

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
January 10, 2022

CALL TO ORDER: Vice Chair Munoz called the Regular Meeting of the Planning Commission of the City of La Habra to order at 6:30 p.m. in the Council Chamber.

PLEDGE OF ALLEGIANCE: LED BY COMMISSIONER ROJAS

PRESENT: COMMISSIONERS: NIGSARIAN
MUNOZ
ROJAS

ABSENT: (EXCUSED) COMMISSIONERS: MANLEY
BERNIER

OTHERS PRESENT: DIRECTOR: KIM
DEPUTY DIRECTOR: RAMSLAND
SENIOR PLANNER: SCHAEFER
SECRETARY: V. LOPEZ

PUBLIC COMMENT

Vice Chair Munoz asked if there was anyone in the audience that wished to speak on any item not on the agenda. There were none.

CONSENT CALENDAR

The Vice Chair explained the Consent Calendar procedures. He asked if there were any members of the public or any Commissioners that wished to have any item removed. There were none.

Moved by Commissioner Rojas seconded by Commissioner Nigsarian to approve the Consent Calendar. Motion passed.

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Approval of the Planning Commission Minutes of December 13, 2021.

PUBLIC HEARINGS

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS 21-01 (SCH # 2021110209), DESIGN REVIEW 21-01, CONDITIONAL USE PERMIT 21-01 AND TENTATIVE TRACT MAP 19143 FOR A 117-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT INCLUDING 12 AFFORDABLE UNITS AT 251-351 WEST IMPERIAL HIGHWAY

Vice Chair Munoz asked if any correspondence had been received in regards to the item. Secretary Lopez said no correspondence had been received.

Senior Planner Chris Schaefer presented the staff report.

Vice Chair Munoz asked if any of the Commissioners had any questions.

Commissioner Nigsarian asked if the guest parking and the overall parking for residents was satisfactory. Senior Planner Schaefer explained that the CC&R's require that residents use their own parking spaces and not the assigned guest parking spaces. He noted that this would be monitored by the Home Owner's Association.

Commissioner Nigsarian then asked several clarifying questions about the way traffic impacts were analyzed for the project. Traffic Manager, Michael Plotnik came to the podium to address Commissioner Nigsarian's questions. Mr. Plotnik clarified that the Level of Service (LOS) analysis previously used to measure traffic impacts is no longer the impact criteria required by the California Environmental Quality Act (CEQA) and that CEQA now requires analysis of Vehicle Miles Traveled (VMT). Mr. Plotnik noted that although the project would generate 856 daily trips, that since the project would generate less than 40 PM peak hour trips, and fewer trips than what the project site is currently generating, that the project is below the threshold for requiring a traffic impact analysis and determined not to create a significant impact.

Commissioner Nigsarian then noted the differences between State Density Bonus law and the City's Inclusionary Housing Ordinance. Commissioner Nigsarian noted that under State law, the project is receiving concessions for providing 10% of the units as affordable housing. He further noted that the proposed project is not subject to the City's Inclusionary Housing Ordinance because the project was submitted prior to the effective date of the ordinance; and, that under that ordinance the proposed project would be required to include 18 affordable housing units. He explained that State Density Bonus Law and the City's Inclusionary Housing Ordinance are two different components that effect the affordable housing criteria.

Commissioner Rojas had no questions for staff.

Vice Chair Munoz asked several questions about the administration for the affordable units and if the City has a process to ensure that La Habra residents get priority over those affordable units. Senior Planner Chris Schaeffer responded with a brief overview of the conditions of approval applied to the project to maintain affordability. Community and Economic Development Director, Susan Kim said that since staff did not have all the answers to the Commissioner's questions, they could have the Housing Manager present at a future meeting to explain the process. Vice Chair Munoz said that would be appreciated.

The Vice Chair opened the public hearing and asked if there was anyone in the audience to speak in favor of the proposed project.

Doris Nguyen, The Olson Company, thanked the Commissioners for their time and thanked staff for their hard work on the project. She mentioned that this was The Olson Company's third project in the City. She spoke about Olson's customer service focus and said she would be happy to answer questions about the project. She introduced their development staff and John Reekstin, Senior Vice President who were also present.

