

THE MINUTES OF THE MEETING OF THE PLANNING
COMMISSION
OF THE CITY OF LA HABRA
August 28, 2023

CALL TO ORDER: Chair Rojas 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 MANLEY

COMMISSIONERS PRESENT: ROJAS
SURICH
BERNIER
MAHECHA
MANLEY

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
SENIOR PLANNER: QUIROZ
SECRETARY: V. LOPEZ
CITY ATTORNEY: BETTENHAUSEN

PUBLIC COMMENT

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

CONSENT CALENDAR

Chair Rojas explained the Consent Calendar procedures. She 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 Manley, seconded by Commissioner Bernier, to approve the Consent Calendar. 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 August 14, 2023.

PUBLIC HEARINGS

1. DULY NOTICED PUBLIC HEARING FOR THE FOLLOWING: (1) REQUEST FOR APPROVAL OF PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 TO CONSTRUCT A 3,875

SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY. (2) REQUEST FOR APPROVAL OF CONDITIONAL USE PERMIT 22-31 TO OPERATE A DRIVE-THROUGH RESTAURANT (DBA: DUNKIN' DONUTS) WITHIN ONE TENANT SPACE AT 711 EAST IMPERIAL HIGHWAY.

Chair Rojas asked if any correspondence had been received in regards to the item. Secretary Lopez said none had been received.

Senior Planner Vanessa Quiroz presented the staff report.

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

Commissioner Manley asked for clarification on the location of the 23 designated parking spaces. Senior Planner Quiroz referred to the site plan slide to show the location of the proposed parking spaces. Commissioner Manley asked if there was a wall to delineate the property line. Senior Planner Quiroz said there are no walls separating the properties. The master plan was approved with shared parking and reciprocal access between all four parcels. Commissioner Manley then asked for clarification on the queuing of vehicles. Senior Planner Quiroz said the queue can hold up to 12 vehicles and said there is a condition of approval that the applicant will have to provide a traffic control plan should any issues arise. She also stated the City's Traffic Engineer did not have any concerns about traffic spilling on to Imperial Highway or the driveway isles.

Vice Chair Surich asked if an employee of Dunkin' Donuts will be available to guide traffic if that becomes necessary. Senior Planner Quiroz said yes, that is mentioned in the traffic control, they have to manage traffic onsite if it gets to that point.

Chair Rojas asked if there was anyone wishing to speak in favor of the project.

Parag Patel, the applicant, greeted the Commission and said they were excited to be present.

Greg Jones, of Jones Real Estate, addressed the Commission. Mr. Jones said he is one of the two owners of the proposed project and after many years of working on this project he was very glad to see the final piece of this project come together. He thanked the Commission for their consideration.

Kam Patel, part owner of the La Quinta Hotel, addressed the Commission. Mr. Patel echoed Mr. Jones' sentiment and said he was happy to see the last piece of the puzzle come together.

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

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

Moved by Vice Chair Surich and seconded by Commissioner Mahecha, Approving Resolution No. 23-10 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE CONSTRUCTION OF A 3,875 SQUARE FOOT, dual TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND RECOMMENDING THAT THE CITY COUNCIL MAKE A DETERMINATION THAT THE REQUEST IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3:

“NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES” AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

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

Moved by Commissioner Mahecha and seconded by Vice Chair Surich, Approving Resolution No. 23-11 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 22-31 TO ALLOW THE OPERATION OF A DRIVE-THROUGH RESTAURANT (DBA: DUNKIN' DONUTS) WITHIN ONE TENANT SPACE AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING A DETERMINATION THAT THE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: “NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES” AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

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

2. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, AND AMEND VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23.

Chair Rojas asked if any correspondence had been received in regards to the item. Secretary Lopez said none had been received.

Associate Planner David Lopez presented the staff report.

Chair Rojas asked if any of the Commissioners had any questions. The Commissioners did not have questions but she did. She wanted to know how many people attended the two workshops where the Sign Code was presented. Associate Planner Lopez said that 41 business owners and representatives attended the Top 25 Business Luncheon and 11 business owners attended the Sign Code Workshop. Chair Rojas asked how did staff notify the business owners about the workshops. Associate Planner Lopez said that a flyer was mailed to all businesses in the City, staff from our Economic Development division made calls and visits in person to local businesses to invite them to the workshops. In addition to these efforts, staff also posted the flyer on the City's website and worked with the Chamber of Commerce to get the word out. Chair Rojas asked if staff was asking for feedback during the outreach. Associate Planner Lopez said staff's intention was to invite them to attend the workshops and express their concerns at the workshops.

The Chair then opened the public hearing and asked if there was anyone wishing to speak in favor of the item.

Greg Jones, of Jones Real Estate, addressed the Commission. Mr. Jones says they do a lot of brokerage and tenant placement in La Habra and they are currently working with a tenant who would be affected by the changes in the sign code. He asked the Commission for their consideration if the City brings in a national tenant who needs certain components to their signage which goes around their building as part of their image brand.

Commissioner Mahecha asked if it would be appropriate to ask a question she had after reading the report and the attachments. City Attorney Bettenhausen said it would be appropriate for her to ask the question now.

