

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA PLANNING COMMISSION

March 3, 2015

CALL TO ORDER: Chairperson Kim called the Regular Meeting of the La Palma Planning Commission to order at 7:10 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE AND
AMERICA THE BEAUTIFUL:

Camp Fire – Long Beach Area Council Zitupi
Waku and Bumble Bees Group

INVOCATION:

President Rick Nitta, Church of Jesus Christ
of Latter DaySaints

ROLL CALL:

Commission Members

Commission Members
present:

Vice Chairperson Goedhart, Commission
Member Hwangbo, Chairperson Kim,
Commission Member Shanahan, and
Commission Member Steggell

Commission Members absent:

None

City Officials present:

Ellen Volmert, City Manager
Michelle Molko, Assistant City Attorney
Michael Belknap, Community Services
Director
Douglas Dumhart, Community Development
Director
Terry Kim, Police Captain
Kimberly Kenney, Deputy City Clerk

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the February 3, 2015, and February 17, 2015, Regular Meetings of the Planning Commission.

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

The motion was seconded by Chairperson Kim and carried on the following vote:

AYES: Vice Chairperson Goedhart, Commission Member Hwangbo, Chairperson Kim, Commission Member Shanahan, and Commission Member Steggell

NOES: None

PUBLIC HEARINGS

PL-2. Resolution Recommending City Council Adoption of an Ordinance Amending City of La Palma Municipal Code Chapter 44 (Zoning Code) for Purposes of a Comprehensive Update of Chapter 44 (Zoning Code).

- a) Chairperson Kim opened the Public Hearing at 7:10 p.m.
- b) Community Development Director Dumhart gave the Staff Report.

Discussion ensued regarding clarification of lot coverage for commercial versus residential properties.

Community Development Director Dumhart continued the presentation.

- c) Public Input:

Jim Johnson, 7511 Mark Circle, addressed the City Council regarding the shed set back requirements; noted his concern that sheds are being allowed to be pushed up against fence lines; and his opposition to not having a setback requirement for sheds.

- d) Chairperson Kim closed the Public Hearing at 7:49 p.m.
- e) Commission Comments and Questions:

Discussion ensued regarding support for Staff addressing signage; that the Commission had previously directed Staff to incorporate a reduced Floor to Area Ratio (FAR) from what was proposed; opposition to the 1.5 FAR at the ADP Property by Vice Chairperson Goedhart and Commission Member Steggell; overall support for 1.5 FAR at Centerpointe; support for Staff's recommendation of 1.5 FAR at both properties north of Orangethorpe; clarification of what would be allowed with a 10% deviation; how Staff decides to allow the deviation; clarification that the deviation is for unique situations not circumventing the Zoning Code; that the Community Development Director will have approval authority and discretion for any deviation request and could even require that the Planning Commission give the final approval; example of deviations to meet code requirements; support to keep the ADP property at 1.5 FAR to accommodate change and allow for increased revenue opportunities; that the Planning Commission and City Council previously supported the increased density north of Orangethorpe in order to maximize the opportunity of the area; that lowering the density could discourage any interest in developing that site in the future; support for having real estate signage addressed; Commission Member Hwangbo and Shanahan's support for 1.5 FAR for properties north of Orangethorpe; support for discretionary approval on all deviation requests; that the deviation process was created so that applicants did not have to entangle themselves in the variance procedure; that any deviation approved must be at minimal impact to the City; support for the streamlined Zoning Code; allowed building heights of up to 20 stories with a 1.5 FAR; that art in public places should not be mandated; opposition to the artificial turf permitting process; that the City does not currently have the art-in-lieu fee; that the art-in-lieu fee only applies to the B-1 District, everything north of Orangethorpe; that the public art or art-in-lieu fee only applies to any construction valued at 1.5 million or more; and opposition to mandating the public art requirement.

- f) Adopt a Resolution recommending the City Council adopt an Ordinance Amending City of La Palma Municipal Code Chapter 44 (Zoning Code) for purposes of a comprehensive update of Chapter 44 (Zoning Code).

Chairperson Kim made a motion to adopt a Resolution recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District not include a public art requirement and have a maximum F.A.R. of 0.75 for properties north and south of the 91 Freeway.

The motion was seconded by Commission Member Steggell and failed on the following vote:

AYES: Chairperson Kim and Commission Member Steggell.

NOES: Vice Chairperson Goedhart, Commission Member Hwangbo, and Commission Member Shanahan.

Further discussion ensued regarding not being able to have a perfect solution that all five Commission Members would agree on; that compromises need to be made; support for public art in such a small city; and that the Development Committee and previous Planning Commission approved the public art addition to the Zoning Code during prior meetings.

Commission Member Hwangbo made a motion to adopt a Resolution recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District not include a public art requirement. The motion was seconded by Commission Member Shanahan.

