

**MINUTES OF THE REGULAR MEETING
NORWALK PLANNING COMMISSION
NORWALK, CALIFORNIA
FEBRUARY 22, 2017**

The meeting was called to order by Chair Collins at 7:30 p.m., in the Norwalk City Hall, Council Chambers, 12700 Norwalk Boulevard, Norwalk, California. Present were Commissioner Juan, Commissioner Perez, Vice Chair Barth and Chair Collins. Also present were Kurt H. Anderson, Director of Community Development; Jessica Serrano, Senior Planner; Monica Rodriguez, Assistant Planner; and Ruth Hoffmann, Administrative Secretary.

MEETING MINUTES

The Planning Commission approved the minutes of the Regular Meeting of January 25, 2017.

NOTICE OF CATEGORICAL EXEMPTION (CLASS 32)

PRECISE DEVELOPMENT PLAN NO. 1938

320-04-1938

Lydia Lai (“Applicant”); 12122 Imperial Highway, located west of the intersection of Imperial Highway and Norwalk Boulevard (“Subject Property”), on the south side of the street (also known as APN 8047-004-006); a request to renew a previously approved entitlement to construct six (6) detached apartment units.

Chair Collins opened the continued public hearing.

Staff presented the notice information. Senior Planner Serrano presented a report indicating that the Planning Commission had originally reviewed and approved this project on July 8, 2015; that, unfortunately, the project expired and the applicant failed to request an extension; that, however, they have submitted plans and completed the Building plan check review process; that the plans are ready for issuance subject to Planning Commission review and approval tonight; and that the renderings, as shown on the elevations, show the revised colors as per the Planning Commission’s conditions of approval as previously approved.

As the applicant nor anyone else wished to present testimony, Chair Collins closed the public hearing.

It was moved by Commissioner Perez and seconded by Commissioner Juan to adopt Resolution No. 17-04 to approve Precise Development Plan No. 1938 subject to the conditions of approval contained in Exhibit “A”.

ON ROLL CALL VOTE

AYES: Commissioner Juan, Commissioner Perez, Vice Chair Barth and Chair Collins

NOES: None

ABSENT: None

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NOTICE OF CATEGORICAL EXEMPTION (CLASS 1)
PRECISE DEVELOPMENT PLAN NO. 1974

320-04-1974

Francisco Rodriguez ("Applicant"); 14137 Funston Avenue ("Subject Property"), located north of Rosecrans Avenue and west of Funston Avenue; a request to obtain an adjustment of the parking requirements through the approval of a parking study to convert an existing market into a restaurant.

Chair Collins opened the continued public hearing.

Staff presented the notice information. Assistant Planner Rodriguez presented a report stating that staff concludes that the proposed change from market to restaurant, with the proposed site improvements, will bring a quality type project to the City as well as provide opportunities for employment to the surrounding neighborhood; and that, therefore, staff recommends approval of the proposed project.

In response to Chair Collins' comment for clarification on the location of the trash enclosure, Assistant Planner Rodriguez indicated that the trash enclosure will be set back approximately 14-feet from Rosecrans Avenue and that it is going to be screened with landscaping.

Director Anderson stated that, for clarification, the picture shown is a trash container and not a trash enclosure; that, as for Chair Collins' comment for his preference of seeing a trash enclosure butted up against a building to look like it's part of the building instead of sitting out there by itself, he would generally agree with that, except that, in this instance, parking is at a premium.

The applicant's representative, Christian Llamas, stated that the property has been in his family for quite a few years; that they bought it as a store, that they have another store in this City; that he owns a couple of food trucks and restaurants; that they have lots of experience in this business; that they currently have 209 employees; that approval of this restaurant would add at least 15 more employees, but not at the same time; and that he hopes that the Commission approves their request.

Jessica Llamas, sister of Christian Llamas, stated that their family has lots of experience in this type of business; that they have had their ups and downs; and that, in the future, she would like to pursue becoming a bigger franchise.

Miriam Penaloza and Maria Vargas Torres both spoke in Spanish in support of the project.

Since there were no other persons wishing to present testimony, Chair Collins closed the public hearing.

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Chair Collins stated that he is very pleased that the applicant wants to open up a restaurant in Norwalk; however, he has an issue with the parking; that there are apartments to the rear; that their parking pours out onto the street; that he is not a big fan of the trash container location, but that he understands why it needs to be there; that the lot is a unique lot which has been empty for a while; and that he can make the findings for approval.

