

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

February 12, 2024

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 BERNIER

COMMISSIONERS PRESENT: ROJAS
SURICH
BERNIER
MAHECHA
MANLEY

COMMISSIONERS ABSENT: NONE

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

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.

Planning Manager Lui informed staff that the Commission wanted an update on item number three of the Consent Calendar and she deferred to the City Attorney. Chair Rojas asked for a motion to pull that item from the Consent Calendar. Commissioner Mahecha made a motion to remove item number three from the Consent Calendar for an update from the City Attorney. Vice Chair Surich seconded the motion. Motion passed 5-0.

Chair Rojas asked for a motion to pass items one and two on the Consent Calendar. 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 January 8, 2024

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

1. Extension of time period for abatement for Public Nuisance at Coyote Village located at 901-997 West Imperial Highway.

Recommendation:

THAT THE PLANNING COMMISSION ADOPT: 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.

City Attorney Roberto provided a brief update on the Coyote Village project. She explained that as the City's code is written, this extension item will be coming to the Commission every 30 days until the work is completed. Based on conversations with staff, that could be anywhere from six months to a year.

Vice Chair Surich wondered if Engineering staff had visited the site to make sure no further damage has occurred because of the heavy rains we have experienced lately. Planning Manager Lui said she spoke with Engineering and they confirmed that the rain did not have any adverse impacts on the site.

Chair Rojas asked if the Commission has the authority to recommend an additional 30-day extension on top of what the code allows. Attorney Roberto said the Code says the Commission can grant an extension of up to 30 days maximum.

The Chair asked for a motion.

Moved by Commissioner Manley seconded by Commissioner Mahecha. Motion passed 4-0 with Commissioner Bernier abstaining.

PUBLIC HEARINGS

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE PERMIT 23-08 TO ESTABLISH A COMMERCIAL SCHOOL (4TH CHAMBER PERSONAL TRAINING CENTER AND CLINIC) AT 1211 EAST LA HABRA BOULEVARD, SUITE A.

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

Planning Manager Sonya Lui presented the staff report.

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

Commissioner Bernier asked if music would be played onsite. Ms. Lui said that there is a condition of approval stating that the doors must be maintained closed during business hours. They must also comply with the City's noise ordinance at all times. Commissioner Bernier asked if there would be classes outside the building. Ms. Lui said there will be no classes performed outside of the building.

Commissioner Mahecha asked if the applicant was restricted to operate during certain hours only as training facilities usually have earlier hours. Ms. Lui said the applicant requested those hours and staff was flexible by not limiting them to close at noon on the weekends. Commissioner Mahecha wondered what process would the applicant follow if they decided to change their hours in the future. Ms. Lui said that if a minor change was made to the standard conditions of approval they could make the changes through an administrative adjustment if there are deviations that extend beyond a minor request, it would come back to the Planning Commission for re-review.

Vice Chair Surich asked if the maximum occupancy of 10 included the staff and trainers and was that maximum at all times of the day. Ms. Lui said yes, per the California Building Code.

Chair Rojas asked if there was anyone wishing to speak in favor of the project. There were none.

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 Commissioner Bernier and seconded by Vice Chair Surich, Approving Resolution No. 24-03 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 23-08 TO ESTABLISH AND OPERATE A COMMERCIAL SCHOOL AT 1211 EAST LA HABRA BOULEVARD, SUITE A, 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(A), CLASS 1: "EXISTING FACILITIES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

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

COMMENTS FROM STAFF

Planning Manager Lui informed the Commission that there would be no meeting at the end of the month, the next scheduled meeting will be March 11, 2024.

COMMENTS FROM COMMISSIONERS

Commissioner Surich thanked staff for allowing her to attend the Planning Commissioners' Forum. She enjoyed it meeting other Commissioners and learned a lot.

Chair Rojas congratulated Mr. Bernier, Commissioner Bernier's husband, on his nomination for teacher of the year.

Commissioner Bernier thanked Chair Rojas and said that she and the whole family will be present for his nomination.

Commissioner Surich said that at the Forum she attended, other Commissioners talked about the different time frames for receiving their agenda packets. She wondered if staff could provide their items earlier when dealing with big projects to give them more time to review the information.

Commissioner Mahecha said she recognized that the Planning Division has lost three employees and is aware that they are swamped with work. She thanked staff for the work they are doing with minimal staff.

Commissioner Bernier said that in the past when they had large projects to review they would get information months in advanced. She said that a heads up would be good for future larger projects.

Commissioner Manley said he is grateful for the work staff is doing. He said it would be difficult to make it arbitrary as to what is a bigger project that the Commission would need more time and what is not. He said that there are many moving parts in getting those agenda reports out, steps that he is not aware of. He said that any efforts that staff can make to get their regular information out early would be appreciated. EIRs are massive and those require more time to review. He said he would be supportive in standardizing things if they could get those at least two days sooner to give them more time to review.

Director Kim said that typically the difference between a large project and a small project is the environmental review. Larger projects require EIRs and those are released to the public and to the Commission 45 days in advance. She said that hasn't happened yet, while she has been here, but if it did staff would get that out as soon as possible for their review. Director Kim said that the public review period for Mitigated Negative Declarations is usually 20-30 days and that courtesy would be extended to the Commission as well. State law requires that we post the agenda 72 hours in advance of the meeting date and staff can try and get that out earlier. At the Forum they did speak about finding a balance between streamlining the review of applications and getting projects in front of the Commission for review versus all the backend work to get projects ready for public hearing. She concluded by saying that as new staff is hired, staff can work on creating a schedule to try and bring those reports earlier to Commission.

ADJOURNMENT: 6:58 p.m. to the Planning Commission meeting on March 11, 2024.

Respectfully submitted,

Veronica Lopez,
Secretary