

THE MINUTES OF THE MEETING OF THE PLANNING
COMMISSION
OF THE CITY OF LA HABRA
April 25, 2022

CALL TO ORDER: Chair Manley called the Regular Meeting of the Planning Commission of the City of La Habra to order at 6:36 p.m. in the Council Chamber.

PLEDGE OF ALLEGIANCE: LED BY COMMISSIONER ROJAS

PRESENT: COMMISSIONERS: MANLEY
MUNOZ
BERNIER
ROJAS
SURICH

ABSENT: (EXCUSED) COMMISSIONERS: NONE

OTHERS PRESENT: DIRECTOR: KIM
DEPUTY DIRECTOR: RAMSLAND
PLANNING MANAGER: LUI
ASSOCIATE PLANNER: D. LOPEZ
PLANNING INTERN: ROSALES
SECRETARY: V. LOPEZ

PUBLIC COMMENT

Chair Munoz asked if there was anyone in the audience that wished to speak on any item not on the agenda.

Jack Miranda, City of La Mirada resident and Planning Commissioner, commended the Commission for all the projects that have been brought forth for review. He also gave praise to Planning Intern, Victor Rosales, and said it was important to have internships to develop young minds.

Chris Nichols, resident of Rosemead, addressed the Commission. Mr. Nichols is a historian and a writer who specializes in writing about Googie architecture. He stated that the La Habra 300 Bowl building would be a great spot for a special event that he wants to hold. He heard there were some issues with holding special events at that particular location, so he asked if he could speak to staff about that location. Deputy Director Roy Ramsland told Mr. Nichols that he could come in and see him at City Hall during counter hours.

CONSENT CALENDAR

The 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.

The approval of the Consent Calendar was moved by Commissioner Manley and seconded by Vice Chair Rojas. The motion passed 5-0.

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 April 11, 2022.

PUBLIC HEARINGS

1. DULY NOTICED PUBLIC HEARING FOR CONSIDERATION OF A REQUEST FOR CONDITIONAL USE PERMIT 22-12 FOR THE OPERATION OF A RESTAURANT (DAVE'S HOT CHICKEN) AT 1331 WEST IMPERIAL HIGHWAY, SUITES B AND C.

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

Planning Intern, Victor Rosales presented the staff report.

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

Commissioner Rojas asked if the proposed restaurant would be serving alcohol. Intern Rosales said alcohol sales are not proposed for this restaurant.

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

Matt Sliwinski, Director at DJM Capital, representing the landlord, spoke in favor of the project. He thanked staff for working on turning this project around quickly and said they look forward to having a new restaurant at this location that has been vacant for over a year.

The Chair then asked if there was anyone wishing to speak in opposition of the project. There were none.

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

Moved by Commissioner Bernier and seconded by Commissioner Surich, Approving Resolution No. 22-19 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING CONDITIONAL USE PERMIT 22-12 FOR THE OPERATION OF A RESTAURANT (DAVE'S HOT CHICKEN) AT 1331 WEST IMPERIAL HIGHWAY, SUITES B AND C, MAKING THE APPROPRIATE FINDINGS AND SUBJECT TO CONDITIONS AS PER THE APPROVED PLANS.

The roll call vote was as follows:

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

2. DULY NOTICED PUBLIC HEARING FOR CONSIDERATION OF A PLANNED COMMERCIAL INDUSTRIAL PRECISE PLAN 22-01 FOR THE CONSTRUCTION OF A 6,250 SQUARE FOOT COMMERCIAL BUILDING AT 731 EAST IMPERIAL HIGHWAY AND MAKING A RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF LA HABRA.

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

Associate Planner, David Lopez, presented the staff report.

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

Commissioner Manley asked if this operator was the same operator who had a Hallmark store at La Habra Blvd. and Harbor Blvd. Associate Planner Lopez said he believed this operator had a store at Imperial Hwy. and Beach Blvd.

