

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
September 9, 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 RAMSLAND

COMMISSIONERS PRESENT: MANLEY
MAHECHA
CARDENAS
GOMEZ
RAMSLAND

COMMISSIONERS ABSENT: NONE

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
SECRETARY: LOPEZ
CITY ATTORNEY: ROBERTO
SENIOR PLANNER: SYED
ASSOCIATE PLANNER: MOREIRA
CONTRACT PLANNER: TAYLOR

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 Cardenas, to approve the Consent Calendar. Motion passed 5-0 for items 1 and 2, and 4-0-1 with Commissioner Ramsland abstaining from Item 3.

- 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. 24-23, 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 August 26, 2024.

PUBLIC HEARING

Before introducing the first public hearing, Chair Manley excused Vice Chair Mahecha from the room explaining that she will be recusing herself from the first two items on the agenda since she lives within 500 feet of those projects.

1. A DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR DESIGN REVIEW 24-0007 TO CONSTRUCT A 19-UNIT APARTMENT COMPLEX ON THE SOUTHEAST CORNER OF STEARNS AVENUE AND SUNSET STREET, AT 1002, 1010, AND 1026 EAST STEARNS AVENUE.

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

Senior Planner, Ash Syed, presented the staff report. Senior Planner Syed informed the Commission that staff distributed an updated resolution to the Commission.

Chair Manley confirmed that the document had been received and then asked if any of the Commissioners had any questions.

Commissioner Ramsland asked if there was a solid block wall being proposed along the south side of the project. Senior Planner Syed confirmed that was true and explained that there is a five-foot wide walkway adjacent to the wall and if the Commission wished, they could add a condition to add vines or other things to add esthetic relief. Commissioner Ramsland then asked for clarification on the location of the trash enclosure. Senior Planner Syed clarified the trash enclosure will be located at the southeast side of the project site.

Commissioner Cardenas asked who will maintain the common area. Senior Planner Syed answered that it would be maintained by onsite management.

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

The applicant, Greg Jones, addressed the Commission. Mr. Jones thanked staff for their work and said he felt this is a great quality project that he looked forward to working on and would be happy to answer any of the Commission's questions regarding the project.

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

Commissioner Ramsland asked if he could ask Mr. Jones questions. Chair Manley requested Mr. Jones to return to the podium. Commissioner Ramsland stated that he liked the project and thought it was well designed. Commissioner Ramsland also stated that he thought the project would make a huge improvement to that area, but questioned why the applicant was not presenting the tentative parcel map concurrently with the project. Mr. Jones said the units were not being sold, but instead, they are being rented. Mr. Jones wanted to make sure the project could be approved before working on the map. Commissioner Ramsland then asked if they would have an onsite manager. Mr. Jones confirmed that, there will be an onsite manager.

Chair Manley closed the public hearing and asked if anyone on the Commission would like to initiate a discussion or else, make a motion.

Commissioner Ramsland expressed his concerns about the south side of the project site and opined that the lack of landscaping will increase the heat signature of that area. Commissioner Ramsland said he would like to see a hedge or vine pockets be added to soften the appearance of the wall for the residents and provide landscaping that would help cool down that area too. Commissioner Ramsland said he would also like to see some vine pockets on the other side of the wall, facing the alley, to deter graffiti.

Chair Manley asked staff if other projects had been subject to this type of landscaping condition and asked Senior Planner Syed to clarify if this requirement was part of one of the standard conditions. Senior Planner Syed said it was not, but cautioned that what was presented was just a conceptual landscaping plan. Senior Planner Syed said staff would have the opportunity to discuss landscaping modifications with the applicant before approving a final landscaping plan. Chair Manley asked whether the current conceptual landscape plan did not show proposed landscaping along the southern wall. Senior Planner Syed said that was correct, but said the Commission could add a condition requiring that vines or other plant material be added to the interior of the southern wall to help with the aesthetics and heat relief.

Chair Manley expressed concerns about who would be maintaining any plant material along the south facing wall. Commissioner Ramsland said he had similar concerns and that was why he asked if the applicant would have an onsite manager. Chair Manley noted that the Commission could make a motion to approve the project as-is, approve the project with an added condition requiring that vine pockets or other landscaping be provided on the inside of that southern wall, or approve the project with an added condition requiring vine pockets be added along both sides of the southern wall. Chair Manley asked staff if he specified the options for a motion with the correct language. Director Kim responded that the options were correct, but asked the Commission to specify that the condition state the applicant would be required to provide vine pockets or other landscaping along the southern wall to the extent feasible.

