

THE MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA HABRA

March 14, 1994

ROLL CALL:

PRESENT: COMMISSIONERS: COLLINS, JOHNSON, OWENS,  
KELLEY

ABSENT: COMMISSIONERS: LaBLOND (Arrived at 7:09 p.m.)

OTHERS PRESENT: CHIEF PLANNER: JARAMILLO

The regular meeting of the Planning Commission of the City of La Habra was called to order at 7:00 p.m. in the Council Chambers of the Administration Building. Chairman Kelley led the flag salute. Chairman Kelley indicated that Commissioner LaBlond was absent from this evening's meeting.

Chairman Kelley explained the Consent Calendar procedure to the audience, calling attention to the speaker's cards to be filled out before speaking on any item before the Commission and to be left on the lecturn. Chairman Kelley asked if any member of the audience or the Commission wished any item removed for separate discussion for the Consent Calendar, there being none Commissioner Collins moved and Commissioner Owens seconded approval of the Consent Calendar, which included the following:

- a. Approval of the Minutes of the regular Planning Commission meeting of February 28, 1994.
- b. RESOLUTION NO. 94-15 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING THE GONZAGA MINOR ZONE VARIANCE #93-11 REQUEST TO REDUCE THE REQUIRED FRONT YARD SETBACK AREA FOR AN EXISTING SINGLE FAMILY HOME FROM 20 FEET TO 15 FEET FOR THE CONSTRUCTION OF ROOM ADDITIONS AND A NEW TWO CAR GARAGE TO THE REAR OF THE EXISTING SINGLE FAMILY HOME AT 412 SOUTH FONDA STREET, MAKING THE APPROPRIATE LEGAL FINDINGS AND SUBJECT TO CERTAIN CONDITIONS.

- c. A motion of the Planning Commission of the City of La Habra certifying Mitigated Negative Declaration #93-05 by the City of La Habra for the construction of two water wells within a vacant commercial/industrial site located approximately 640 feet east of the intersection of Beach and Imperial Highway, south of Imperial Highway.

RESOLUTION NO. 94-16 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING THE CITY OF LA HABRA CONDITIONAL USE PERMIT #93-33 REQUEST TO CONSTRUCT TWO WATER WELLS WITHIN A VACANT COMMERCIAL/INDUSTRIAL SITE LOCATED APPROXIMATELY 640 FEET EAST OF THE INTERSECTION OF BEACH AND IMPERIAL HIGHWAY, SOUTH OF IMPERIAL HIGHWAY, MAKING THE APPROPRIATE LEGAL FINDINGS AND SUBJECT TO CERTAIN CONDITIONS.

- d. A motion of the Planning Commission of the City of La Habra approving the continuation of the Thrifty Oil Company Conditional Use Permit #93-32 request to exceed the maximum height for a freestanding sign from 8 feet to 22 feet 2 inches for the existing service station at 101 East Whittier Boulevard to March 28, 1994.
- e. A motion of the Planning Commission of the City of La Habra approving the continuation of the City of La Habra "Property Maintenance" Ordinance for the establishment of minimal maintenance standards for residential, commercial and industrial properties to March 28, 1994.

The roll call vote was as follows:

|          |                |                                 |
|----------|----------------|---------------------------------|
| AYES:    | COMMISSIONERS: | COLLINS, OWENS, JOHNSON, KELLEY |
| NOES:    | COMMISSIONERS: | NONE                            |
| ABSTAIN: | COMMISSIONERS: | NONE                            |
| ABSENT:  | COMMISSIONERS: | LaBLOND                         |

CITY OF LA HABRA - AMENDMENT TO LA HABRA ZONING CODE FOR CONSTRUCTION OF 8 FOOT HIGH SOUND WALLS FOR RESIDENTIAL PROPERTIES WHERE REAR AND SIDE YARDS ABUT ONTO A FOUR LANE HIGHWAY.

Public notice having been given as required by law, the Chair opened the first Public Hearing on a consideration of a request by the City of La Habra to amend the La Habra Zoning Code to allow for the construction of an 8 foot high sound wall for residential properties where the rear and side yard abuts onto a four lane highway. Chief Planner, Jaramillo, gave the staff report indicating that this matter was referred to the Planning Commission by the City Council due to residents' concerns

regarding trash and noise along 4 lane highways within the City of La Habra. Staff investigated this situation and recommends that the Zoning Code be amended to allow property owners with rear and side yards, where there is no driveway approach, to construct an 8 foot high block wall along those sites which abut four lane highways.

Staff added that this will help minimize the noise generated along those highways.

Chairman Kelley inquired whether these walls could be placed immediately adjacent to the sidewalk? Staff replied in the affirmative, noting that it has been Commission's policy to allow property owners to construct walls along property lines when they reside immediately adjacent to a highway. This Ordinance implements this policy but, in this instance, allows an additional 2 feet in wall height.