Chair Munoz asked about parcel number two, which was shown on the site plan that was presented during the staff report. He asked if that would be second drive-thru restaurant. Associate Planner Lopez said that the entitlements for a drive-thru restaurant at that location have expired any new interested applicants will need Planning Commission and City Council approval.

Commissioner Rojas asked if La Quinta was still planned for parcel number one. Associate Planner Lopez said that yes, La Quinta is still planned for that parcel.

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

John Lee, architect and contractor for the project, addressed the Commission. Mr. Lee explained that he was the architect who designed the plans for La Quinta, Taco Bell and Popeye's. Popeye's pulled out and the owner is working on getting a new applicant for that parcel, Taco Bell was completed and is now open and now he is working on this new project that was not part of the original submittal from 2018. He mentioned that the owner of the Hallmark, Mr. Patel, was operating out of Imperial and Beach and had closed that location two to three months ago.

The Chair then asked if there was anyone wishing to speak in opposition of the project. There were none.

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

Moved by Commissioner Manley and seconded by Commissioner Bernier, Approving Resolution No. 22-20 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNED COMMERCIAL-INDUSTRIAL PRECISE PLAN 22-01 FOR A NEW COMMERCIAL BUILDING AT 731 EAST IMPERIAL HIGHWAY, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS.

The roll call vote was as follows:

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

3. DULY NOTICED PUBLIC HEARING FOR CONSIDERATION OF DESIGN REVIEW 22-01 FOR THE VISTA GRANDE PARK IMPROVEMENT PROJECT AT 1101 WEST LAS LOMAS DRIVE.

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

Public Works Director, Elias Saykali, presented the staff report.

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

Commissioner Bernier asked if this project included upgrades to the Scout Hut and the Headstart. Mr. Saykali said it did not.

Commissioner Manley asked that since this was approved by Council in 2019, when was the last time Council saw this design. Mr. Saykali said that it was brought to Council six months ago at 50% completion. Commissioner Manley then asked how this project would be funded. Mr. Saykali said that originally, the County gave the City 3,000,000 dollars, when we took over that land, but since that was not enough for a park of this magnitude, the City applied for various grants. One that was awarded to the City for 750,000 came from Cal Recycle. An additional 3,000,000 from Prop 68. For items not covered by the grants, 100,000 will be covered by the City's park funds and another 100,000 by Measure T.

Commissioner Manley then asked Mr. Saykali to update the Commission on the condition of the land, since it was previously a municipal dump. Mr. Saykali said that there has been in place, since the 70s, a ventilation system. The methane levels are so low that it does not require any additional treatment. The City does plan on adding more leach fields and wells. A monitoring report is provided every three months to check on the contaminants. Commissioner Surich asked if the numbers, shown in the reports, were decreasing or staying the same. Mr. Saykali said they stay the same in general and only increase during major events that cause soil movement, like major rain storms or earthquakes. When that happens, staff inspects the land to ensure they don't have to repair any areas.

Vice Chair Rojas asked if that report will continue even after the park is built. Mr. Saykali said yes. Vice Chair Rojas then asked for clarification on lighting around the park. Mr. Saykali said no flood lights would be used so as to not disturb the neighbors. There will be four-foot-high light poles over the playground area, the basketball court, the trail and around the bathrooms. There will be no lighting in the open spaces. The bathrooms will also have security cameras. Commissioner Manley asked about the hours for the lighting. Mr. Saykali said that since it's a passive park the hours will be consistent with our existing parks, it will be open from sunrise to sunset.

Commissioner Bernier asked if there has been any settling of the soil in the last 10-20 years. Mr. Saykali explained how in the past there was a lot of settling but after they are done with the proposed improvements they expect the ratio of settling to be about two inches in the next 30 years. Commissioner Bernier asked if there was a plan in case there was more settling. Mr. Saykali said there are a number of treatments that they can apply to the soil to stabilize it, but he feels that it will not be necessary.