Commissioner Gomez expressed concerns about the amount of proposed onsite parking. Senior Planner Syed described proposed onsite parking and said the applicant was in compliance with the City's minimum parking requirements. Director Kim reminded the

Commission that the Commission would not be allowed to require the project to exceed the minimum standard specified in the City's code.

Commissioner Cardenas said she would be in favor of requiring some landscaping along the southern wall to reduce the heat. Senior Planner Syed said they could add a condition to that effect and said he had drafted potential language that could be added as a condition.

Chair Manley asked the City attorney to advise how the Commission should state a motion that includes the landscaping provision in the updated resolution that staff provided in advance of the meeting. City Attorney Roberto said who ever makes the motion could state they are moving to approve the resolution as provided by staff with the additional condition as proposed by Senior Planner Syed and with the suggestion by Director Kim for additional wording that landscaping would be provided alongside one or both sides of the wall to the extent feasible.

Chair Manley asked Commissioner Ramsland if he had any thoughts on that. Commissioner Ramsland said he would like to see an additional condition requiring vines on the outside of the wall facing the alley to deter graffiti, but would support the consensus of the Commission.

Planning Manager Lui noted that all conditions of approval should specify who would be responsible for enforcing the requirement and also specify the timing in which the requirement must be met. Planning Manager Lui suggested that the new condition indicate that the vines or other landscaped must be installed to the satisfaction of the Director of Community and Economic Development prior to the finalization of building permits.

Moved by Chair Manley and seconded by Commissioner Ramsland, approving Resolution No. 24-21 as amended and entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 24-0007 TO CONSTRUCT A 19-UNIT APARTMENT COMPLEX ON THE SOUTHEAST CORNER OF STEARNS AVENUE AND SUNSET STREET, AT 1002, 1010, AND 1026 EAST STEARNS AVENUE (ASSESSOR'S PARCEL NUMBERS: 303-113-01, -02, AND, -03), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "IN-FILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES.

And with added Condition No. 18 that stipulates "vines or other landscape shall be installed on both the interior and exterior face of the CMU block wall along the southern boundary of the site to the extent feasible, to the satisfaction of the Director of Community and Economic Development prior to the finalization of building permits."

The roll call vote was as follows:

AYES: COMMISSIONERS: MANLEY, RAMSLAND, GOMEZ, CARDENAS
NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS:NONE
ABSENT: COMMISSIONERS:NONE
RECUSED: COMMISSIONERS:MAHECHA

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

2. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR DESIGN REVIEW 24-0003 TO CONSTRUCT A TWO-STORY DWELLING UNIT COMPRISED OF A SINGLE-UNIT RESIDENCE WITH AN ATTACHED ACCESSORY DWELLING UNIT (ADU) AT 114 SOUTH COLLEGE STREET.

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

Contract Planner, Darryl Taylor, presented the staff report.

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

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

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

George Monterroso, property owner at 850 East La Habra Boulevard, addressed the Commission. Mr. Monterroso questioned whether the proposed accessory dwelling unit (ADU) would have access to the alley, south of his property because there is currently a gate there. Mr. Monterroso expressed concerns about the proposed guest parking and setbacks between the proposed project and his existing block wall.

Chair Manley asked if staff could clarify some of Mr. Monterroso's concerns. Contract Planner Taylor explained that there would be a solid block wall along the northern, southern and eastern perimeter of the proposed project with no proposed gates. Contract Planner Taylor said the proposed ADU will comply with the required four-foot setback requirement.

There was a discussion about whether the project site would have access to the alley behind Mr. Monterroso's property. It was determined that the proposed project does not have access to the alley. The gate Mr. Monterroso referred to belongs to another property owner not a part of this project and the property adjacent to Mr. Monterroso's property is the recently approved project to develop an apartment complex known as Magnolia Villas. The proposed dwelling unit and ADU will only have access to South College Street.