There being no further discussion in favor of the proposal, the Chair asked for anyone wishing to speak in opposition. There being none, the Chair closed the Public Hearing. Discussion was then opened among the Commission, with Commissioner Owens indicating that he has had numerous complaints from individuals regarding excessive noise, dust and dirt problems due to their close proximity to a major highway. This causes a percentage of back yards to be inaccessible as far as use and he would, therefore, be in favor of this proposal.

Commissioner Johnson noted she is aware this can be a problem for homeowners and this proposal would alleviate the need to request a Variance. She would, therefore, be in favor.

Commissioner Kelley indicated that he is in favor of this proposal and is pleased to see that graffiti removal is part of the Ordinance.

Commissioner Collins moved and Commissioner Johnson seconded approval of the following:

RESOLUTION NO. 94-17 ENTITLED: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO TITLE 18 OF THE LA HABRA MUNICIPAL CODE BY ADDING TO CHAPTER 18.10 (SPECIAL DEVELOPMENT STANDARDS); 18.12 (R-1A, ONE-FAMILY DWELLING ZONE); 18.14 (R1-B, ONE-FAMILY DWELLING); 18.16 (R1-C, ONE-FAMILY DWELLING); 18.18 (R-2, R-2A, R-3, R-4, MULTIPLE-FAMILY ZONES) TO ALLOW FOR 8 FOOT HIGH BLOCK WALLS ALONG THE REAR OR SIDE PROPERTY LINE OR WITHIN 10 FEET OF THE REAR OR SIDE PROPERTY LINE FOR RESIDENTIAL LOTS WHOSE YARDS ABUT DIRECTLY ONTO A MINIMUM OF A FOUR LANE HIGHWAY AND WHERE NO DRIVE APPROACH EXISTS THROUGH THAT SETBACK AREA.

The roll call vote was as follows:

|          |                |                                 |
|----------|----------------|---------------------------------|
| AYES:    | COMMISSIONERS: | COLLINS, JOHNSON, OWENS, KELLEY |
| NOES:    | COMMISSIONERS: | NONE                            |
| ABSTAIN: | COMMISSIONERS: | NONE                            |
| ABSENT:  | COMMISSIONERS: | LaBLOND                         |

Commissioner LaBlond arrived at the meeting at 7:09 p.m.

LA HABRA HOST LIONS CLUB - RENAME EL CENTRO PARK.

The Chair opened the second Public Hearing on a consideration of a request by the La Habra Host Lions Club to rename El Centro Park to El Centro-Lions Park. Chief Planner, Jaramillo, gave the staff report and indicated that the Commission considered the guidelines for naming and re-naming of parks in August, 1993. The Commission's recommendations were sent to the City Council, who establishes the procedures for changing park names. Staff continued that the La Habra Host Lions Club initially requested the park be re-named for Ramon T. Hornbuckle but is now requesting that the Lions Club name be considered instead. Staff indicated that this consideration is open to the Commission to decide whether there is justification for the name change or whether to maintain the name as El Centro Park.

There being no further speakers in favor of the proposal, the Chair asked for anyone wishing to speak in opposition. There being none, the Chair closed the Public Hearing. Discussion was then opened among the Commissioners, with Commissioner Collins indicating that he has a problem with this.

Staff interjected that, although staff has been in contact with the applicant in regard to tonight's hearing, there is no representative in the audience this evening. Staff added that, if the Commission desires, this item could be continued to the next meeting to allow for a representative to speak before the Commission.

Commissioner Collins indicated he assumes that no representative is present this evening because this item will ultimately be decided by the City Council. Therefore, he would favor making a recommendation this evening and passing it along to the Council.

Commissioner Johnson concurred with Commissioner Collins in making the decision this evening.

Commissioner Collins added that the Lions Club initially asked to name the Park after an individual and then decided that their organization would be a wiser choice. Commissioner Collins

indicated that naming the Park after a particular organization would run the risk of slighting other groups, such as Rotary, Kiwanis, etc., and he does not feel comfortable doing this. Therefore, he would rather retain the name as it is, rather than to name it after a particular group or individual.

Commissioner Johnson related that she appreciates the work the Lions Club has done for El Centro Park. She referred to the City's Adopt-A-Park program as a way to have the organization associated with the group when they adopt the Park and put up a sign recognizing such action. She concluded that she would prefer to keep the park name as El Centro Park.

Commissioner LaBlond indicated his agreement with the previous Commissioners.

Commissioner Johnson moved and Commissioner LaBlond seconded, by unanimous voice vote, the following:

A motion of the Planning Commission of the City of La Habra recommending that the City Council of the City of La Habra not approve the La Habra Host Lions Club request to rename El Centro Park to El Centro-Lions Park.

CITY OF LA HABRA - NAMING NEW COMMUNITY PARK FOR LA HABRA HILLS.

The Chair opened the last Public Hearing on a consideration of a request by the City of La Habra to name the new community park that is being constructed as part of the La Habra Hills development. Chief Planner, Jaramillo, gave the staff report indicating that this item was considered by the City Council in February, 1994. The Council forwarded the staff report to the Planning and Community Services Commissions for a recommendation on a name for the community park. Staff added that the proposed names are Spanish in keeping with the theme throughout the City in regard to City parks. He concluded that staff is requesting the Commission to recommend a name from the list or one that they feel is more appropriate for this location.