Commissioner Mahecha said that the section of the report that talked about electronic signs and the recommendation that the City continue to uphold the current policy regarding electronic signs, used a term that she is not sure applies to La Habra anymore. "The suburban nature". She asked for clarification on that phrase. Director Kim said that term comes from the City's General Plan in the way that the City is described in the General Plan. That term is subjective in that compared to the city of Los Angeles, yes, La Habra is suburban and compared to far out reaches that are typically called X Urban, we would be suburban. Generally, in comparison to surrounding cities La Habra is still very much suburban in nature. There is very little transit in our City, no high-quality transit corridors, no high number of jobs, no educational institutions, no major sports teams making La Habra suburban in nature. Commissioner Mahecha asked if Fullerton would be considered suburban. Director Kim said generally, yes.

Vice Chair Surich said that in the report it stated there has been no updates to the digital signage section in many, many years. Given the progress of La Habra, she asked, shouldn't the City grow with the times. She said digital signs are one way businesses can reach more eyes. The information on digital signs was very vague and asked if there could be more information on those types of signs. Director Kim said the Commission had the option to continue the item for staff to include those type of signs in the sign code or they could request a separate sign code amendment to address electronic signs. Commissioner Mahecha asked what would be the most efficient option. Director Kim said it would be to consider those type of signs separately. This way staff could go back and provide more specific information on what do other surrounding cities do. Many of these signs are generally near freeways or on City or State-owned properties. Staff can provide an analysis separate from this ordinance on a comparison on when and where electronic signs are allowed in other cities.

Chair Rojas asked if there was anyone wishing to speak in opposition of the ordinance.

David De Leon, board member, Friends of Family Health Center, addressed the Commission. Mr. De Leon said he worked for the City for 23 years and has seen it change. He said that part of that change is understanding that you have to adapt. He opined that there is nothing better than having a digital sign to communicate a message. Friends and Family is the largest public health center in the City. During the COVID pandemic, Friends and Family had to rely on antiquated methods to relay important information to the community. Mr. De Leon said with all the information they have to provide, they feel it would be done best with a digital sign. He mentioned the digital signs at gas stations are proof that the City is already headed in that direction. He asked the Commission to further consider discussing allowing the use of digital signs.

Glenn Vodhanel, owner of Gold’N Coins, addressed the Commission. Mr. Vodhanel said he is in the same center as Laura’s Bakery and a nail salon. He believes that the current signs they have are terrible. He mentioned that digital signs are not new to La Habra. Howard’s has had one for 25 years. All the schools have digital signs. He mentioned the digital signs at the Brea Improv and the digital sign that materialized for a brief period at La Habra’s Perla Azul. Mr. Vodhanel said he would like the Commission to consider digital signs so he wouldn’t have to spend \$10,000 on a Conditional Use Permit to get one. He agreed that conditions would make sense to limit the number of digital signs. Mr. Vodhanel then said he was concerned with the window signage regulations and felt that instead of 33 percent of coverage to their store fronts, it should be 50 percent. Lastly, he mentioned that he was not a fan of when he read the code that pertained to non-conforming signs and how they would have to update them to conform to current codes if they requested a permit.

Director Kim clarified that the standards for window signage that are currently in place are only being moved from Title 15 of the La Habra Municipal Code to Title 18.

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

Commissioner Bernier said she would like further discussion on electronic signs and agree with Mr. De Leon’s comments on the importance of providing important health information to the community.

Commissioner Mahecha said she agrees with Commissioner Bernier and said she would challenge the suburban nature of La Habra saying she is pro-business. The City is bringing more national brands and great eateries and would like more recommendations on how to move forward with digital signs.

Chair Rojas thanked everyone for coming to the meeting and said she agreed with her fellow Commissioners regarding the electronic signs. Chair Rojas said she would like to continue the item and not take it apart approving only a certain section since it all seems interconnected and it would be of a benefit to everyone.

Chair Rojas made a motion to continue Zone Change 22-03 (to a date uncertain). Commissioner Mahecha seconded the motion. Motion passed 5-0.

COMMENTS FROM STAFF

Planning Manager Lui wished everyone a happy Labor Day. She informed the Commission that staff had one item scheduled for the next regularly scheduled meeting; a request for a used car lot sales on Whittier Boulevard.

COMMENTS FROM COMMISSIONERS

Vice Chair Surich reminded the Commission of the upcoming Corn Festival and invited them to join her in the parade.

Commissioner Bernier said she has been the only Commissioner on the float in past years and it would be great to see all the Commissioners participate. She said she was also happy to see that a new tenant was chosen to take the vacant spot that Popeye’s left.

Commissioner Mahecha thanked the Public Works Department staff for their quick response during the recent storm. They were out there in the rain and took care of two downed trees on her street. She also

thanked the Community Services staff and all those who helped bring out the water slides at Brio park while the splash pads were not functioning this summer.

ADJOURNMENT: 7:20 p.m. to the Planning Commission meeting on September 11, 2023.

Respectfully submitted,

Veronica Lopez,
Secretary