



MINUTES

CITY OF BELLFLOWER

16600 Civic Center Drive • Bellflower, California 90706 • (562) 804-1424

REGULAR PLANNING COMMISSION MEETING MONDAY, JUNE 4, 2018

1 Call to Order

Chairman Nowlin called the June 4, 2018, Planning Commission Meeting to order at 7:07 p.m., at City Hall, 16600 Civic Center Drive, Bellflower.

2 Roll Call

The following members of the Planning Commission responded present to roll call:

Chairman John B. Nowlin
Vice Chairman Wayne Brown
Commissioner Ray Hamada
Commissioner Victor Sanchez

City Staff participants:

Rowena Genilo-Concepcion, Interim Director of Planning and Building Services
Jason P. Clarke, Acting Planning Manager

Also present:

David King, Assistant City Attorney

3 Invocation

Commissioner Hamada led the Invocation.

4 Pledge of Allegiance

Commissioner Sanchez led the Pledge of Allegiance.

5 Public Comment

Chairman Nowlin advised Ms. Diana DeYager, that the item she wished to speak on would be heard later on the Agenda.

6-A Approval of the May 7, 2018, Planning Commission Meeting Minutes.

Following discussion, it was moved by Commissioner Hamada, seconded by Commissioner Sanchez, and carried by the following roll call vote, to approve Planning Commission Meeting Minutes held May 7, 2018, as presented:

AYES: Commissioners - Sanchez, Hamada, Brown, and Chairman Nowlin
ABSENT: Commissioner - Franzen

6-B Approval of the May 21, 2018, Planning Commission Meeting Minutes.

It was moved by Commissioner Sanchez, seconded by Commissioner Hamada, and carried by the following roll call vote, to approve Planning Commission Meeting Minutes held May 21, 2018, as presented:

AYES: Commissioners - Sanchez, Hamada, Brown, and Chairman Nowlin
ABSENT: Commissioner - Franzen

7-A Conditional Use Permit/Development Review/Sign Permit - Consideration and possible action to conduct a public hearing to consider an application from Michelle Bennett (representing In-N-Out Burger Inc.) for a Conditional Use Permit, Development Review and Sign Permit, and adopt Resolution No. PC 18-05 – A Resolution approving Conditional Use Permit Case No. CU 18-02 and Development Review Case No. DR 2-18-8742 to construct a new 3,878-square foot, drive-through restaurant on parcels of less than 1.5 acres, and Sign Permit Case No. SP 18-01 to: (1) construct a double-face, 75-foot tall freestanding freeway identification sign that exceeds the maximum allowable height of 25 feet, and (2) allow for one of the freestanding signs to be located along Beverly Street, which has a street frontage of less than 150 feet, within the Design for Development for the South Bellflower Commercial Area (DFD) on property located at 17325 Bellflower Boulevard.

Acting Planning Manager Clarke briefly reviewed the staff report highlighting the history, background, and the proposed project. He stated staff received a few recommendations from Metro that: 1) the applicant provide pavement along Artesia Boulevard to hold the weight of the buses, however, staff is not recommending that because the applicant is not required to do any right-of-way improvements along Artesia Boulevard, and the current bus shelter may be changed to the City's new shelters, 2) with regard to the driveway on Artesia Boulevard, staff spoke to Metro and they determined the location was sufficient and will not interfere with the bus routes, and 3) with regard to construction, the applicant reviewed their hours to ensure they do not conflict with any bus schedules. He further stated staff also received a phone call from a resident on Beverly Street, who is the person who came to the podium earlier.

Commissioner Hamada indicated he visited the site.

Acting Planning Manager Clarke answered Commission questions and concerns relative to 1) the lot area, 2) traffic counts and queuing, 3) if the proposed sign would interfere with the Golden Corral sign, 4) underground utilities, 5) the current bus stop, 6) Condition 32, regarding foot candle, 7) the "D" rate in the Traffic Impact Study, 8) egress and ingress, and 9) access aprons.

Chairman Nowlin opened the Public Hearing.

