrounding neighborhoods and that the Project is consistent with the goals of the City of La Mirada's General Plan Land Use Element, Policy 1.4, which states the City should establish, maintain, and enforce standards that regulate property use in a manner that protects the public's health, safety, comfort, convenience, and welfare.

Mr. Cervantes stated that the Project will comply with applicable regulations, policies, and/or standards from all required agencies, including, but not limited to, Building & Safety, Fire Department, Public Safety, and Public Works and that as conditioned, the proposed Project will comply with the most current Los Angeles County Residential, Building, and Fire Codes, as adopted by the City.

Mr. Cervantes stated that as part of the public hearing noticing process, owners of properties within a 300 foot radius of the subject site were notified of the proposed development and that staff had not received any comments.

Mr. Cervantes explained after review and consideration of the application and plans, staff determined that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332.

Mr. Cervantes concluded by recommending that the Planning Commission conduct a public hearing, adopt the Categorical Exemption, and adopt Resolution No. P-04-17 recommending City Council approval of CofC No. 59 and AA No. 42, subject to the conditions contained therein and/or additional limitations the Planning Commissions may wish to add.

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

Bozena Jaworski, project architect and property owner applicant representative, thanked staff for all their work in regards to the project. She also mentioned that she was available for any questioning on the proposed project.

Property owner Omar Isas stated that he was more than ready to start on the project as soon as possible. He also mentioned that he was available for any questioning on the proposed project.

Resident Allan Tines expressed that he was for the project and asked the Commission to move forward with the proposed project.

Unidentified resident expressed that he is for the proposed project and welcomes Omar Isas and his family to the neighborhood. He also stated that he hopes the project employs competent contractors with appropriate machinery so that the project moves forward at a steady pace unlike the adjacent project and that he is available to assist the family with the project if needed.

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

No member of the public spoke.

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

Commissioner Saenz asked how long the parcel has been vacant and what the hours of construction would be.

Mr. Cervantes responded and stated that the parcel has never been developed. He also stated that the hours of construction are listed in condition of approval number 11 and that noise from construction activities was restricted on any Sunday between the hours of 8:00 p.m. and 9:00 a.m. the next day and Monday through Saturday between the hours of 8:00 p.m. and 7:00 a.m. the next day.

Commissioner Chung wanted to confirm with the City Planner that we still have a 20 foot front yard setback of the exterior of the main house. He also mentioned that there was no drainage plans and asked what type of drainage is being used for the proposed project.

Mr. Cervantes responded and stated that other than the request for a 2 foot reduction in the front yard setback to accommodate the front porch but that the remainder of the home will maintain the required 20 foot front yard setback.

City Planner Gabriel Bautista responded and stated that the site's drainage will be addressed once the applicant initiates the plan check process with the County of Los Angeles County Building and Safety Division.

Chairman Olsen asked for a motion.

**Commissioner Saenz moved and Vice Chairman Anderson seconded to adopt the Categorical Exemption; and adopt Resolution P-04-17 recommending that the City Council approve Certificate of Compatibility No. 59 and Administrative Adjustment No. 42 to develop a two-story single-family residence with attached three car garage on a vacant parcel located on 13020 Ocaso Avenue, within the Single-family Residential (R-1-15,000) Zoning District and identified as Assessor's Parcel Number 8038-035-035.**

**MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:**

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

**PUBLIC COMMENT PERIOD**

There were no public comments.

**COMMISSION ANNOUNCEMENTS**

There were no announcements

**STAFF ANNOUNCEMENTS**

Mr. Bautista mentioned that he will be on vacation the next two weeks. He also mentioned that the Commissioners may call Associate Planner Eric Garcia for any assistants during that time.

Chairman Olsen asked if there was any progress on the Popeyes Louisiana Kitchen restaurant project.

Mr. Bautista responded and stated that staff was completing the review of proposals to prepare the Traffic and Circulation Analysis associated with the project.

**ADJOURNMENT**

There being no further business to come before the Commission, the Planning Commission adjourned the meeting at 7:12 p.m. to the next regular meeting to be held on Thursday, August 17, 2017.

Submitted:

  
\_\_\_\_\_  
Norma Stein, Secretary

Attest:

  
\_\_\_\_\_  
Lee Olsen, Chairman