

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA PLANNING COMMISSION

September 1, 2009

CALL TO ORDER: Chairperson Waldman called the Regular Meeting of the Planning Commission to order at 8:08 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Commission Member Herman

INVOCATION: Pastor Jose "Paddy" Padilla Jr., La Palma
United Methodist Church

ROLL CALL: Commission Members

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

Commission Members absent: None

City Officials present: Dominic Lazzaretto, City Manager
Joel Kuperberg, City Attorney
John Di Mario, Community Development Director
Ed Ethell, Chief of Police
Jan Hobson, Recreation & Community Services Director
Keith Neves, Finance Director
Jeff Moneda, Public Works Director/City Engineer
Laurie Murray, Administrative Services Manager/ City Clerk
Kimberly Kenney, Minutes Clerk

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the August 4 and August 18, 2009, Regular Meetings of the La Palma Planning Commission.

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

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

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

NOES: None

PUBLIC HEARINGS

PL-2. Amendment to Precise Plan 29 for a Proposed Remodel and Conditional Use Permit 342 for a Car Wash Use, Alcohol Sales, and a 24-Hour Mini-mart at the Existing Unocal 76 Service Station Located at 5482 La Palma Avenue

- a) Chairperson Waldman opened the Public Hearing at 8:10 p.m.
- b) Community Development Director Di Mario gave the staff report
- c) Pubic Input

Carl Hoy, representing Travis Companies Inc., 4430 East Miraloma Avenue in Anaheim, addressed the Planning Commission on behalf of the applicant relaying their concurrence with the findings and conditions of approval.

Discussion ensued regarding the length of time for a car wash; the process and mechanics of the car wash; the timing mechanism for the exit door; the state-of-the-art dryer; dry-off activity having to stay on the Unocal site and not in the adjacent shopping center parking lot; noise test results for the car wash; the distance that the spray would reach; the applicant being in full concurrence with the conditions of approval for alcohol sales and storage; the reason for having two entrances at the Mini-mart; having the main door open for 24 hours and closing the rear entrance after 10:00 p.m.; the large amount of high school and junior high school students that could visit the facility after school is out; timing for commencement

and completion of the project; where cars will be located while queuing for the car wash; the Alcohol Beverage Control (ABC) permit process; that there will be three stores at the corner who sell alcohol when construction is complete; alcohol sales being projected to be 25% of the store's sales; the location of the alcohol cooler; alcohol robberies historically occurring after midnight; a six-month review of the Conditional Use Permit; adding a condition that the rear entrance be closed after a designated time for security purposes; and the low numbers of alcohol related robberies in La Palma.

- d) Chairperson Waldman closed the Public Hearing at 8:57 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding what time period the rear entrance should be closed; the other two Mini-marts in La Palma being located very far from the high school and junior high schools; age of those apprehended in alcohol robberies being young adults; having the rear door lock from the outside and open from the inside to meet fire and building codes; and whether the applicant would agree to have the rear entrance closed at a certain time.

Chairperson Waldman reopened the Public Hearing at 9:02 p.m.

Carl Hoy addressed the Planning Commission regarding the applicant's willingness to comply to an additional condition to have the rear entrance closed at a designated time.

Chairperson Waldman closed the Public Hearing at 9:03 p.m.

- f) Adopt a Resolution approving Amendment to Precise Plan 29 for the proposed remodel and Conditional Use Permit 342 for a car wash use, alcohol sales, and a 24-hour mini-mart at the existing Unocal 76 Service Station located at 5482 La Palma Avenue.

Commission Member Rodriguez made a motion to approve a Resolution approving Amendment to Precise Plan 29 for the proposed remodel and Conditional Use Permit 342 for a car wash use and a 24-hour mini-mart at the existing Unocal 76 Service Station located at 5482 La Palma Avenue with the addition of Condition Number 95 stating, "The door on the south side of the

mini-mart shall be locked to prevent entry into the mini-mart between the hours of 10:00 p.m. and 6:00 a.m.”

The motion was seconded by Commission Member Herman.

Chairperson Waldman made a substitute motion to approve the Resolution but including the sale of alcohol.

The motion failed for lack of a second.

The original motion was carried on the following vote:

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

NOES: None

Chairperson Waldman made a motion to approve a Resolution approving Amendment to Precise Plan 29 for the proposed remodel and Conditional Use Permit 342 for alcohol sales as conditioned by staff at the existing Unocal 76 Service Station located at 5482 La Palma Avenue.

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

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

NOES: Commission Member Charoen and Commission Member Herman

Chairperson Waldman called for a short recess at 9:07 p.m.

Chairperson Waldman reconvened the Planning Commission at 9:14 p.m. with all members present.

REGULAR ITEMS

None Scheduled.

ADJOURNMENT

Chairperson Waldman adjourned the Regular Meeting of the La Palma Planning Commission at 9:14 p.m.

/s/

Mark I. Waldman, Chairperson

Attest:

/s/

Laurie A. Murray, City Clerk