Chair Munoz asked about the three million dollar payment from the County and wondered if it was just a one time payment or if there has been a continuous maintenance fee paid. Mr. Saykali said that it was a one-time payment. Chair Munoz then asked for clarification on the wells and leach fields. Mr. Saykali said there are active wells in the soil that are monitored regularly. There are 13, nine active, and we will be adding two more in areas where there were none before. Chair Munoz asked if the lights would turn off once the park was closed. Mr. Saykali said that there will be security lighting to deter vagrants. Chair Munoz said he liked the design of the road which raps around the whole park. He said this will help police have a clear view of the whole park.

Vice Chair Rojas asked if the park would be gated. Mr. Saykali said it would not be gated.

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

Andy Bueno, La Habra resident, addressed the Commission. Mr. Bueno said he had attended a community meeting held at Friendly Village when the City was first looking for the community's input. Mr. Bueno is in favor of the park and was happy to hear that most of the amenities that he wanted will be incorporated into the park.

Juan Fragoso, La Habra resident, said he hopes this park becomes a landmark in La Habra similar to parks in Los Angeles. He wished more residents would get involved in the design of the park and submit their ideas to make it not only functional but visually attractive and memorable.

Marcela Valle, La Habra resident, said she is excited about this new park. She likes to stay active and is happy that this park will have a trail. She feels this will be a great addition to the neighborhood and a safe space for kids to play around in and for those that like to stay active. As Mr. Fragoso mentioned, she hopes it becomes a popular place for people to visit.

Dennis Atkinson, La Habra resident, said he is in favor of the park. He lives next door to the location and is concerned with noise and parking issues, but thinks it's a good idea to make that a new park. He asked if there would be a maximum occupancy for that park since there is no street parking on Lambert Road or Idaho Street or Las Lomas Drive. He wondered if there would be signs at the park discouraging people from parking on the street and what the hours of the park would be.

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

Buffy Starry, La Habra resident addressed the commission. Her first concern was the noise from the proposed amphitheater. She wondered what direction it was facing and what events would take place there. Her second concern was the creek. Would that get covered, she asked. She said that homeless people live in the creek as well as coyotes and she is

concerned for the safety of the kids playing at the park. Lastly, she has concerns with the parking.

Elias Saykali addressed some of the questions. He stated that there are 102 parking spaces that can accommodate about 300 people, though he felt that would be a rare occurrence as there are no major events planned for this park. This is a family park, with lots of benches, open from sunrise to sunset. The creek will be fenced off to keep kids out and the trees will be cleared out so there is a better view of the creek to keep vagrants out.

Commissioner Manley asked about how many parking spots there are at Oeste Park. Mr. Saykali said we are short in parking spaces at that park, but there is a plan to add 30 more spaces. Oeste is an active park with the splash pads and the playgrounds. Commissioner Manley asked about the parking at Brio park. Mr. Saykali said there is no parking lot for Brio park, but the city has purchased two lots across the street, north of the park that will be used for parking. Vista Grande Park will not be an active park, like Oeste or Brio.

Chair Munoz asked Mr. Saykali if he could elaborate on the proposed amphitheater. He said that originally it was going to be located on the east side of the park near the bathroom building. The location was moved to the west side of the park to keep it as far away as possible from the residences. It will be directed north east to project sound to the north away from the neighborhood. Commissioner Manley asked what events would that amphitheater be used for. Mr. Saykali said maybe high school events since it is not a big amphitheater. Commissioner Bernier asked if it was comparable to the amphitheater at Brio Park. Mr. Saykali said it was similar to that. Elias reiterated that the amphitheater will be to the west of the park and it will be 10 feet lower than the residential properties helping to mitigate the sound.

Vice Chair Rojas wondered if while the playground was being designed could they incorporate some ADA components into it. Elias said that the City is doing that. They are looking into play areas where you start and end at the same location, which is helpful for people with autism and there's a plan for a wheelchair accessible merry-go-round.