Commissioner Nigsarian complimented the design of the project. He asked if there was any chance for Olson to up the number of proposed moderate level units to be closer to 18 units. Ms. Nguyen explained that their application was submitted six months prior to the approval of the City's Inclusionary Housing Ordinance, which is why they are offering 12 moderate income level units which is 10% of their total units. John Reekstin, Senior Vice President for Olson said that based on rising prices in lumber and other fluctuating costs they were not in the position to offer additional affordable units. He said that what they could potentially do if there is an equivalent financial impact is offer a mix of affordable units. Instead of 12 moderate income level units they could offer two low income level units and other moderate-income level units, but if they go with this option it will be less than 12 overall affordable units. Commissioner Nigsarian thanked Mr. Reekstin for his information and said he would leave it up to Council to decide if they wanted to go that route. He also asked if they would be using La Habra workforce for this project. Ms. Nguyen said they do look for local labor workforce and they like to buy materials and supplies locally.

Commissioner Rojas echoed commissioner Nigsarian's wishes for mixed income level units and the good design of the project on the north side of the property. She also asked how the developer choose the location of the affordable units and the potential price range of the units. Ms. Nguyen said that there is a specific size and type for moderate income units, which dictated where they were placed within the project, and that the prices will probably start in the 600,000 and go up from there.

Vice Chair Munoz said he appreciated Commissioner Nigsarian's push for more affordable units. He asked why the project was gated instead of being open. Ms. Nguyen explained that there is a grade difference on the site which is why the six-foot wall is required.

The Vice Chair then asked if there was anyone wishing to speak in opposition of the project.

Mr. John Hsieh, a resident at 450 Keene Drive, addressed the Commission. Mr. Hsieh brought up concerns regarding the slope on the north side of the property.

The Vice Chair offered Ms. Nguyen the opportunity to rebuttal Mr. Hsieh's comments.

Ms. Nguyen explained that Olson would be building a six-foot tall wall and a v-ditch to channel and accept the water from the neighbor's slopes and draining the water through Olson's property. She said that everything will be built entirely on their side.

The Vice Chair closed the public hearing and asked for discussion or a motion.

Moved by Commissioner Nigsarian and seconded by Commissioner Rojas, APPROVING RESOLUTION NO. 22-01 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA CERTIFYING MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS 21-01 (SCH # 2021110209) FOR A 117-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 251-351 WEST IMPERIAL HIGHWAY SUBJECT TO THE MITIGATION MONITORING AND REPORTING PROGRAM AND THE STATEMENT OF FINDINGS OF FACT HERETO ATTACHED AS EXHIBITS "A" & "B."

The roll call vote was as follows:

AYES: COMMISSIONERS: NIGSARIAN, ROJAS, MUNOZ
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MANLEY, BERNIER

Moved by Vice Chair Munoz and seconded by Commissioner Rojas, APPROVING RESOLUTION NO. 22-02 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING DESIGN REVIEW 21-01 FOR A 117-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 251-351 WEST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

The roll call vote was as follows:

AYES: COMMISSIONERS: NIGSARIAN, ROJAS, MUNOZ
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MANLEY, BERNIER

Moved by Commissioner Rojas and seconded by Commissioner Nigsarian, APPROVING RESOLUTION NO. 22-03 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING CONDITIONAL USE PERMIT 21-01 TO PERMIT AFFORDABLE HOUSING INCENTIVES IN ASSOCIATION WITH A 117-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 251-351 WEST IMPERIAL HIGHWAY, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

The roll call vote was as follows:

AYES: COMMISSIONERS: NIGSARIAN, ROJAS, MUNOZ
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MANLEY, BERNIER

Moved by Commissioner Nigsarian and seconded by Vice Chair Munoz, APPROVING RESOLUTION NO. 22-04 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING TENTATIVE TRACT MAP 19143 FOR A 117-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 251-351 WEST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

The roll call vote was as follows:

AYES: COMMISSIONERS: NIGSARIAN, ROJAS, MUNOZ
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MANLEY, BERNIER

CONSIDERATION ITEMS

There were no consideration items.

COMMENTS FROM STAFF

Deputy Director Ramsland shared that at the next Commission meeting they would be reviewing two projects. One is for 10 condominium units and the second is for 16 condominium units located on south Cypress Street. He noted that the applicant was the same for both projects.

COMMENTS FROM COMMISSIONERS

Commissioner Nigsarian wished everyone a Happy New Year. Commissioner Rojas wished everyone to stay safe. Vice Chair Munoz echoed their wishes and said that 2022 was off to a good start with the approval of the affordable units.

ADJOURNMENT: 7:12 p.m.

Respectfully submitted,

Veronica Lopez,
Secretary