Assistant City Attorney Molko noted that this matter needs to come before the Planning Commission for a recommendation before the City Council can make any final action to approve the Zoning Code Amendments; that if the Planning Commission chose to break the Zoning Code apart or have a bifurcation for separate items, public hearing notices would have to be made again for each portion; that separating the items could lengthen the process; and could complicate the entire Zoning Code adoption process.

Further discussion ensued regarding the Planning Commission to decide on how to proceed with Zoning Code approval and support for compromising the Public Art component in order to move forward.

The motion failed on the following vote:

AYES: Commission Member Hwangbo and Commission Member Shanahan.

NOES: Vice Chairperson Goedhart, Chairperson Kim, and Commission Member Steggell.

Further discussion ensued regarding consternation with potential development on the ADP parcel; that the Planning Commission could

separate the densities in the B-1 district by having less density south of the 91 Freeway to .75 FAR and a higher density of north of the 91 Freeway to a 1.5 FAR; that the height allowed was only for design purposes; that the development would never be a small building that is 20- stories high; that the Planning Commission could put a height limit to the design; support for high buildings in Centerpointe, just not at the ADP property; that the residents were concerned with the traffic congestion related to increased density; that the Planning Commission is there to decide what is best for La Palma; and that the Planning Commission has the approval authority over a development.

Assistant City Attorney Molko stated that even if the Planning Commission and City Council approved a 1.5 FAR, there will be opportunity for them to exercise their discretion during the developmental process when the projects do come forward; that environmental impacts will help with consideration of the development; and that bifurcating issues and making motions on components of the Zoning Code, overall approving the Zoning Code in entirety tonight, is supported.

Vice Chairperson Goedhart made a motion to adopt a Resolution recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District have a maximum FAR of 0.75 for properties north and south of the 91 Freeway; not include a public art requirement; and have a maximum dwelling unit density of twenty seven (27) Dwelling Units per acre (27 DU/AC.). The motion was seconded by Chairperson Kim.

Further discussion ensued regarding not coming to an agreement; request for clarification on the expectation for approving a .75 FAR in the B-1 Mixed Use Business district; support for all the previous work done by Committees, Staff, and residents to come to the 1.5 FAR compromise; support for less development and density; that because the GP is for ten years, support for an incremental approach to density increases; that the consultants who made the recommendation are not residents of La Palma; that no developer will be interested in a .75 FAR; that the City has not received any development proposals for the ADP property; that ADP has no intentions of selling, moving, relocating, or intensifying their property; that the ADP property is currently only using a .2 FAR and is at a .4 FAR; that supporting .75 allows for almost double of what currently exists on the ADP Property; that limiting the FAR limits the developmental possibilities; that the residents did not like the increased density proposed when Centerpointe was being developed and is now part of La Palma; that the only element that the City has to increase opportunity is to allow a 1.5 FAR; and clarification that the motion included the entire B-1 district be at .75 FAR.

City Attorney Molko clarified that the current motion on the floor is to adopt a Resolution recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District have a maximum F.A.R. of 0.75 for properties north and south of the 91 Freeway; not include a public art requirement; and have a maximum dwelling unit density of twenty seven (27) Dwelling Units per acre (27 DU/AC.).

The motion failed on the following vote:

AYES: Vice Chairperson Goedhart and Chairperson Kim.

NOES: Commission Member Hwangbo, Commission Member Shanahan, and Commission Member Steggell.

Further discussion ensued regarding continuing the public hearing to a date specified; that Staff did not note any urgency in continuing the matter; and that there is consensus to increase the density at Centerpointe.

Chairperson Goedhart made a motion to adopt Resolution No. PC 2015-05 recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District have a maximum 0.75 F.A.R. for properties south of the 91 Freeway and a maximum 1.5 F.A.R. for properties north of the 91 Freeway; not include a public art requirement; and have a maximum dwelling unit density of twenty seven (27) Dwelling Units per acre (27 DU/AC.). The motion was seconded by Commission Member Steggell.

Assistant City Attorney Molko clarified that the motion was to approve a Resolution recommending the City Council adopt an Ordinance amending various portions of City of La Palma Municipal Code Chapter 44, subject to the following modifications: that the Mixed-Use Business (B-1) Zone District to have a maximum 0.75 F.A.R. for properties south of the 91 Freeway, the ADP Property, and a maximum 1.5 F.A.R. for properties north of the 91 Freeway, the Centerpointe properties; not include a public art requirement; and have a maximum dwelling unit density of twenty seven (27) Dwelling Units per acre (27 DU/AC.) for all the residential B-1 Zoned properties.

The motion carried on the following vote:

AYES: Vice Chairperson Goedhart, Chairperson Kim,
and Commission Member Steggell

NOES: Commission Member Hwangbo and
Commission Member Shanahan

REGULAR ITEMS

None Scheduled.

ADJOURNMENT

Chairperson Kim adjourned the Regular Meeting of the La Palma Planning Commission
at 8:38 p.m.

Peter L. Kim
Chairperson

Attest:

Laurie A. Murray, CMC
City Clerk