Elias said that they hope to start construction on the park in about six months and he thinks it will take about 18 months to complete.

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

Commissioner Manley thanked Mr. Saykali for the information he presented. He told those in the audience that we don't normally get an audience during Planning Commission meetings and that it was nice to see residents expressing their views and concerns. He commended staff and said their approach has been thoughtful and the decision of going with a passive park is the right decision. The City didn't have to get the community's input but the fact that they did is commendable. He mentioned that the Commission is very sensitive to parking issues and he feels that the parking for this park is sufficient and it is demonstrated by the parking study.

The Chair then asked if any of the Commissioners had any questions for Mr. Saykali.

Commissioner Bernier and Commissioner Surich thanked him for his report. Vice Chair Rojas asked that public works highlight to the public the fact that the playground will be accessible to everyone and that there will be adequate lighting around the park. Chair Munoz thanked staff and the audience for being present and taking part in this process.

Moved by Commissioner Manley and seconded by Commissioner Bernier, Approving Resolution No. 22-21 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING DESIGN REVIEW 22-01 TO CONSTRUCT PARK IMPROVEMENTS AT 1101 WEST LAS LOMAS DRIVE, AS PER THE APPROVED PLAN, MAKING THE APPROPRIATE FINDINGS AND SUBJECT TO CONDITIONS.

The roll call vote was as follows:

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

CONSIDERATION ITEMS

Note: The planning commission acts as the Design Review Board for the La Habra Boulevard Specific Plan

1. CONSIDERATION OF ARCHITECTURAL DESIGN REVIEW 22-01 FOR THE CONSTRUCTION OF A FREESTANDING SIGN AT 1950 WEST LA HABRA BOULEVARD.

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

Associate Planner, David Lopez, presented the staff report.

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

Commissioner Manley asked about the wording on the sign. Associate Planner Lopez said it would be used strictly to advertise gas prices.

Chair Munoz asked for clarification on the location of the monument sign. Associate Planner Lopez identified the location of the sign on the site plan showing it was out of the visibility triangle.

The Chair then opened up the floor for anyone wishing to speak on the item.

Eddie Vidales, of Donco and Sons Signs, applicant and the contractor for the signs, thanked staff for their help and said he would be glad to answer any questions the Board may have.

Seeing no other speakers, the Chair asked for a discussion or a motion.

Moved by Chair Munoz and seconded by Commissioner Surich, Approving A MOTION OF THE ARCHITECTURAL DESIGN REVIEW BOARD APPROVING ARCHITECTURAL DESIGN REVIEW 22-01 FOR THE CONSTRUCTION OF A FREESTANDING SIGN AT 1950 WEST LA HABRA BOULEVARD.

The roll call vote was as follows:

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

COMMENTS FROM STAFF

Deputy Director, Roy Ramsland, introduced Sonya Lui, the new Planning Manager. He also informed the Commission that a new commissioners' handbook had been located and they should be receiving copies of it in the near future. That same organization will be putting on training seminars in the fall and information will be distributed as it becomes available. Deputy Director Ramsland asked that they adjourn to May 23 since there are no consideration items for the next regularly scheduled meeting.

COMMENTS FROM COMMISSIONERS

Commissioner Bernier said she was happy to see that the old Panera location was getting a new restaurant.

Commissioner Surich echoed Commissioner Bernier's comments. She also informed the Commission of the passing of Don Warthen, La Habra resident who served on the American Legion Post.

Vice Chair Rojas asked if staff could look into creating banners to be placed at worksites where new construction is going up to notify residents of the project being built. She gave the example of the construction of the new medical building at the Norhtgate shopping center. Deputy Director Ramsland said that a sign is going to go up at that site.

Commissioner Surich adjourned in honor of Don Warthen and sent thoughts and prayers to his wife, Ofelia, his four daughters and 27 grandchildren.

ADJOURNMENT: 7:53 p.m.

Respectfully submitted,

Veronica Lopez,
Secretary