

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
November 12, 2024

CALL TO ORDER: 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 CARDENAS

COMMISSIONERS PRESENT: MANLEY
MAHECHA
CARDENAS
RAMSLAND

COMMISSIONERS ABSENT: GOMEZ

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
SECRETARY: LOPEZ
CITY ATTORNEY: KOO
ASSOCIATE PLANNER: WIELENGA

PUBLIC COMMENT

Chair Manley asked if there was anyone in the audience that wished to address the Commission on the consent calendar or any item not listed on the agenda. There were none.

CONSENT CALENDAR

Secretary Lopez explained the Consent Calendar procedures. Chair Manley asked if any of the Commissioners wished to remove an item. There were none. He then asked if there was anyone in the audience that wished to remove an item. There were none.

Moved by Vice Chair Mahecha, seconded by Commissioner Ramsland, 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. Approval of the Planning Commission Minutes of October 28, 2024.
3. Approving Resolution No. 24-34, entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, DETERMINING THAT THE PROPOSED ACQUISITION OF 216 SOUTH EUCLID STREET, APN 024-174-07, IS IN CONFORMANCE WITH THE LA HABRA GENERAL

PLAN IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65402 AND DETERMINING THE ACQUISITION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(8)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

4. Approving Resolution No. 24-35, 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.

PUBLIC HEARING

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR TENTATIVE PARCEL MAP 2024-111 (TPM1PH24-0001) TO ALLOW FOR THE SUBDIVISION OF A 14,450 SQUARE FOOT PARCEL INTO TWO LOTS FOR THE FUTURE DEVELOPMENT ONE SINGLE-UNIT DWELLING ON EACH LOT ON THE PROPERTY CURRENTLY ADDRESSED AS 800 NORTH TROPICANA WAY.

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

Associate Planner, Jacob Wielenga, presented the staff report. He concluded by stating that a revised resolution had been distributed showing minor revisions to clarify that Project Specific Condition No. 11 requires demolition of any portion of the existing residential structure to comply with setbacks and General Condition 1.1 is amended per the City Attorney's recommendation to ensure that the applicant is subject to complying with all local, State and Federal laws.

Chair Manley confirmed they had received the revised resolution and asked if any of the Commissioners had any questions.

Vice Chair Mahecha asked if the subject property bordered the City's limits and what is the typical lot size in that area. Associate Planner Wielenga responded that it bordered the City of Brea to the east and the land use designation is also low density. The typical lot size is 7,200 square feet for surrounding lots on the La Habra side. Chair Manley asked staff to clarify the significance of having a 7,200 square foot lot. Associate Planner Wielenga answered that 7,200 square feet is the minimum lot size required in R-1b zone.

Chair Manley opened the public hearing and asked if the applicant wished to address the Commission and if there was anyone else wishing to speak in favor of the project. No one spoke in favor.

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

Kimo Morris, resident at 850 Tropicana Way, addressed the Commission. Mr. Morris said he didn't know the details of the project until he heard staff's report that night. He expressed

concerns with the potential increase of traffic and population density if in the future the owner builds two units. Mr. Morris said he and his neighbors knew that the project being proposed is not illegal, but expressed concerns that may occur after the subdivision. Mr. Morris requested that the Commission delay the project in order to provide the residents with more time to consider the proposal and the City's recommendation.

Bibi Negrete, resident at 831 Tropicana Way, addressed the Commission. Ms. Negrete echoed the concerns brought up by Mr. Morris and asked the Commission for an extension to get additional information on what's going to be built.

Allen Roe, resident at 900 Tropicana Way, addressed the Commission. Mr. Roe asked the Commission for a delay in their approval so that he and his neighbors could get more information on the proposed project.

Chair Manley asked the applicant if he would like to offer a rebuttal. The applicant did not address the Commission.

Chair Manley asked the Commissioners if they would like to hold a discussion, share comments, or entertain a motion.

Commissioner Ramsland acknowledged the public comments made by neighbors, but explained that the applicant's project as submitted demonstrates the required findings to approve a subdivision can be sufficiently met and therefore, he did not see a reason why the Commission should not move forward with the project.

Vice Chair Maheca concurred with Commissioner Ramsland's statement and added that the Commission has no legal basis to tell a land owner what they can and can't do with their property if the land owner is complying with all of the laws. She suggested that it may be helpful for the applicant to address the concerns brought up by the neighbors.

Commissioner Cardenas questioned if it was possible for the Commission to grant an extension as requested by the neighbors.

Director Kim explained how the Commission could continue the item, but cautioned that the applicant submitted an application that meets all findings to approve the subdivision as per staff's recommendation.

Commissioner Ramsland questioned whether anything could be gained by having the Commission continue the project for two weeks. Chair Manley answered that he believed nothing would be gained. Chair Manley said he empathized with the neighbors and their concerns, but said the required findings would not likely change. He explained that the Commission was there not to make a personal determination on if future development is okay or not, but rather to see if the project meets the findings, which it does. Chair Manley again said he empathized with the neighbors wanting more information and said that the property owner could help with that, but he was not obligated to do so. Chair Manley stated that he would not be in favor of continuing the item and noted that the map is just one of the first steps taken before development occurs on the two new lots.

Vice Chair Mahecha said she thought that as long as the proposed project plans met codes, the Commission would not get to review the design plans for the future development on those new lots. Director Kim said that was correct. The next step for the applicant after receiving approval for the subdivision map, is to submit building plans. She said those building plans are public record. Vice Chair Mahecha suggested that the neighbors may want to get to know their neighbor and suggested that the applicant may want to talk to his neighbors too.

The applicant was invited up to the podium by Chair Manley to address the Commission.

The applicant, Hong Dihn, explained that he purchased the property in order to develop it. He plans to live on one of the lots and said he was still deciding if he wanted to sell the other lot or rent it out once it's developed. Mr. Dihn said he purchased the property over two years ago and had to rent out the property since the process to subdivide the lot was taking so long and there are many expenses involved in the process.

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

Moved by Vice Chair Mahecha and seconded by Commissioner Ramsland, approving Amended Resolution No. 24-36 entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING TENTATIVE PARCEL MAP 2024-111 (TPM1PH24-0001) TO ALLOW THE SUBDIVISION OF A 14,450 SQUARE FOOT PARCEL INTO TWO LOTS FOR FUTURE SINGLE-UNIT DEVELOPMENT ON EACH LOT ON THE PROPERTY CURRENTLY ADDRESSED AS 800 NORTH TROPICANA WAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15315, CLASS 15: "MINOR LAND DIVISIONS" OF THE CEQA GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: MAHECHA, RAMSLAND, MANLEY, CARDENAS
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: GOMEZ

Secretary Lopez said that the action becomes final in 10 working days unless it's appealed to City Council.

Chair Manley thanked the public for coming out. He said that many times the outcome isn't what we hope for put public engagement and positive discourse between neighbors is a good thing. Appreciated their presence and engagement.

COMMENTS FROM STAFF

Planning Manager Sonya Lui informed the Commission that there would be no items for staff to present at the second regular meeting in November, but said that staff anticipates being able to present items in December.

COMMENTS FROM COMMISSIONERS

Vice Chair Mahecha said the Veterans' Day celebration at the Community Center on Monday was such a wonderful event. She also reminded everyone that Senior Week was all week long and that it culminates on Friday with a health fair.

Commissioner Cardenas thanked the public for attending and expressing their concerns.

ADJOURNMENT: 7:01p.m. to the Planning Commission meeting on December 9, 2024.

Respectfully submitted,

Veronica Lopez,
Secretary