

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA PLANNING COMMISSION

December 6, 2011

CALL TO ORDER: Chairperson Rodriguez called the Regular Meeting of the La Palma Planning Commission to order at 7:41 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

PLEDGE OF ALLEGIANCE: Commission Member Hwangbo

INVOCATION: Pastor Jack Hughes, La Palma Christian Center

ROLL CALL: Commission Members

Commission Members present: Vice Chairperson Charoen, Commission Member Hwangbo, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

Commission Members absent: None

City Officials present: Dominic Lazzaretto, City Manager
Joel Kuperberg, City Attorney
Michael Belknap, Recreation & Community Services Director
Douglas Dumhart, Community Development Director
Jeff Moneda, Public Works Director/City Engineer
Eric Nuñez, Police Chief
Laurie Murray, Administrative Services Manager
Kimberly Kenney, Minutes Clerk

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes
Minutes of the November 15, 2011, Regular Meeting of the La Palma Planning Commission.

Commission Member Waldman made a motion to approve Consent Calendar Item PL-1.

The motion was seconded by Commission Member Hwangbo and carried on the following vote:

AYES: Vice Chairperson Charoen, Commission Member Hwangbo, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: None

PUBLIC HEARINGS

PL-2. Zoning Map Amendment 2011-01, an Ordinance Amending the City's Zoning Map to Apply the Village Overlay to the Multiple Family Residential District Zoned Properties Located at 5052 and 5062 La Palma Avenue

a) Chairperson Rodriguez opened the Public Hearing at 7:41 p.m.

b) Associate Planner Hutter gave the Staff Report

c) Public Input:

No members of the public wished to speak.

d) Chairperson Rodriguez closed the Public Hearing at 7:46 p.m.

e) Commission Comments and Questions:

Discussion ensued regarding the adjacent property--Russell Estates--having 6 homes; the size of the Russell Estates lot versus the adjoining lots; that the zoning change is required to meet the State's density standards; that the City does not know what would be developed on the subject property; and that the urgency is due to State Housing Development mandates and the close of the fourth Housing Element cycle.

City Attorney Kuperberg commented that the City is coming to an end of a Housing Element cycle; and that the City would suffer sanctions and penalties during the new Housing Element if it does not comply.

Further discussion ensued regarding the HCD directing the City to comply or the City's Housing Element would fall out from State certification, which would make the City ineligible for Housing funds and possibly open the City up to litigation; that the location was the preferable site within the City because of the high density designation and the proximity to existing

commercial and educational uses; that other locations do not meet the community's goals; that the Village Overlay Zone allows a tailored development up to three stories; that the City is not obligated to subsidize the property or pressure the property owners to sell; that the change allows the property owners to be more flexible with their property; that the subject property along with the adjacent property adjacent were originally discussed as a 21 unit project; that the current Multi-Family Residential Zoning allows for 3 units per property or seven if they are combined; and that there are already high density units on the outskirts of the City.

- f) Adopt a Resolution recommending City Council Approve Zoning Map Amendment 2011-01 via Ordinance and the associated Negative Declaration.

Resolution No. PC 2011-06 approving the Zone Map Amendment 2011-01 via Ordinance and the associated Negative Declaration.

Commission Member Shanahan made a motion to adopt Resolution PC 2011-06 recommending City Council Approve Zoning Map Amendment 2011-01 via Ordinance and the associated Negative Declaration. The motion was seconded by Vice Chairperson Charoen.

Discussion ensued regarding opposition to the item as it is being mandated by the state and that there is no other alternative.

The motion carried on the following vote:

AYES: Vice Chairperson Charoen, , Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Commission Member Hwangbo

PL-3. Amendment No. 2 to Conditional Use Permit No. 155, a Request to Permit One (1) Billiards Table at Cliff's Hideaway Located at 5442 Orangethorpe Avenue

- a) Chairperson Rodriguez opened the Public Hearing at 8:02 p.m.
b) Planning Intern Apor gave the Staff Report
c) Public Input:

Joe Zine, 7051 Walker Street, addressed the City Council regarding his opposition to the noise emanating from the establishment; his opposition to the patrons who sit outside the property; and opposition to deliveries being made after 10:00 p.m.

Tina Bavouset, 8210 Santa Margarita Lane, addressed the City Council regarding the pool table having been in the establishment for 30 years; that—as one of the new owners she is attempting to address the noise issue; and that she is requesting to keep the facility’s opening time at 6 a.m. as previously approved.

- d) Chairperson Rodriguez closed the Public Hearing at 8:15.m.
- e) Commission Comments and Questions:

Discussion ensued regarding the noise level; that the applicant is willing to monitor the patrons and call the Police if they need further support; that the Municipal Code does not prohibit a bar next to a senior housing facility; that the new property owners need to adhere to the noise Ordinance; that the pool table has been there for over 30 years; that the La Palma Police Department (LPPD) is very proactive in that area; that there have been 18 LPPD service calls since 2007; that some of those calls are attributed to a resident of the adjacent Senior Housing; that the patrons have historically been responsive to the LPPD; that authorities could cite the business owner for non-compliance if the noise continues; that the establishment is not under consideration at this meeting, only the pool table is; that the City Council can review the Conditional Use Permit (CUP) after its approval; that the extended hours were previously approved in the original CUP; that a pool table encourages patrons to stay inside the establishment longer; and that the business has a long history in La Palma.

- f) Adopt a Resolution approving Amendment No. 2 to Conditional Use Permit No. 155 to an existing cocktail lounge at 5442 Orangethorpe Avenue.

Resolution No. PC 2011-07 approving Amendment No. 2 to Conditional Use Permit No. 155 to an existing cocktail lounge at 5442 Orangethorpe Avenue.

Commission Member Waldman made a motion to adopt Resolution No. PC 2011-07 approving Amendment No. 2 to Conditional Use Permit No. 155 to an existing cocktail lounge at 5442 Orangethorpe Avenue.

The motion was seconded by Commission Member Shanahan and carried on the following vote:

AYES: Vice Chairperson Charoen, Commission Member Hwangbo, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES:
None

REGULAR ITEMS

None Scheduled.

ADJOURNMENT

Chairperson Rodriguez adjourned the Regular Meeting of the La Palma Planning Commission at 8:34 p.m.

G. Henry Charoen
Chairperson

Attest:

Laurie A. Murray, CMC
City Clerk