

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
August 1, 2019

ROLL CALL:

PRESENT: COMMISSIONERS: MANLEY, POWELL, NIGSARIAN, BERNIER

ABSENT: COMMISSIONERS: FERNANDEZ

OTHERS PRESENT:

DIR. OF COMM. DEV.: HO
DEP. DIR. OF COMM. DEV.: JARAMILLO
SENIOR PLANNER: SCHAEFER
ASSOCIATE PLANNER: LOPEZ
PLANNING COMMISSION SECRETARY: HENDERSON

The regular meeting of the Planning Commission of the City of La Habra was called to order at 6:30 p.m. in the Council Chambers. The flag salute was led by Commissioner Manley.

CONSENT CALENDAR

The Chair explained the Consent Calendar procedures to the audience. She called attention to the speaker's cards, which were to be filled out by a person wishing to speak on any item before the Commission and to be left on the lectern. She asked if there were any members of the audience or the Commission that wished any of the items removed. There were no requests for any items to be removed.

MOVED BY Commissioner Nigsarian, seconded by Commissioner Powell, (Commissioner Manley abstained) and CARRIED UNANIMOUSLY TO APPROVE THE CONSENT CALENDAR ITEM AS FOLLOW:

- a. Approval of the minutes of the Planning Commission meeting of July 8, 2019.

PUBLIC HEARING

- a. Request for Mitigated Negative Declaration of Environmental Impacts 19-01 for the Vista Grande Park Improvement Project.

Senior Planner Schaefer presented the staff report to the Commission.

Commissioner Powell asked if parking, as designed, is enough to sustain the park. Senior Planner Schaefer deferred questions to the City Principal Engineer Cesar Rangel and City Consultant Marc Blodgett.

Principal Engineer Cesar Rangel approached the podium to address questions from the Commissioners. Engineer Rangel stated that the proposed parking is sufficient.

Commissioner Powell then asked staff how the two proposed dog park areas would be designated. Engineer Rangel explained each area will be fenced and provided with separate gates. Each site will have signage to indicate one area is designated for small dogs and the other for large dogs.

Commissioner Powell referred to the scope of construction and asked staff what mitigation measures will be taken since this site was previously a landfill. Engineer Rangel explained that a new cap would be installed to address rainwater infiltration and that during the design phase they will consider if the existing methane remediation system needs to be expanded. Commissioner Powell referenced the methane recovery system and asked what was the anticipated amount of methane generated from the previous landfill. Engineer Rangel stated he didn't have the amount however this would be monitored by the Orange County Health Agency and their analysis would determine the direction of on-going methane remediation.

Mr. Marc Blodgett, Blodgett/Baylosis Environmental Planning, came forward to address the Commissioners questions. Mr. Blodgett explained there have been methane monitors on the site for several years and that they are to make repairs or upgrades, as needed. He stated there are two agencies that have oversight of these improvements, which are Cal Recycle and the South Coast Air Quality Management District.

Commissioner Powell asked about the noted scope of the construction, landfill, excavation and grading. Mr. Blodgett provided a brief explanation of the proposed mitigations measures and construction process.

Commissioner Manley asked staff if there was any consideration given to a reduction of parking or if it is necessary to maintain the proposed 97 parking spaces. Engineer Rangel responded that the parking would be sufficient for the proposed option.

Commissioner Manley asked if there was fencing for this site. Engineer Rangel explained there is no perimeter fencing for the park and the existing vehicle gate would remain on Las Lomas Drive for vehicles entering and exiting the site.

Chair Bernier asked about drainage of the site and requested clarification as to whether there will be storm water drainage into the Coyote Creek. Engineer Rangel stated drainage will be addressed during the design phase of the project and that the item before them is only a conceptual design.

Mr. Blodgett added that Coyote Creek is off limits and that no drainage will be permitted into Coyote Creek.

Commissioner Powell asked staff for clarification as to whether the item before them this evening is for applying for grant funds. Director Ho clarified that the item before them is to certify a mitigated negative declaration with mitigation measures and that they are to consider adopting that document which would allow the city to apply for grant funding.

The Chair then opened the public hearing and asked if there were any speakers in favor of the request.

Mr. Jess Badillo, 1231 Lorawood Street, La Habra, California came forward to address the Commission. Mr. Badillo commented that he attended all but one community meeting for residents input and did not attend the City Council meeting where the park was discussed. He stated that his requested features within the proposed park do not appear to be included within the report presented this evening. He added that in his conversations with residents in the area, there was a desire for a baseball park. He said that they were told a baseball park that was not possible there due to the land sinking. Mr. Badillo stated the request was not for an organized baseball field but an open space similar to one at Rosecrans in Buena Park which is designated as an open field for

kids to play. He continued that not everyone can afford to pay for organized sports and this would provide them that space. He stated that this is the last land to be developed and the last opportunity to develop a park for kids for free play.

Director Ho stated that the Commissioner's role tonight is not to approve or deny the design of the park but to review the environmental impacts. Based on the analysis conducted, staff has recommended that the project will not create a significant impact and the Commission's action is certify the report which will then be submitted as part of a grant application.

Commissioner Manley stated he appreciated Mr. Badillo's involvement and support and felt it was important to have people like him within the community.

There being no further speakers, in favor or in opposition, the Chair closed the public hearing.

The Chair then asked for a motion.

Moved by Commissioner Manley, seconded by Commissioner Nigsarian, APPROVING RESOLUTION NO. 19-19 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA CERTIFYING MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS 19-01 FOR THE VISTA GRANDE PARK IMPROVEMENT PROJECT 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:	MANLEY, NIGSARIAN, POWELL, BERNIER
NOES:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	FERNANDEZ

b. Consideration of a request for Conditional Use Permit 19-11 for a restaurant and Conditional Use Permit 19-12 for an ABC Type 41 alcoholic beverage license in conjunction with a restaurant at 1450 South Harbor Boulevard; consideration of Conditional Use Permit 19-16 for a restaurant at 1452 South Harbor Boulevard; consideration of Conditional Use Permit 19-13 for a restaurant and Conditional Use Permit 19-14 for an ABC Type 41 alcoholic beverage license in conjunction with a restaurant at 1454 South Harbor Boulevard; and consideration of Conditional Use Permit 19-15 for a restaurant at 1456 South Harbor Boulevard.

Associate Planner Lopez presented the staff report to the Commission.

Commissioner Powell referred to the parking issue asked if there was empirical data to suggest that use of Uber Eats and the off-site food delivery allows for the reduced on-site parking. Associate Planner Lopez deferred the question to the City's traffic consultant.

Mr. Alex Tabrizi, AK Engineering/City Traffic Consultant came forward to address the Commission. Mr. Tabrizi stated that they made this determination for a parking reduction by using information provided by the restaurant applicants at their other locations. Based off their data from the other restaurant locations, they stated that 40% of their business was food deliveries via rideshare such as Uber Eats. He further stated that he has information for restaurants with bars, not located in La Habra, where 60% of the business is conducted via Uber Eats and other rideshare services. But that they selected to use the 20% amount to be conservative.