Michelle Bennett, Development Manager, In-N-Out Inc., answered Commission concerns and questions relative to 1) the driveways, 2) traffic, 3) the use of delineators and cones, 4) an article written about In-N-Out's outstanding service, 5) the widening project will help traffic flow and help alleviate concerns, 6) the location of the drive-through stacking to keep it away from residents, 7) the block wall, 8) why they chose the proposed site, 9) the ability of being self-contained because they will be the only business on the site, 10) the drive-thru queuing, 11) you can barely see the freeway sign at 60 feet, and 12) the proposed two alternative locations, stating she preferred Location No. 2.

7-A Public Hearing – CU 18-02/DR 2-18-8742/SP 18-01 (In-N-Out Burger) – Continued

Ms. Bennett further responded that, 13) in speaking to Edison, they were not concerned with the distance between the wires and sign, 14) the sign closest to Bellflower Boulevard would have better visibility because it is further away from the screen wall going eastbound, and 15) the Golden Corral sign was about 95 feet tall. She also discussed, 16) the radius of the curb, and the entrance on Bellflower Boulevard, 17) the driveway, and proposed the U-Turn sign, 19) the fence on the west side, 20) the motel owner's concerns, stating it was related to the demolition which has already occurred, and 21) the fence, stating they had to speak to the adjacent property owner because it was on his property. She asked the Commission to keep in mind they are not the property owners.

A discussion ensued between the Commission, Ms. Bennett, and staff relative to 1) the height of the sign, 2) whether a study could be done to determine how high the sign could go, 3) the delivery truck route and operating hours, 4) the access aprons, 5) whether a patio will be constructed, 6) CR&R service, trash bins and recycling, 7) the Left-Turn only sign, and 8) the tank at the Downey location.

Mark Violet, Michael Baker International, answered Commission questions regarding 1) a left turn only sign, and 2) placing a "No U-Turn" signage at the end of the median.

Patrick Salcedo, Civil Engineer with Truxaw & Associates, stated 1) the project is required to comply with CalGreen, 2) the tank at the Downey location may be a LID (Low Impact Development) requirement, 3) the dry stream beds are at grade and for aesthetic landscaping, and 4) the curb along the northeast wall are a little higher than the existing ground so they have a depression along there to collect drainage and flow to the storm water treatment system.

Jhakor Patel, 9731 Artesia Blvd, property owner of the motel, expressed his concerns about the block wall and the noise that would be generated.

A discussion ensued between the Commission, Staff, and Mr. Patel regarding whether the block wall could be higher, and building one single wall. Mr. Patel stated he had no objections to the wall being higher than 6 feet.

Chairman Nowlin asked if anyone wished to speak in opposition of the project.

Diana DeYager, 9730-36 Beverly Street, stated her mother owns the apartments adjacent to the proposed site and expressed her concerns with 1) the 6-foot high wall, 2) noise, 3) delivery and trash trucks coming early in the morning, 4) her tenants moving due to this project, 5) the proposed lighting, 6) the sign being too close to their apartments, 7) stacked parking, and 8) overflow of people coming and going. She stated a taller sign may alleviate the light concerns.

Don Sunday, 9726 Beverly Street, welcomed the applicant, and 1) stated the City needs good people and businesses because the town is in trouble, and 2) this is a positive thing because the City has many empty buildings. He expressed concern regarding trash trucks coming too early in the morning.

A discussion ensued between staff, the Commission and Mr. Sunday relative to concerns regarding the entrance on Beverly Street, and they explained to Mr. Sunday that entrance would be closed to all vehicles.

Mr. Sunday suggested installing speed bumps, and expressed his disappointment that Golden Corral was unable to use their sign the way they could.

7-A Public Hearing – CU 18-02/DR 2-18-8742/SP 18-01 (In-N-Out Burger) – Continued

Rey Alvarado, owner of the motorcycle shop at 9740 Artesia Blvd, stated he has been there for 25 years, and expressed his concerns regarding 1) the additional traffic that will be generated, 2) parking, 3) the removal of the island between his business and In-N-Out would create more problems due to the business at 9742 Artesia Boulevard which uses forklifts, and tow trucks to drop off cars that end up blocking the street, 4) asked if they were going to add one lane traveling south bound on Bellflower Boulevard, and 5) the proposed sign should not be higher than the flag pole. He stated the 3 businesses that were relocated should have been given a little bit more honor, than just be asked to move, and asked if he was going to be the next one asked to relocate.