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

Moved by Commissioner Ramsland and seconded by Commissioner Cardenas, approving Resolution No. 24-25 entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE

CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 24-0003 TO CONSTRUCT A TWO-STORY DWELLING UNIT COMPRISED OF A SINGLE-UNIT RESIDENCE AND ATTACHED ACCESSORY DWELLING UNIT (ADU) AT 114 SOUTH COLLEGE STREET, 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 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" OF THE CEQA GUIDELINES.

The roll call vote was as follows:

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

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

Chair Manley asked for Vice Chair Mahecha to return to the room and upon her return, he introduced the next item.

3. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR DESIGN REVIEW 24-0006 TO CONSTRUCT A TWO-STORY DUPLEX AND TWO DETACHED SINGLE-STORY ACCESSORY DWELLING UNITS (ADUS) AT 729-731 WEST FOURTH AVENUE.

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

Contract Planner, Darryl Taylor, presented the staff report.

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

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

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

Patti Martinez, property owner at 721 West Fourth Street, addressed the Commission. Ms. Martinez expressed concerns about how this project will further affect the existing parking issues and traffic issues. She said the proposed project looks beautiful on paper, but in actuality, it's too large of a development for their neighborhood. Ms. Martinez is also concerned with the anticipated disruption during the demolition and said that currently the residents from the apartments on Monte Vista are parking along West Fourth Street since

Monte Vista Street is being repaved. She also mentioned that they have requested speed bumps to deter speeding vehicles since they are between Euclid and Monte Vista, but none have been installed.

Laura Rodriguez, resident at 718 West Fourth Street, addressed the Commission. Ms. Rodriguez is concerned with parking and stated her household is experiencing parking issues due to the repaving of Monte Vista Street. Ms. Rodriguez said that cars can only park on one side of the street since it's a narrow street. Ms. Rodriguez is concerned about the width of the existing driveway at the proposed project location and the anticipated construction vehicles potentially blocking access to the school bus that picks up kids at the corner up the hill. Ms. Rodriguez said the proposed project is too big for their community.

Chair Manley asked staff to respond to the public comments and asked if it was true that there was only parking on one side of West Fourth Street. Contract Planner Taylor said he verified when visiting the site that parking is only allowed on one side of Fourth Street.

Vice Chair Mahecha asked who would the residents need to talk to about construction efforts and potential conflicts with the school bus stop. Director Kim said those concerns could be directed to the Public Works department since the Planning Commission has no purview over public street issues. Contract Planner Taylor added that there is a condition of approval stating that all construction activity is to be confined to the project site. Construction vehicles should not be parking on the street. Director Kim added that the community can contact the Community Development Department about project issues and staff will make sure the conditions of approval are being followed.

Vice Chair Mahecha asked if staff was aware of the overnight parking permit regulations. Director Kim said that Public Works staff was not in attendance tonight, but that the Commission and/or Planning staff could attempt to answer any questions based on historical knowledge, but cautioned that overnight parking was not under the purview of the Planning Commission.

Commissioner Cardenas asked for clarification on where the parking was located for the back units. Contract Planner Taylor referred to a slide showing the long driveway and explained that there are two designated parking spots at the rear of the property noted on the plan. Chair Manley asked if they could also park on the driveway. Contract Planner Taylor confirmed they could. Chair Manley asked for the size of the subject lot. Contract Planner Taylor said it is 7,808 square feet.

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

Chair Manley asked Commissioner Ramsland if he had some knowledge regarding the overnight parking permits. Commissioner Ramsland stated that a permit can be issued but that doesn't guarantee a resident will have a spot to park on the street. Chair Manley said he thought that a resident has to demonstrate a real need for parking and in some cases, a resident would not be issued a parking permit if the resident has a garage that is not being used for parking. Vice Chair Mahecha said that from experience, she knows that not every

household is guaranteed an overnight permit, especially if they see there is a big enough driveway. Vice Chair Mahecha also stated that she believes that there is a limit of two parking permits that can be issued per property.

Commissioner Gomez said she thought the City could issue parking permits for every vehicle registered to the property; stating as many as 10 permits could be issued to residents that owned 10 vehicles. However, Commissioner Gomez noted that she didn't think each unit in the proposed project would have such a high number of vehicles that would necessitate parking permits.

Director Kim cautioned the Commission about talking about public parking on public streets and reminded them that the proposed project meets the minimum parking requirements and under State law the City can not ask for more parking.

