

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA PLANNING COMMISSION

March 20, 2012

CALL TO ORDER: Chairperson Charoen called the Regular Meeting of the La Palma Planning Commission to order at 7:15 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Commission Member Waldman

INVOCATION: Pastor Dave Lutes, La Palma Christian Center

ROLL CALL: Commission Members

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

Commission Members absent: Vice Chairperson Hwangbo

City Officials present: Terry Matz, Interim 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  
Michael Solorza, Finance Director  
Laurie Murray, Administrative Services Manager/City Clerk  
Kimberly Kenney, Minutes Clerk

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the March 6, 2012, Regular Meeting of the La Palma Planning Commission.

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

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

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

NOES: None

ABSENT: Vice Chairperson Hwangbo

### PUBLIC HEARINGS

PL-2. Amendment to Conditional Use Permit No. 342, La Palma Express Service Station at 5482 La Palma Avenue

a) Chairperson Charoen opened the Public Hearing at 7:15 p.m.

b) Planning Intern Rafael Garcia gave the Staff Report

c) Public Input:

No members of the public wished to speak.

d) Commission Comments and Questions

Discussion ensued regarding the requested neon sign; the request to raise the car wash sign would require a master sign plan change and that would have to go before the Development Committee for approval; that the Planning Commission has the authority to change the allowed alcohol sales time; that the noise tests show that the existing noise levels are just under the level allowed; that the noise tests were conducted at several locations within the site; that the car wash doors have to remain open during operation; that the requirement of closing the car wash doors was for aesthetic reasons; that the proposed neon sign is not a scrolling sign; that the proposed neon sign is planned to be within the 10% signage requirement of the original CUP; that alcohol sales are allowed between 6:00 a.m. and 2:00 a.m. at the Chevron station, between 6:00 a.m. and 12:00 a.m. at the Arco station, and between 6:00 a.m. and 2:00 a.m. at La Palma Liquor; that allowed noise levels are lowered at 7:00 p.m. and again at 10:00 p.m.; that the noise tests were conducted without the vacuum cleaner; that, based on the manufacturer's ratings, the

vacuum cleaner will be compliant with the City's Noise; that homes to the east are who would be adversely affected with noise if car wash hours are increased; that traffic along La Palma Avenue adds to noise levels; that the vacuum cleaner will be used in conjunction with the car wash and not used separately; that there is less traffic after 10:00 p.m.; and that the vacuum cleaner noise can also be tested.

Basem Nesheiwat, the owner of La Palma Express, addressed the City Council regarding the inability to fix the car wash doors; that he is willing to conduct another noise level test from the eastern residences; that there is a minimal number of visitors to his station after 10:00 p.m.; that the car wash doors are burdensome to open and close; that the car wash doors were not installed properly to begin with; and that the neon sign will be in compliance with the property's Master Sign Plan.

Further discussion ensued regarding the car wash doors having not worked properly since the Certificate of Occupancy was issued;; concern for the extension of liquor sale hours; that the Planning Commission would like revisit the CUP in six months to evaluate future noise levels; overall support for extended liquor sale hours; and that the Planning Commission supports illuminating neon sign as long as it does not endorse a tobacco product.

City Attorney Kuperberg noted that the City is restricted from limiting advertising by content.

- e) Chairperson Charoen closed the Public Hearing at 7:50 p.m.

Further discussion ensued regarding support for the majority of the applicant's requests; that the street noise on Valley View Street and La Palma Avenue exceed the City's noise limits; support for extending car wash hours to 10:00 p.m. but not for a 24 hour operation; that other car washes in La Palma are not allowed to operate 24 hours a day; and that the noise testing was conducted at the property lines of the project site.

City Attorney Kuperberg stated that while the Planning Commission has the discretion to allow extended hours of operations, the applicant is required to meet the noise levels allowed by the City's Ordinance; and that the only way to modify the required noise ordinance after 10:00 p.m. is to amend the Zoning Code.

Commission Member Waldman made a motion to approve the placement of an automobile vacuum cleaner adjacent to the car wash entrance on the south side of the convenience store at the site subject to operational limitation of 7:00 a.m. to 7:00 p.m.

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

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

NOES: None

ABSENT: Vice Chairperson Hwangbo

Commission Member Rodriguez made a motion to approve allowing the car wash exit door to remain open during operating hours as recommended by Staff.

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

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

NOES: None

ABSENT: Vice Chairperson Hwangbo

Commission Member Rodriguez made a motion to amend the hours of liquor sales from the current hours of 10:00 a.m. to 12:00 a.m. (Midnight) to 6:00 a.m. to 2:00 a.m.

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

AYES: Commission Member Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Chairperson Charoen

ABSENT: Vice Chairperson Hwangbo

Commission Member Waldman made a motion to approve the addition of one illuminated window sign on the subject site.

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

AYES: Commission Member Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Chairperson Charoen

ABSENT: Vice Chairperson Hwangbo

Commission Member Rodriguez made a motion to approve the increase of the operational hours of the car wash from the current hours of 7:00 a.m. to 7:00 p.m. to 7:00 a.m. to 10:00 p.m.

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

AYES: Commission Member Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Chairperson Charoen

ABSENT: Vice Chairperson Hwangbo

- f) Adopt a Resolution approving certain amendments to Conditional Use Permit 342 for the existing Unocal 76 Service Station located at 5482 La Palma Avenue.

Resolution No. PC 2012-03 approving certain amendments to Conditional Use Permit 342 for the existing Unocal 76 Service Station located at 5482 La Palma Avenue.

Commission Member Rodriguez made a motion to adopt Resolution No. PC 2012-03 approving certain amendments to Conditional Use Permit 342 for the existing Unocal 76 Service Station located at 5482 La Palma Avenue with the conditions set forth by the Planning Commission as listed.

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

AYES: Commission Member Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Chairperson Charoen

ABSENT: Vice Chairperson Hwangbo

REGULAR ITEMS

None Scheduled.

ADJOURNMENT

Chairperson Charoen adjourned the Regular Meeting of the La Palma Planning Commission at 8:07 p.m.

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G. Henry Charoen  
Chairperson

Attest:

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Laurie A. Murray, CMC  
City Clerk