

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

March 25, 2024

CALL TO ORDER: Vice Chair Surich 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: SURICH
MAHECHA
MANLEY
BERNIER

COMMISSIONERS ABSENT: ROJAS

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

PROCLAMATIONS/PRESENTATIONS

Director Kim presented Commissioner Bernier with a proclamation to thank her for her eight years of service as a Planning Commissioner.

PUBLIC COMMENT

Vice Chair Surich 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

Vice Chair Surich 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. There were none.

Moved by Commissioner Manley, seconded by Commissioner Bernier, 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 March 11, 2024.

PUBLIC HEARINGS

Commissioner Mahecha recused herself because her primary residence is less than 500 feet from the project site. Commissioner Mahecha left the Council Chamber and then Vice Chair Surich introduced the public hearing item.

1. DULY NOTICED PUBLIC HEARING TO CONSIDER LOT LINE ADJUSTMENT 23-01 TO MERGE TWO PARCELS INTO ONE PARCEL AND DESIGN REVIEW 23-02 TO CONSTRUCT A NINE-UNIT, THREE-STORY APARTMENT COMPLEX KNOWN AS MAGNOLIA VILLAS ON THE PROPERTIES CURRENTLY ADDRESSED AS 828 EAST LA HABRA BOULEVARD AND 110 SOUTH COLLEGE STREET.

Vice Chair Surich 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.

Vice Chair Surich asked if any of the Commissioners had any questions.

Commissioner Manley asked for the zoning classification. Ms. Lui responded that it is in the SP1 La Habra Boulevard Specific Plan.

Commissioner Bernier asked if an association would be formed for this project. Ms. Lui said no, this was a rental complex managed by a professional apartment management company.

Vice Chair Surich asked if the proposed apartment building will include an elevator to meet ADA requirements. Planning Manager Lui confirmed that an elevator would be provided to give people access to the second and third floors of the complex. Vice Chair Surich then asked if the unit on the first floor was a studio, a one bedroom or a two-bedroom unit. Planning Manager Lui responded that the first floor will include a one-bedroom unit. Vice Chair Surich then asked for clarification on which units would be assigned garages and how other parking spaces would be designated. Planning Manager Lui discussed the site plan and explained how many garage spaces, gated parking spaces, ADA parking spaces and guest parking spaces are proposed.

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

The applicant, Steven Ybarra, architect for SA Design Concepts addressed the Commission. Mr. Ybarra further described the proposed parking space designations for each unit, ADA parking and guest parking.

Planning Manager Lui asked Mr. Ybarra to clarify if the ADA spaces were gated. Mr. Ybarra said that the area is secured by a fence that wraps around to La Habra Boulevard. He explained that the area is secured and the three access points that lead to the stairs and the elevator.

Commissioner Bernier asked if there was a vehicle gate. Mr. Ybarra said no and then explained that there would be a pedestrian gate to secure the complex.

Commissioner Manley questioned whether anyone who walks into the driveway to the parking lot will have access to the parking area only and not the complex, since the complex is gated. Mr. Ybarra confirmed that was correct.

Commissioner Bernier then asked if this would have an impact on traffic at La Habra Boulevard and College. Director Kim said that since this is a nine-unit development, it would have minimal impacts on the surrounding traffic. Commissioner Bernier asked what was the cross street to College Street south of La Habra Boulevard. Director Kim said staff could look that up as there was no map available. She also said that typically between peak periods, you will not see a difference from that that is permitted by zoning on that property. Commissioner Manley said that the cross street is Third Avenue. Commissioner Bernier asked if staff was aware of the traffic issues impacting the surrounding neighbors of Washington Middle School. Director Kim said that the complex is about 175 feet to the east of the school.

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

Dan Cadalora, resident at 118 South College Street, addressed the Commission. Mr. Cadalora said that parking on College Street has always been an issue. He brought up concerns with a rental property that seems to lack onsite parking for the renters and concerns with the age and capability of the City's existing water and sewer lines. Mr. Cadalora expressed concerns about potential dust and debris that could occur during construction as he already gets dust from that empty lot. He also mentioned that there are already issues with people dumping items on College Street and La Habra Boulevard. Mr. Cadalora also expressed his concern about noise level impacts and adverse impacts to property values.

Shannon Cadalora, resident at 118 South College Street, addressed the Commission. Ms. Cadalora had concerns about the new impacts this new building would have on their street and asked that the existing issues be addressed first. Her concerns included people loitering, living in their cars, old infrastructure and traffic impacts. She mentioned that all the parents who come to pick up their kids at Washington Middle School, park all along College Street sometimes for as long as an hour. She also raised concerns about squatters living in the empty lot next to this proposed project.

