

**PLANNING COMMISSION
TEMPLE CITY, CALIFORNIA**

**REGULAR MEETING
JULY 28, 2015 – 7:30 P.M.**

1. CALL TO ORDER – Chairman O’Leary

2. ROLL CALL – Commissioner Cordes, Leung, Marston, Haddad, O’Leary

PRESENT: Commissioner – Cordes, Leung, Marston, Haddad, O’Leary

ABSENT: Commissioner – None

ALSO PRESENT: Community Development Director Forbes, Planning Manager Reimers, City Attorney Vega, Associate Planner Gulick, Associate Planner Liu, and Planning Secretary Venters

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA – None

6. CONSENT CALENDAR

A. APPROVAL OF MINUTES

The Planning Commission is requested to review and approve:

1) Minutes of the Planning Commission Meeting of July 14, 2015.

Commissioner Cordes moved to approve the Consent Calendar. Seconded by Vice-Chairman Haddad and was approved unanimously by the following votes:

AYES: Commissioner – Cordes, Leung, Marston, Haddad, O’Leary

ABSTAIN: Commissioner – None

NOES: Commissioner – None

ABSENT: Commissioner – None

7. PUBLIC HEARING

A. A request for a Conditional Use Permit to allow gas hookups and plumbing in a detached accessory structure in the R-1 zone located at 9518 Olive Street.

The subject site is a residential property located on Olive Street, west of Temple City Boulevard. The site has approximately 82 feet of width and 197 feet of depth, with an overall net lot size of approximately 15,749 square feet. The property consists of a main house, guesthouse (under construction), detached accessory structure (under construction) and a swimming pool. The property owner is requesting to modify the design of the detached accessory structure to include a bathroom with a shower. The City's Zoning Code requires approval of a conditional use permit for detached accessory structures not used for living purposes that have gas hookups or plumbing. The site is zoned R-1, Single Family Residential, and is designated as Low Density Residential by the General Plan.

Associate Planner Gulick gave a brief summary of the staff report.

Chairman O'Leary opened the public hearing.

Roger Zhang, applicant, stated that the previous intent of the accessory structure was for storage only, however, the property owner would now like to modify the structure to include a bathroom and shower.

Chairman O'Leary asked City Attorney Vega to provide clarification regarding the abatement process should the accessory structure be converted to an unpermitted living area.

City Attorney Vega stated the property owner is accountable for following the conditions of approval. She stated that if the property owner did not comply with the conditions of approval the complaint would be referred to Community Preservation. She added that the conditional use permit could be revoked and the premises could be vacated by court order.

Chairman O'Leary closed the public hearing.

Commissioner Haddad made a motion to approve File 150000217, adopt the resolution, and find that the project is categorically exempt. Seconded by Commissioner Cordes and carried by the following roll call vote:

AYES:	Commissioner – Cordes, Leung, Marston, Haddad
ABSTAIN:	Commissioner – None
NOES:	Commissioner – O'Leary
ABSENT:	Commissioner – None

- B. A request for a Conditional Use Permit to establish a full service restaurant with beer and wine service in the Camellia Square shopping center 5700 Rosemead Boulevard, Unit 100.

The subject site has a land area of 3.7 acres and is located at the northeast corner of Rosemead Boulevard and Las Tunas Drive. The applicant is requesting to occupy approximately 5,320 square feet of building area in Building 4 along Las Tunas Drive. The proposed hours of operation are from 11:30 am to 2:00 am, seven days a week and the proposed seating capacity is 165 seats. The property is located in the C-2, General Commercial zone and is designated as Commercial by the City's General Plan.

Associate Planner Liu gave a brief summary of the staff report.

Chairman O'Leary opened the public hearing.

Margaret Taylor, applicant, stated that she will abide by the conditions of approval. She requested that the Planning Commission consider against staff's recommendation to amend the hours of operation. She stated that beer and wine will be sold incidentally, there is no bar area onsite, and that the kitchen will serve a full menu during all hours of operation.

Eugene Fu, representative of residents, stated that the residents adjacent to the commercial development are concerned regarding loitering, noise, and the applicant's proposed hours of operation.