In response to Commissioner Juan's comment if there are any conditions with regards to lighting, Assistant Planner Rodriguez stated that staff normally adds a condition that they provide a photometric plan to show all the existing and proposed lighting. Director Anderson added that there is also a Code requirement that they meet a certain candle power.

Commissioner Perez stated that she would like to extend her appreciation to the applicant for operating the market for so many years; that it is great to see that they want to stay in Norwalk; that she can make all the findings for extending that partnership and looking forward to seeing the restaurant open up and being successful.

It was moved by Commissioner Perez and seconded by Vice Chair Juan to adopt Resolution No. 17-05 to approve Precise Development Plan No. 1974 subject to the conditions of approval contained in Exhibit "A".

ON ROLL CALL VOTE

AYES: Commissioner Juan, Commissioner Perez, Vice Chair Barth and Chair Collins

NOES: None

ABSENT: None

NOTICE OF STATUTORY EXEMPTION

GENERAL PLAN AMENDMENT NO. 171

320-02-01-171

ZONE CHANGE NO. 347

320-09-347

ZONE VARIANCE NO. 342

320-11-342

CONDITIONAL USE PERMIT NO. 972

320-01-972

PRECISE DEVELOPMENT PLAN NO. 1935

320-04-1935

LOT MERGER NO. 712

320-29-712

Carl Schneider AIA, NCARB, CSA Architects on behalf of Daher Elias, Los Carnales Market, Inc.; 12061 163rd Street; a request to:

- 1) Re-construct a non-conforming neighborhood market which was destroyed;**
- 2) Change the General Plan designation and zone of a residential property to allow commercial uses to enable the re-construction of the market;**
- 3) Allow off-sale beer and wine (Type 20) within the proposed market;**
- 4) Vary from required building setbacks and separation between alcohol sales and residential uses; and**
- 5) Merge two lots into one.**

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Chair Collins opened the continued public hearing. He stated that this is the third request by the applicant asking for a continuance; that he would like to take a poll of the Commissioners whether they want to move forward with this item tonight or if they would like to continue it to the meeting of March 22, 2017.

It was the consensus of the Commission to continue the public hearing to the meeting of March 22 and that no additional continuations be granted.

As there was a request to speak by Steve Moua, Chair Collins asked if he wanted to present testimony this evening or on March 22. Mr. Moua replied that he will come back on March 22 to address the prevention of underage drinking.

There being no objections, the public hearing of General Plan Amendment No. 171, Zone Change No. 347, Zone Variance No. 342, Conditional Use Permit No. 972, Precise Development Plan No. 1935 and Lot Merger No. 712 was continued to the meeting of March 22, 2017, and that staff be directed to re-notice the public hearing.

ADOPTION OF A MITIGATED NEGATIVE DECLARATION

TEXT AMENDMENT NO. 314

320-05-314

TENTATIVE PARCEL MAP NO. 73932

320-14-73932

CONDITIONAL USE PERMIT NOS. 983 AND 986

320-01-983 and 986

PRECISE DEVELOPMENT PLAN NO. 1964

320-04-1964

SIGN USE PERMIT NO. 285

320-15-285

Joe A. Leyva, Global Pacific Imperial LLC. ("Applicant"); 12545 Bloomfield Avenue and 12501-12555 Imperial Highway ("Subject Property"), a request to:

- 1) Amend the Norwalk Municipal Code (NMC) regulations in the Professional/Office (P/O) zone;
- 2) Subdivide the Subject Property from two (2) parcels into four (4) parcels;
- 3) Construct of a multi-tenant commercial development within the undeveloped, easterly portion of the project site to include: 37,000 square foot gym building, 4,530 square foot restaurant building with a 300 square foot outdoor eating area and drive-thru, 6,380 square foot multi-tenant building, a 4,640 square foot restaurant building with a 300 square foot outdoor eating area and drive-thru, and a 500 square foot outdoor platform for entertainment with 2,000 square feet of seating areas;
- 4) Obtain conditional use permits for two drive-through establishments and an outdoor area devoted for entertainment;
- 5) Obtain an adjustment of the parking requirements through the approval of a parking study;
- 6) Construct three new freestanding signs; and
- 7) Establish a master sign program for the proposed commercial development.

Chair Collins opened the public hearing.

