

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
May 13, 2024

CALL TO ORDER: Vice Chair Manley 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 MAHECHA

COMMISSIONERS PRESENT: MANLEY
ROJAS
MAHECHA
CARDENAS

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
SECRETARY: LOPEZ
CITY ATTORNEY: ROBERTO
CONTRACT PLANNER: FINCK

PROCLAMATION

Director Kim presented a proclamation to Carrie Surich in recognition of her service on the Planning Commission.

PUBLIC COMMENT

Vice Chair Manley 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

Secretary Lopez explained the Consent Calendar procedures. The Vice Chair 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 Mahecha, seconded by Commissioner Rojas, to approve the Consent Calendar. Motion passed 4-0.

- 1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.

2. Approving Resolution No. 24-10, Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, GRANTING A THIRTY-DAY EXTENSION TO THE TIME PERIOD FOR ABATEMENT FOR THE PUBLIC NUISANCE LOCATED AT 901-977 WEST IMPERIAL HIGHWAY.
3. Approval of the Planning Commission Minutes of April 22, 2024.

PUBLIC HEARINGS

1. CONTINUATION OF A REQUEST FOR DESIGN REVIEW 24-02 TO ALLOW A SIGN PROGRAM FOR AN EXISTING MULTITENANT INDUSTRIAL BUILDING, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15311, CLASS 11: "ACCESSORY STRUCTURES" OF THE CEQA GUIDELINES.

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

Contract Planner, David Fink asked the Commission to continue the item to the next scheduled meeting.

Vice Chair Manley asked if any of the Commissioners had any questions. There were none.

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

Moved by Commissioner Rojas and seconded by Commissioner Cardenas, to continue the public hearing to the Planning Commission meeting on May 28, 2024, to consider a Conditional Use Permit to allow a sign program for an existing multi-tenant industrial commercial building located at 2120 East Lambert road.

The roll call vote was as follows:

AYES: COMMISSIONERS: ROJAS, CARDENAS, MANLEY, MAHECHA
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

2. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE PERMIT 24-01 TO OPERATE A RETAIL STORE THAT SELLS PRE-OWNED MERCHANDISE AT 1241 EAST LA HABRA BOULEVARD.

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

Planning Manager Sonya Lui presented the staff report.

Vice Chair Manley asked if any of the Commissioners had any questions. There were none.

Vice Chair Manley opened the public hearing and asked if there was anyone wishing to speak in favor of the project. There were none.

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

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

City Attorney Roberto informed the Commission that the wrong resolution was attached to the staff report that went out and that a copy of the correct resolution had been provided to them at the dais. She said that if a motion to approve the propose project is made they should move to approve the revised resolution.

Moved by Vice Chair Manley and seconded by Commissioner Mahecha, Approving Resolution No. 24-11 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 24-01 TO OPERATE A RETAIL STORE SELLING PRE-OWNED MERCHANDISE AT 1241 EAST LA HABRA BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301, CLASS 1: "EXISTING FACILITIES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: MANLEY, MAHECHA, ROJAS, CARDENAS
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

3. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUESTS DESIGN REVIEW 22-02 TO REMODEL AN EXISTING COMMERCIAL BUILDING LOCATED AT 580 WEST LA HABRA BOULEVARD AND CONDITIONAL USE PERMIT 22-08 TO ESTABLISH AN OPERATE A HEALTH CLUB (PLANT FITNESS) WITHIN SAID BUILDING, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY

ACT PURSUANT TO SECTION 153101, CLASS 1: "EXISTING FACILITIES" OF
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

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

Contract Planner Finck presented the staff report.

Vice Chair Manley asked if staff knew when the former Northgate market ceased their operations at this location. Staff did not have the exact date. He then asked if there had been any other applications submitted for other uses at this address. Staff said no other applications were submitted. Director Kim said she had heard that there were inquiries about the possibility of developing housing, but the zoning for this location does not permit housing. Therefore, no applications for housing have been submitted.

Commissioner Rojas asked if there are other businesses in La Habra that operate on 24 hours a day, 7 days a week basis. Vice Chair Manley stated that he believed all 7-11 stores and gas stations do.

Vice Chair Manley opened the public hearing and asked if there was anyone wishing to speak in favor of the project.

Lauren Dressler, representing Planet Fitness, addressed the Commission. Ms. Dressler said she would be happy to answer any question from the Commission.

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

Deborah West, property owner at 200 Chinchilla Street, addressed the Commission. Ms. West said that the former Northgate market closed on April 1, 2017 and she was happy about the closure since she was dealing with all the traffic and noise generated by them. Ms. West is concerned that the proposed new gym will bring traffic and unwanted noise and said a 24/7 gym is not needed. She expressed concerns because there is an existing gym located near the project site that is conducting construction activity past 10:00 p.m.

Vice Chair Manley advised Ms. West to please notify City staff, either the police, or code enforcement of issues so that the City can address these issues.

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

Commissioner Rojas asked Ms. Dressler to address the noise concerns that were brought up during public comment and questioned how their employees would handle after hours noise complaints. Ms. Dressler introduced Mr. Sajdak and deferred the question to him.