Mr. Alvarado as informed that the 3 businesses were compensated for the relocation and moved to better locations.

Without objection, it was moved by Commissioner Sanchez, and seconded by Vice Chairman Brown, to close the public hearing.

Assistant City Attorney King reminded Chairman Nowlin that the applicant should have a chance for rebuttal.

Speaking in rebuttal, Ms. Bennett responded that 1) the condition requires that the wall be 6 to 7 feet to match the existing wall and they will need to speak to staff if they go any higher, 2) the Beverly Street entrance is going to be completely closed to vehicles, however, pedestrians can access the sidewalk to come onto the site, 3) they do not dictate when trash is picked up but they will work with CR&R to try to accommodate that concern, 4) the delivery truck hours are arranged, however, they will work with their operations staff to determine a more definite time frame, but it will be during non-business hours so they don't disrupt circulation on the site, and 5) they are going to make sure they accommodate the last customers through the drive-through, however, it will not be past 2:30 a.m.

A discussion ensued between the Commission, staff, and Ms. Bennett relative to 1) the design of the pedestrian entrance on Beverly Street to prohibit vehicles from entering 2) the height of the proposed sign, 3) noise, and 4) their proposed wall and adjacent property owners' existing walls.

Without objection, it was moved by Commissioner Sanchez, seconded by Vice Chairman Brown, to close the Public Hearing.

Interim Planning Director Genilo-Concepcion, along with Assistant City Attorney King clarified the Commission's recommendation that 1) Condition No. 32 be amended to include that the zero foot candles be only applicable along the residential property line on the westerly side, 2) the aprons be designed in a manner where cars would not be jumping the curb, and will provide language pertaining to that, 3) the wall be a single wall, 4) the median be permitted with an opening per the TIA comments on the left turn, right-out only from the site, and that it be designed per the City Traffic Engineer's specifications, 5) condition be amended to incorporate either a wall or decorative bollards along Beverly Street to prevent vehicles from going on the property, 6) provide a pedestrian path off Beverly Street onto the site (it was later decided not to include this as a condition of approval), 7) the sign to be 75 feet, however, after conducting a sign study, the applicant can return to request that the sign be higher, and 8) the sign will be placed in Location No. 2.

Interim Planning Director Genilo-Concepcion clarified that since Location 2 was selected, the second part of the sign permit would not be applicable because it would only be applicable if the freestanding sign was located off of Beverly Street.

Acting Planning Manager Clarke clarified that a variance would be required if the wall was higher than 8 feet.

7-A Public Hearing – CU 18-02/DR 2-18-8742/SP 18-01 (In-N-Out Burger) – Continued

It was moved by Commissioner Sanchez, seconded by Commissioner Hamada, and carried by the following roll call vote, to adopt Resolution No. PC 18-05, approving Conditional Use Permit Case No. CU 18-02, Development Review Case No. DR 2-18-8742, and Sign Permit Case No. SP 18-01, with conditions as amended:

AYES: Commissioners - Sanchez, Hamada, Brown, and Chairman Nowlin
ABSENT: Commissioner - Franzen

For the record, Assistant City Attorney King stated that the minutes will reflect that the Public Hearing was closed with the vote on this action.

8 Resolutions for Consideration

None.

9 Item of Consideration

None.

10 Consent Calendars

None.

11 Director's Report on Upcoming Agenda Items and Schedule

Interim Director Genilo-Concepcion briefly reviewed the Upcoming Agenda Item Schedule.

12 Commission Comments/Reports

The Commission made various comments and reports.

13 Adjournment

Without objection, Chairman Nowlin adjourned the meeting at 9:39 p.m. to the next meeting at 7 p.m. on Monday, June 18, 2018.

Attest:

Rowena Genilo-Concepcion, Interim Secretary

Approved: August 6, 2018