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Staff presented the notice information. Senior Planner Serrano presented a report stating that this is a request to amend the Norwalk Municipal Code regulations in the Professional/Office zone; subdivide the property from two parcels into four parcels; construct a multi-tenant commercial development within the undeveloped easterly portion of the project site to include a 37,000 square foot gym building (LA Fitness); a 4,530 square foot restaurant building with a 300 square foot outdoor eating area and drive-thru (Chick-fil-A); a 6,380 square foot multi-tenant building; a 4,640 square foot restaurant building with a 300 square foot outdoor eating area and drive-thru (Panera Bread); and a 500 square foot outdoor platform for entertainment with 2,000 square feet of seating areas. She further stated that the applicant is also requesting to obtain Conditional Use Permits for two drive-thru establishments and an outdoor area devoted for entertainment; obtain an adjustment of the parking requirements thru a parking study, construct three new freestanding signs and to establish a master sign program for the proposed commercial development; that the subject property is located at the northwest corner of Bloomfield Avenue and Imperial Highway; that the proposed "Norwalk" monument sign will be prominently located at the northwest corner of Bloomfield and Imperial; and that staff is recommending that the Planning Commission recommend approval of the project to the City Council.

In response to Commissioner Juan's comment on the depressed seating area, Senior Planner Serrano indicated that the area will consist of 1,100 square feet; and that it is a step-down area for seating.

In reply to Commissioner Perez' question on the drive-thru hours and that she would have no problem with extending the hours, Senior Planner Serrano stated that the applicant provided the drive-thru hours of operation. Commissioner Perez further stated that with this being an outdoor entertainment area, would "no smoking" regulations apply, Director Anderson indicated that the "no smoking" regulations as per the Norwalk Municipal Code only apply to City-owned property. Commissioner Perez also expressed concern with skateboarders and how to address that issue.

The applicant, Joe Leyva, stated that he is here with his team to answer any questions; that, first, he would like to thank City staff as they have worked together for two years to come up with a project that they feel brings enhancement and something that Norwalk deserves and help it move forward into the future; that their architect is in attendance as well as a representative from Chick-fil-A and LA Fitness; that he would like to address two points that came up; that he agrees with Commissioner Perez as far as extending the drive-thru hours from 6:00 a.m. to midnight; that the office tower would basically block any noise; that they are intending to keep ownership; and that they intend to have a security guard in the open area which, hopefully, helps with the skateboarding.

Hernan Chavez, Architect with MCG Architecture, stated that they are the architects of record; that they came up with a modern, contemporary design, something fresh that

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will be timeless in their opinion; that, as mentioned, it has been two years in the making; and that they are really excited about it.

Chair Collins commented on the drive-thrus. He indicated that, normally, they have some kind of shrubbery along the edge of the drive-thru so that way the lights are not shining into the vehicles going west on Imperial Highway, and he asked if they would be open to this suggestion. Mr. Chavez replied that they did have this discussion with staff, and that they would be open to incorporating some berms.

Jennifer Dunn, Development Manager for Chick-fil-A, stated that the location is a fantastic location for their restaurant; that they are excited to be a part of this community; that in regards to the hours of operation, they are open Mondays through Saturdays, closed on Sundays; that they would like the hours of 6:00 a.m. to midnight, if possible; that with regards to the comment on landscaping around their drive-thru in order to screen the glare from headlights, they would be open to providing some kind of landscape shield and work with staff and the property owner.

Steve Griego stated that, tonight, he is representing both Fitness International and Architects Orange; that he is the Project Manager for Architects Orange; that they designed LA Fitness and have been working with Joe Leyva and his group for a couple of years putting this project together.

Chair Collins stated that he is extremely excited to see this project come to fruition; that regarding the drive-thru, some kind of shrubbery should be provided; that his colleague brought up a good point about the skateboarding; that he is not in favor of trying to limit smoking as this is not a City lot; that this would be up to the individual tenants; and that he can make all the findings for approval. Chair Collins thanked the applicant again for choosing Norwalk.

Commissioner Perez stated that she drives by this lot at least six times a day taking her child to school for the past two years; that she will echo the comments made by Chair Collins how excited they are to see this project come to fruition; that they, as a Commission, had high hopes for this parcel of land; that she is not sure if the applicant has plans for the office building and whether or not it will stay as an office building or if they are open to other avenues; that she is excited to see that there are other permitted uses on the list should something else come up; that she is all for extending the drive-thru hours; that she welcomes the applicant to Norwalk; that, again, this is going to be an exciting project for the City's residents and for those travelling in and out of Norwalk every day; and that, as the applicant is adding the City's name to the corner, it establishes a brand new gateway into Norwalk; and that she thanks the applicant.