Vice Chair Surich invited the applicant to give a rebuttal.

Mr. Ybarra said he understood the neighbor's concerns. Mr. Ybarra said that this project would help eliminate squatter activity. He also explained that they had redesigned the layout of the building by placing it closer to La Habra Boulevard to minimize the noise impacts to the existing residences south of the project site. As for the empty lot next to this proposed site, Mr. Ybarra noted that a separate owner is likely going to be proposing to build a single-family unit.

Commissioner Bernier asked Mr. Ybarra if they could provide a guarantee that the residents will use their designated garages for parking only. She also asked City staff if we could have the police patrol the area during the hours of 2:30-3:30 p.m. to get a better feel for the traffic on College Street. Director Kim said that the traffic division of the Police Department monitors that area on a constant basis. Mr. Ybarra asked what kind of document would staff need to address the request of guaranteeing that residents would use their designated parking spaces for parking only. Vice Chair Surich said it could be added to a project's Covenants, Conditions and Restrictions (CC&Rs).

Members of the audience continue to voice concerns on construction hours and construction vehicles. City Attorney Roberto reminded the Vice Chair that only those at the podium could address the Commission. Mr. Ybarra said that they would adhere to the City's construction hours and construction vehicles will be parked onsite. However, he also noted that the vehicles belonging to construction workers would be parked along the neighborhood during the construction period.

Commissioner Manley asked Mr. Ybarra if the property would have any regulations for the guest parking to ensure those spots are not used on a 24 hours/7 days a week basis by the same vehicles. Mr. Ybarra said the intent of those guest parking spaces is to have guests coming and going and not permanently parked there. The concern over guest parking usage and the issue about residents using their designated parking spaces as parking spaces only, could be addressed in the CC&Rs which he could discuss with the owners. Director Kim said that this project would not have CC&Rs since this is a rental project, but the Commission could add a condition of approval requesting that all residents park within their designated parking spaces and use their garages for parking only. Currently, there isn't a condition of that sort for this property but there is a condition, number 17, that the tenants will be notified of the City's overnight parking regulations. Director Kim said she could also point out the conditions related to the sewer and water lines. Commissioner Manly thanked Director Kim for pointing those out and asked since this is private property, would they be in charge of managing the parking once they are established. Director Kim said that was correct and said they meet the code requirements for parking.

Commissioner Manley asked staff if they could provide information on the concerns with the existing infrastructure. Planning Manager Lui said that Public Works and the Engineering Division did review this project and there was no expressed concern that the nine units would not be able to be served. Commissioner Manley then asked if these units would qualify towards the City's Reginal Housing Needs Allocation (RHNA) number. Ms. Lui said this small project was not identified as a target site on the City's Housing Element and since the project involved less than 10 residential units, it was not subject to the City's Inclusionary Housing Ordinance. Commissioner Manley wondered if it would be subject to the Inclusionary Housing Ordinance if it was 10 or more units. Ms. Lui said that was correct. Director Kim said that these nine units will be counted towards the City's RHNA number for above moderate-income units. Commissioner Bernier said it was unfortunate that they didn't propose 10 units but was glad these would be counted toward the RHNA numbers. She also asked if a condition could be added regarding the parking.

Commissioner Manley asked for clarification on what conditions they were adding. Director Kim said they could add a condition stating that all garage spaces should be used for parking only. She said that all plans will be reviewed by Public Works, the Engineering Division, and the Fire Department before the issuance of any building permit. Commissioner Manley wondered if that was standard for every project. Director Kim said yes, that is the standard for all projects. She said they are also subject to development impact fees that are intended for future infrastructure improvements. A project of this size is not required to improve the existing conditions of the site, but is expected to mitigate the impacts of the individual project. Commissioner Manley then asked what is currently existing at the site. Planning Manager Lui said the lots are vacant. Ms. Lui said that there were low density housing units that were damaged by a fire and eventually demolished in November of 2022.

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

Commissioner Manley said that a few items were brought up during public comments. In regards to the infrastructure concerns, all projects that come before the City have the same requirements set forth. He said he felt good knowing that Public Works can support the project. As for the concerns on dumping and squatting these will be mitigated by the construction. He said that he had concerns about the parking and asked if they could add a condition to help mitigate some of those parking concerns and asked that the Commission discuss the wording.