There being no further speakers in favor of the proposal, the Chair asked for anyone wishing to speak in opposition. There being none, the Chair closed the Public Hearing. Discussion was then opened among the Commission, with Chairman Kelley inquiring whether the Commission must make a selection from the proposed names, to which the reply was in the negative.

The Commission reviewed several of the proposed park names from the list and after a brief discussion determined that Vista De La Habra Park would be an appropriate choice to reflect the La Habra Hills development.

Commissioner Collins moved and Commissioner LaBlond seconded, by a unanimous voice vote, the following:

A motion of the Planning Commission of the City of La Habra recommending that the City Council of the City of La Habra name the community park being constructed as part of the La Habra Hills development as "Vista De La Habra Park".

Under Consideration Items, staff reported that a request for a 6 month time extension has been made by Shurgard Income Properties for a Tentative Parcel Map to divide two lots into two new parcels for the site located at 999 East Lambert Road. Staff informed that this is the applicant's second request for a time extension and they have been made aware that this is the final time extension allowed. He concluded that staff would recommend approval.

Commissioner Johnson moved and Commissioner Owens seconded, by a unanimous voice vote, the following:

A motion of the Planning Commission of the City of La Habra approving the final six month time extension for the Shurgard Income Properties Tentative Parcel Map #91-167 to divide two lots into two new parcels for the site located at 999 East Lambert Road.

Under Administrative Matters, staff informed that there are two: (1) regarding the vacant service station at Harbor and La Habra Boulevards, staff has been in contact with Chevron, who indicated that the barrels on site would be removed this evening; and (2) regarding the graffiti on the pizza restaurant located at Palm Street and Harbor Boulevard, staff indicated that a letter has been sent to the owner of the center indicating that if the graffiti is not cleaned up within the prescribed time period, he risks revocation of his Conditional Use Permit.

Under Comments from the Audience, a member of the audience remarked that they would like to discuss Item C under the Consent Calendar (Consideration by the City of La Habra for a Conditional Use Permit to construct water wells within a vacant Planned Commercial-Industrial site and a Negative Declaration of Environmental Impacts for the property located approximately 640 feet east of Beach Boulevard along Imperial Highway). Chairman Kelley responded that the item has already been approved and that he explained the Consent Calendar procedure at the opening of the meeting and asked if anyone wished to remove an item for public discussion and there was none. The speaker replied that it was not clear to him and he did not understand what a Public Hearing was. Several of the others attending the meeting were in agreement that they did not understand this either.

Planning Commission Minutes

Page 7

March 14, 1994

Chief Planner, Jaramillo, indicated that his staff would be willing to discuss this particular item with anyone wishing to do so. He added that if after this discussion there is still discomfort with this request, this item could be appealed to the City Council within the 10 day appeal period.

Commissioner Collins noted his agreement with this recommendation.

The speaker then approached the podium and identified himself as Mr. Don Wright, a resident in the Classic Homes Development. He indicated that he would like to address two issues this evening, the first being that when laymen, such as himself, come to these meetings there should be a clearer understanding of the Commission's procedures. He continued that these procedures were glossed over and poorly explained and in the future there should be an amendment to these procedures that would address this at the beginning of the meeting. Mr. Wright added that he thinks this item should be continued to allow for another vote. However, since the Commission is unwilling to reopen the Public Hearing, they will go to the City Council with this.

Commissioner Johnson spoke in defense of Chairman Kelley. She noted that the Chairman makes every effort to inform the public. She referred to the printed message on the first page of the agenda which states quite clearly the procedure if someone wishes to remove an item from the Consent Calendar.

Mr. Wright responded that it still is not clear.

Mr. Lynn Follitt came to the stand and indicated that he came to the meeting this evening to talk about the water wells. He related that he and Mr. Wright have attended several Traffic Commission meetings and explained how they provide a sign-up sheet for anyone wishing to speak about an item at the meeting. He suggested that this same procedure could be used by the Planning Commission to alleviate any confusion in the future for those lay people wishing to discuss a particular item.

Under Comments from the Commissioners, Chairman Kelley responded that he served on the Traffic Commission for 8 years, 3 of which he served as Chairman. Chairman Kelley noted that the Planning Commission procedures are similar to those used by the Traffic Commission. He indicated how he tried to explain as clearly as possible what the Consent Calendar procedure is and stressed that the Planning Commission has always attempted to be fair and listen to anyone wishing to speak. He added that we are all citizens of the City and all have concerns. Chairman Kelley emphasized that he thinks it is unfair to plead ignorance of these procedures.

Planning Commission Minutes

Page 8

March 14, 1994

He concluded that the speakers' comments will be forwarded to the City Council.

There being no further questions or speakers, Chairman Kelley moved and Commissioner Johnson seconded adjournment of the meeting at 7:40 p.m.

Respectfully submitted,

Jan Polevoi, Secretary