In response to Commissioner Juan's question what is the projected time line on this project once it is approved, Director Anderson stated that it is more dependent upon the developer than it is upon the City; that, after the project goes to City Council there is

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going to be a little bit of a lag time because of the second reading of an ordinance and thirty days for an ordinance to become effective; that it is also dependent upon the applicant on getting their building plans in and getting started; and that the applicant signed a "hold harmless" letter on the LA Fitness plans, which are already in plan check.

After reopening the public hearing to allow the applicant to answer Commissioner Juan's question if the three major tenants have been locked in, Mr. Leyva indicated that the three major tenants have been very cooperative and excited to be in this City; that they have been in this journey together; that they have kept them apprised; that they have two signed leases with LA Fitness and Chick-fil-A; that Panera Bread is anxious to move forward with the lease; that they feel strongly that these tenants are willing to work with them on the timing; that, as Director Anderson indicated, the timing of the construction depends on the City Council hearing, plan check, etc.; that it is their intent that once City Council approves the project they would move forward with the plan check process right away so that they could start breaking ground immediately; and that, realistically, they are looking at a nine to twelve month construction schedule once they break ground.

Commissioner Juan stated that the development will have a major impact on the City; that he is really excited about the outdoor platform for entertainment as he has seen this in other cities; that it is going to become a community center; that he hopes that this development sparks the City's future leaders to help the rest of Norwalk grow, in particular, Front Street; that he commends the applicant on a good job; that everybody is going to be very excited once the project passes; and that he, too, thanks the applicant.

Vice Chair Barth stated that she concurs with her colleagues' comments; that when she heard that this project was finally getting off the ground, she was jumping for joy; and that, as mentioned, they need a development like this in Norwalk to bring in other businesses.

It was moved by Commissioner Perez and seconded by Commissioner Juan to: (1) Adopt Resolution No. 17-09, recommending City Council approval of Zoning Ordinance Text Amendment No. 314 and adoption of the Mitigated Negative Declaration; (2) Adopt Resolution No. 17-10 recommending City Council approval of Tentative Parcel Map No. 73932, subject to the Conditions of Approval contained in respective Exhibit "A"; (3) Adopt Resolution No. 17-11 recommending City Council approval of Conditional Use Permit No. 983, subject to the Conditions of Approval contained in respective Exhibit "A", and with the following modifications: That Condition No. B-6 provide that the drive-thru hours of operation be limited to 6:00 a.m. to midnight, Monday to Saturday; and that Condition No. B-9 be added to indicate that shrubs/bushes must be installed along the drive-thru lane to shield glare from headlights of cars onto Imperial Highway and Bloomfield Avenue, subject to the review and approval of the Director of Community Development or his designee; (4) Adopt Resolution No. 17-12 recommending City

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Council approval of Conditional Use Permit No. 986, subject to the Conditions of Approval contained in respective Exhibit "A" and with the following modifications: That Condition No. B-6 provide that the drive-thru hours of operation shall be limited to 6:00 a.m. to midnight daily; and that Condition No. B-9 be added to state that shrubs/bushes must be installed along the drive-thru lane to shield glare from headlights of cars onto Imperial Highway, subject to the review and approval of the Director of Community Development or his designee; (5) Adopt Resolution No. 17-13 recommending City Council approval of Precise Development Plan No. 1964, subject to the Conditions of Approval contained in respective Exhibit "A"; and (6) Adopt Resolution No. 17-14 recommending City Council approval of Sign Use Permit No. 285, subject to the Conditions of Approval contained in respective Exhibit "A".

ON ROLL CALL VOTE

AYES: Commissioner Juan, Commissioner Perez, Vice Chair Barth and Chair Collins
NOES: None
ABSENT: None

PLANNING COMMISSION MEETING OF APRIL 12, 2017

Director Anderson stated that with the upcoming City Council election and reorganization scheduled for April 11, 2017, it is impossible to have a Planning Commission meeting on April 12 as the new Commission will probably not be in place or have adequate time to review the staff reports; and that it is staff's recommendation that the Commission cancel the meeting of April 12, 2017.

It was the consensus of the Commission that the regular Planning Commission meeting of April 12, 2017 be cancelled. There being no objections, it was so ordered.

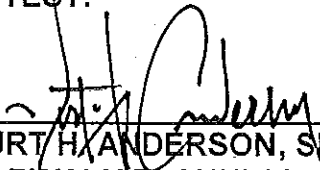
ORAL COMMUNICATIONS

There were no persons wishing to address the Planning Commission.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

ATTEST:



**KURT H. ANDERSON, SECRETARY
NORWALK PLANNING COMMISSION**



**SCOTT D. COLLINS, CHAIR
NORWALK PLANNING COMMISSION**