Vice Chair Mahecha said the point she was trying to make is that the proposed ADU projects are adhering to more strict parking requirements than other development projects. Director Kim said that was correct.

Chair Manley asked how much the Commission could do to regulate ADUs. Director Kim said the Commission was reviewing this project under a Design Review application and that the Commission was only reviewing the design of the project. Director Kim explained that the majority of ADUs do not come before the Commission as they are permitted by right for single-unit homes. Those applications go straight to permits after staff reviews them for compliance with zoning and building codes; no other reviews are required. Chair Manley asked what made this one different making it necessary for them to review the design. Commissioner Ramsland said it is because it's located in an R-2 zone, or a multi-unit zone.

Planning Manger Lui added that the City has an ADU Ordinance which mirrors State regulations for ADUs, which includes separate parking standards and, in this case, the proposed project qualified for parking exemptions.

Commissioner Ramsland said the project went a long way to meet the City's requirements since they could have received more State exemptions if they had wanted to. Overall, Commissioner Ramsland commented that the applicant has done a good job with designing a project that fits in with the neighborhood. Commissioner Ramsland also said ADUs serve as affordable housing options for the City and typically they shouldn't be occupied by too many people with multiple vehicles.

Chair Manley said that it meets the requirements and began addressing the two public speakers who voiced their concerns about the project by explaining the Commission's decision was not final. However, City Attorney Roberto stated that the Commission's decision is in fact a final decision. City Attorney Roberto then explained that there is a 10-day appeal process and if someone follows those appeal procedures outlined in the Municipal Code, then and only then, would this go before the City Council for their review.

Moved by Vice Chair Mahecha and seconded by Commissioner Ramsland, approving Resolution No. 24-26 entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 24-0006 TO CONSTRUCT A TWO-STORY DUPLEX AND TWO DETACHED SINGLE-STORY ACCESSORY DWELLING UNITS (ADUS) AT 729-731 WEST 4TH AVENUE, 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 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" OF THE CEQA GUIDELINES.

The roll call vote was as follows:

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

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

4. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR MODIFICATION 23-01 TO AMEND CONDITIONAL USE PERMIT 90-57 TO ALLOW THE OPERATION OF A DRIVE-THROUGH AT AN EXISTING RESTAURANT (BIRRIERIA GUADALAJARA) LOCATED AT 1100 EAST LA HABRA BOULEVARD.

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

Associate Planner, Carlos Moreira, presented the staff report.

Chair Manley asked if any of the Commissioners had any questions and started by asking if there was any proposed construction to the building. Associate Planner Moreira said there is no proposed construction. Chair Manley then asked if any striping or demarcation is required to help with the queueing since it appears that currently there is no striping. Associate Planner Moreira said that was correct, there is no striping and it's not required but the Commission could place a condition for it.

Planning Manager Lui informed the Commission that staff had discussed the need for striping with the Engineering Division staff and that they said that striping should not be required for this driveway queue.

Commissioner Ramsland asked if there were any signs directing people to the drive-through. Associate Planner Moreira said there is a sign on the north west side of the property that directs drivers to the start of the queue.

Vice Chair Mahecha asked if the project was located in the same shopping center as Troy's Burgers. Associate Planner Moreira confirmed that it was. Vice Chair Mahecha stated that she recalled Troy's drive-through was not striped either. Director Kim said there's a wall behind Troy's Burgers that limits where vehicles can go. Director Kim said it's not difficult for drivers to understand which way customer needs to go to get to the drive-through, but the Commission was free to add conditions if they felt it was necessary.

Vice Chair Mahecha thought the drive-through was already in operation. Director Kim said the drive-through was in operation for a time due to a misunderstanding by the business owner since the drive-through window had remained there from a previous use but was not added to the current Conditional Use Permit (CUP) that the current restaurant is operating under. Director Kim added that when the restaurant first opened, there was significant backup on to La Habra Boulevard and it became a Code Enforcement case. Since then, traffic has normalized and it is no longer an issue.