William Walker, resident, presented a petition signed by residents in opposition of the request and highlighted the contents of the letter.

Peter Choi, President, Chamber of Commerce, spoke in favor of the proposed restaurant.

Cindy resident, expressed concern regarding the service of alcohol and the proposed hours of operation.

Chairman O'Leary closed the public hearing.

Vice-Chairman Haddad requested to reopen the public hearing. He asked the applicant if the restaurant would be willing to have a condition added that would limit the hours of alcohol sales.

Chairman O'Leary reopened the public hearing.

Margaret Taylor, applicant, stated that the restaurant would not like to limit the hours of alcohol sales.

Chairman O'Leary closed the public hearing. He stated that he would like to follow staff's recommendation to reduce the proposed hours of operation and allow the

applicant to file for a modification of their conditional use permit if there are no complaints.

Commissioner Cordes made a motion to approve File 150000219, adopt the resolution, and find that the project is categorically exempt. Seconded by Commissioner Marston.

City Attorney Vega recommended that Commissioner Cordes specify the closing hours that would be approved by the above motion.

Commissioner Cordes specified that the motion was to approve staff's recommendation to close the restaurant at 12 a.m.

Chairman O'Leary asked City Attorney Vega if a new second to the motion would be required.

City Attorney Vega stated that a new second to the motion would be required.

Commissioner Marston seconded the above motion.

Commissioner Leung made a motion to substitute 2 a.m. for the 12 a.m. closing time. Seconded by Vice-Chairman Haddad and carried by the following roll call vote:

AYES:	Commissioner – Cordes, Leung, Marston, Haddad
ABSTAIN:	Commissioner – None
NOES:	Commissioner – O'Leary
ABSENT:	Commissioner – None

City Attorney Vega clarified that the approval of Commissioner Leung's motion amended the proposed closing time in Commissioner Cordes' motion, and that now a vote is needed to approve the motion made by Commissioner Cordes as amended by Commissioner Leung's motion to propose a 2 a.m. closing time.

Chairman O'Leary asked if a new second to the motion is required.

City Attorney Vega stated no new second to the motion is required.

Commissioner Cordes' motion, as amended by Commissioner Leung's motion, was carried by the following roll call vote:

AYES:	Commissioner – Cordes, Leung, Marston, Haddad
ABSTAIN:	Commissioner – None
NOES:	Commissioner – O'Leary
ABSENT:	Commissioner – None

8. UNFINISHED BUSINESS – None

9. NEW BUSINESS – None

10. COMMUNICATIONS – None

11. UPDATE FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Community Development Director Forbes welcomed Commissioner Marston to the Planning Commission.

12. COMMISSION ITEMS SEPARATE FROM THE COMMUNITY DEVELOPMENT DIRECTORS REGULAR AGENDA

A. COMMISSIONER CORDES – Asked Community Development Director Forbes for an update regarding the improvements made at the Temple City Unified School District (TCUSD).

Community Development Director Forbes stated that all permits for the improvements made to the TCUSD are administered by the State of California. He stated that he will return to the Planning Commission with an update regarding the abovementioned improvements at the next Planning Commission Meeting.

B. COMMISSIONER LEUNG – None

C. COMMISSIONER MARSTON – Thanked staff for the materials that were presented to her.

D. VICE-CHAIRMAN HADDAD – Welcomed fellow commissioner Marston to the Planning Commission.

E. CHAIRMAN O'LEARY – Welcomed fellow commissioner Marston to the Planning Commission.

13. ADDITIONAL PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA

Eugene Fu, representative of residents, stated that the residents of Temple City are disappointed that the Planning Commission approved the project without amending the hours of operation.

Anonymous resident, stated that she did not feel that the public were heard by the Planning Commission.

Anonymous resident, thanked Chairman O'Leary for voting in favor of staff's recommendation and expressed concern regarding the approved hours of operation.

Anonymous resident, stated that she is not in favor of the approved hours of operation.

Cindy resident, thanked Chairman O'Leary for voting in favor of staff's recommendation and expressed concern regarding the approved hours of operation and the sale of alcohol.

14. ADJOURNMENT

The Planning Commission Regular Meeting was adjourned at 8:59 p.m.

Chairman

Secretary