Director Kim said that as she stated before the condition of approval can say that all tenants of the apartment complex shall be notified that their garage spaces must be used for parking. City Attorney

Roberto said they could also include a condition regarding guest parking requiring the owner to monitor how long guest parking spaces can be used. Commissioner Bernier said those would be great. Commissioner Manley asked if they could be more specific on those requirements. He wondered what would be a reasonable time frame for the guest parking spaces. Vice Chair Surich said there is usually a duration allocated to how long guest can park in guest parking spaces, like no more than 72 hours. Commissioner Bernier felt that 72 hours for only five guest parking spaces was too long and therefore, suggested a maximum of 24 hours. Commissioner Manley asked staff if this type of condition has been approved in the past. Planning Manager Lui said she was not aware of any similar condition applied to a past project. Director Kim agreed and said the condition of approval could state that they identify those parking spaces for guest parking only and that they be monitored by a professional apartment management company provided by the applicant. This would be a fair compromise for private parking that is meeting the required parking requirements. Commissioner Manley asked staff if they knew the overnight parking permit approval process. Director Kim said she was not familiar, that is handled by the Police Department. She said these are public streets, parking is on a first come first serve basis during the day time whether it is parents picking up their children after school or the future residents of this complex. Commissioner Manley stated that overnight parking is not permitted without a permit and that obtaining an overnight parking permit is not easy. Director Kim said that was not in her area of expertise but has heard that it is not easy. Commissioner Manley said if residents have more than three vehicles and they take up all their assigned parking, they will have to find parking on the street for their extra vehicles, impacting the neighbors. He wondered how they could navigate around that. Planning Manager Lui reminded the Commission that the applicant met all code requirements for resident parking and guest parking. She said that if they implement conditions further restricting or monitoring it onsite perhaps instituting parking permits for residents so they can tell who is a guest and who is a resident, that may help alleviate the guest parking situation. There is a condition that the future residents will be notified of the City's overnight parking requirements. Vice Chair Surich said that those with more than three vehicles will have to do their due diligence and seek the overnight parking permit or they would be subject to a ticket. Director Kim said that is correct, they would be treated the same as any other resident.

Vice Chair Surich asked what should their added conditions sound like. Director Kim said that as she described before, the tenants should be informed that the garages are to be used for parking vehicles only and that the guest parking spaces be identified as guest parking and managed by the apartment management company.

Moved by Commissioner Bernier and seconded by Vice Chair Surich, Approving Resolution No. 24-06 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING LOT LINE ADJUSTMENT 23-01 TO MERGE TWO PARCELS INTO ONE PARCEL AND DESIGN REVIEW 23-02 TO CONSTRUCT A NINE-UNIT, THREE-STORY APARTMENT COMPLEX KNOWN AS "MAGNOLIA VILLAS" ON THE PROPERTIES CURRENTLY ADDRESSED AS 828 EAST LA HABRA BOULEVARD AND 110 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 PURSUANT TO SECTION 15332, CLASS 32: "INFILL DEVELOPMENT PROJECTS" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES. With added conditions by the Director.

The roll call vote was as follows:

AYES: COMMISSIONERS: BERNIER, SURICH, MANLEY
NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: MAHECHA
ABSENT: COMMISSIONERS: ROJAS

Commissioner Mahecha was called back to the chamber.

COMMENTS FROM STAFF

Planning Manager Lui informed the Commission that at the next meeting, the Commission would be presented with another 30-day extension request for the Coyote Village project. Additionally, the agenda includes the Commission's annual reorganization.

COMMENTS FROM COMMISSIONERS

Commissioner Mahecha reminded everyone of the upcoming events like the Eggstravaganza. She mentioned that she loved the support from the residents to the pancake breakfast and encouraged everyone to continue to attend community events. She thanked Commissioner Bernier for her service and said they would continue with her legacy to promote public art and affordable housing.

Commissioner Bernier said to keep promoting affordable housing especially for veterans. That has been her number one goal since joining the Commission. Veterans and city residents deserve affordable housing. She mentioned her passion for art for kids with disabilities and how there will be a space at Vista Grande park for kids with disabilities; the first in La Habra. Commissioner Bernier encouraged the speakers who spoke during the public hearing to come back and speak to staff if there are any issues with the project. She encouraged them to keep attending the public hearings. She finished by saying that it has been fun and she appreciated everyone.

Commissioner Manley congratulated Commissioner Bernier for her eight years of service to the Commission and said she had a lot to be proud of and said her presence would be missed and it was a pleasure working with her.

Vice Chair Surich said she appreciated Commissioner Bernier's eight years of hard work, diligence and input.

Planning Manager Lui thanked Commissioner Bernier and said she appreciated how she put in her heart to help and care for the community.

ADJOURNMENT: 7:41 p.m. to the Planning Commission meeting on April 8, 2024.

Respectfully submitted,

Veronica Lopez,
Secretary