Chair Manley asked if a queuing analysis was conducted. Associate Planner Moreira said yes and explained that the project queuing analysis looked at three sites, including the La Habra location and determined that the proposed drive-through could sufficiently accommodate the demand. Chair Manley asked if Associate Planner Moreira could share the queuing analysis results. Associate Planner Moreira said the study determined that peak hours are from 4:00 p.m. and 7:00 p.m. and based on observations made on two separate dates, the maximum number of vehicles during peak hours is three vehicles in the queue. Associate Planner Moreira noted that the proposed drive-through can accommodate up to four vehicles in the queue. Chair Manley repeated that initially when the restaurant first opened and started using the drive-through, there were traffic issues, but those have subsided and normalized. Chair Manley said based on the queueing analysis results, a total of three or four cars at peak time, shouldn't result in traffic backing up even without additional signs or drive-through striping.

Director Kim said the purpose of modifying the existing CUP to include the drive-through is that in the event it's not operating properly, for instance if it backs up on to La Habra Boulevard, then they have a queueing plan to manage it and also staff would have the ability to take away the drive-through.

Commissioner Ramsland asked if the drive-through analysis and findings for the proposed project would still be valid if another restaurant operator replaces Birreiria Guadalajara. Director Kim said that was correct since the Commission is tasked with approving the land use and not the specific operator.

Chair Manley asked staff to clarify if the project experiences traffic increases and vehicles don't know where to go resulting in issues, whether staff will be able to revisit the approval. Director Kim said yes and that the Commission could schedule a hearing and make

modifications to the CUP. Director Kim said that if vehicles were to back up on to La Habra Boulevard, it would become a traffic violation and that would need to be addressed.

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

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

Chair Manley closed the public hearing and asked the Commission to either initiate a discussion or make a motion.

The Chair asked the Commission if they were happy with their discussion. Commissioner Ramsland said he might be the only one that would prefer the drive-through lane be striped even though it's not necessary now. Commissioner Ramsland said it is not required to have drive-through striping, but it also couldn't hurt if the applicant installed signs and drive-through striping to help direct traffic.

Vice Chair Mahecha agreed with Commissioner Ramsland's thoughts but said that would be an extra cost for the business owner.

Chair Manley said he would be fine with or without the striping to delineate the drive-through. Chair Manley further stated that a striping requirement would not really affect this project because it is anticipated to have only three or four vehicles during peak times but said he could be in favor of a motion that includes striping the drive-through.

Vice Chair Mahecha said what makes a drive-through work isn't just the delineation, but also the restaurant staff knowing how to manage the drive-through. Vice Chair Mahecha said she is not opposed to drive-through striping, but is concerned about the cost of adding drive-through striping being a burden to the business owner.

Commissioner Gomez said that because the drive-through appears to already be working fine, she doesn't see a need for drive-through striping, but said if it becomes an issue they could revisit the item. However, Commissioner Gomez also said she didn't want to impose additional work or cost to the business owner if the drive-through is already operating fine without the drive-through striping .

Commissioner Cardenas said she has driven by the subject business and hasn't see any drive-through issues and therefore, believes that adding drive-through striping is presently unnecessary, but could require it in the future if drive-through issues arise.

Moved by Chair Manley and seconded by Commissioner Cardenas, Approving Resolution No. 24-26 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING MODIFICATION 23-01 TO AMEND CONDITIONAL USE PERMIT 90-57 TO ALLOW THE OPERATION OF A DRIVE-THROUGH AT AN EXISTING RESTAURANT (BIRRIERIA

GUADALAJARA) LOCATED AT 1100 EAST LA HABRA BOULEVARD, AS PER THE APPROVED SITE PLAN AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301(A), CLASS 1: "EXISTING FACILITIES" OF THE CEQA GUIDELINES.

The roll call vote was as follows:

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

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

COMMENTS FROM STAFF

There were no comments from staff.

COMMENTS FROM COMMISSIONERS

Vice Chair Mahecha said she wished the residents who spoke earlier in opposition to the project on Fourth Street had stayed until the end of the meeting so she could thank them for speaking up and tell them they did a great job even though they said that they were nervous.

Chair Manley welcomed Commissioner Ramsland and remarked that Commissioner Ramsland's planning knowledge and his years living in the City are great assets. Chair Manley said it was great to have Commissioner Ramsland on board.

ADJOURNMENT: 8:00 p.m. to the Planning Commission meeting on September 23, 2024.

Respectfully submitted,

Veronica Lopez,
Secretary