Mark Sajdak, Senior Vice President of Operations for Planet Fitness, addressed the Commission. Mr. Sajdak said their gym would not be open 24/7. He said that most likely

they would operate Monday through Friday 5:00 a.m. – 10:00 p.m. and Saturday through Sunday from 7:00 a.m. to 7:00 p.m. Mr. Sajdak said that not too many members use their facilities past 9:00 p.m. Mr. Sajdak said that their gym has strict rules when it comes to noise levels.

Commissioner Rojas asked what the peak hours are for a Planet Fitness gym. Mr. Sajdak said Monday and Tuesday is from 4:00 p.m. -5:00 p.m. and it tapers off as the week goes along.

Commissioner Mahecha asked the applicant to identify where patrons would enter and exit. Ms. Dressler referred to the floorplan on the screen and identified the main entrance would be along the west elevation. Mr. Sajdak said that is the only entrance and exit to the gym.

Commissioner Rojas asked if Planet Fitness would get any type of deliveries. Mr. Sajdak said that they receive consumable food/drink items, but all deliveries are typically done in the day time through the main entrance doors .

Vice Chair Manley asked if there are conditions in place to ensure that if there is music being played in the gym that it doesn't create a noise issue for the neighbors. Mr. Sajdak said that their doors will always be closed since they have the air conditioning on. Furthermore, ambiance music is played at low levels.

Commissioner Mahecha said she would like to see more attention paid to the existing wall that separates the units from the existing residences. Vice Chair Manley concurred with Commissioner Mahecha. He said that it is important that staff take into consideration the communities concerns not just during their meeting, but up to construction, during construction and after construction.

Vice Chair Manley asked if these were typical hours and how many other clubs operated on a 24/7 basis. Mr. Sajdak said that they have some clubs that do close every day and they currently do not have any clubs on the west coast that operate 24/7. The Vice Chair then asked staff if their conditions of approval stated hours of operation. Director Kim answered that the hours of operation are not in the resolution. Director Kim also stated that Standard Condition 7.19 "Disorderly Conduct" and Standard Condition 8.6 "Nuisance Prohibition" were included and state that the operator will be responsible for resolving nuisance issues that are reported to the City or they will be fined.

Commissioner Rojas asked if they would have group classes. Mr. Sajdak said they have fitness instruction for new members. Each group would involve groups of five people only.

Commissioner Cardenas wondered if the business could change their hours to 24 hours a day, 7 days a week. Director Kim answered yes. Vice Chair Manley wondered if the Commission was allowed to place limits on their hours as part of their conditions of approval. Director Kim said the Commission may place limits on the hours, but reminded the Commission that a separate ordinance, which would limit the hours of 24-hour

businesses was not approved by City Council, even though the Commission recommended approval.

Vice Chair Manley reiterated that the operator did not wish to operate for 24 hours. Vice Chair Manley also said he was in support of the proposed project at this location because the subject building has been vacant for years. He asked the Commissioners if they wanted to weigh in on conditioning the hours.

Commissioner Mahecha said she is not in favor of restricting business hours and would not be in support of restrictions in light of the fact that there was a discussion on what the City Council decided for businesses that currently operate on a 24-hours a day, 7 days a week basis.

Commissioner Rojas said there are enough conditions of approval to remediate any issues that may come up. Commissioner Rojas encouraged those present to let the City know of any issues because the City can't act unless they are made aware.

Commissioner Cardenas was concerned that if they didn't condition hours of operation, the gym staff may not be able to handle issues at odd hours of the day like 2:00 a.m.

Vice Chair Manley said he trusted the operator and knows they would not put their staff in danger and he was ready to make a motion.

Moved by Commissioner Mahecha and seconded by Commissioner Rojas, Approving Resolution No. 24-12 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 22-02 TO COMPREHENSIVELY REMODEL AN EXISTING BUILDING AND CONDITIONAL USE PERMIT 22-08 TO ESTABLISH AND OPERATE A NEW HEALTH CLUB (PLANET FITNESS) AT 580 WEST LA HABRA BOULEVARD WITHIN THE LA HABRA PLAZA SHOPPING CENTER, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301, CLASS 1: "EXISTING FACILITIES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: MAHECHA, ROJAS, MANLEY, CARDENAS
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

COMMENTS FROM STAFF

Planning Manager Lui informed the Commission that the next Planning Commission meeting will take place on Tuesday, May 28, 2024, due to the Memorial Day Holiday.

Director Kim informed the Commission about the letter that was distributed to them regarding the La Habra Marketplace. Director Kim further explained that the City's attorneys have reviewed the correspondence and they have determined that the issue is not in the Commission's purview and therefore, it does not require any Commission action.

COMMENTS FROM COMMISSIONERS

Commissioner Mahecha reminded everyone to attend the Veterans' Committee event at the El Centro Lion's Park on May 27, 2024.

Vice Chair Manley thanked Ms. West for coming out and voicing her concerns and asked her to continue to contact the City if she sees any other issues.

ADJOURNMENT: 7:27 p.m. to the Planning Commission meeting on May 28, 2024.

Respectfully submitted,

Veronica Lopez,
Secretary