



City of
LA HABRA
AGENDA

**LA HABRA
PLANNING COMMISSION AGENDA**

**REGULAR MEETING
MONDAY, APRIL 10, 2023
6:30 P.M.**

**COUNCIL CHAMBER
100 EAST LA HABRA BOULEVARD
LA HABRA, CALIFORNIA 90631**

Please note that should all business not be concluded by 10:00 p.m., the Chair shall either authorize an extension of time to said meeting or continue all unfinished items to a future meeting, date certain, or date uncertain.

CALL TO ORDER: Council Chamber

PLEDGE OF ALLEGIANCE:

ROLL CALL: Vice Chair Rojas
Commissioner Bernier
Commissioner Manley
Commissioner Surich
Commissioner Mahecha

PUBLIC COMMENTS: When addressing the Commission, please complete a Speaker's Card before leaving the Council Chamber.

Public Comments shall be received at the beginning of the governing body meeting and limited to three (3) minutes per individual, with a total time limit of 30 minutes for all public comments, unless otherwise modified by the Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

The general Public Comment portion of the meeting allows the public to address any item of City business not appearing on the scheduled agenda. Per Government Code Section 54954.3(a), such comments shall not be responded to by the governing body during the meeting.

CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Commissioner, City staff member, or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per item that has been removed for separate discussion, unless otherwise modified by the Chair. Speaking time may not be granted and/or

loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. PLANNING COMMISSION MEETING MINUTES OF MARCH 13, 2023
That the Planning Commission approve the Planning Commission Meeting minutes of March 13, 2023.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS:

Public comments shall be limited to five (5) minutes per individual, with a total time limit of 60 minutes for all public comments, for each individual Public Hearing item on the agenda, unless otherwise modified by the Chair. Comments must be kept brief, non-repetitive, and professional in nature.

1. DULY NOTICED PUBLIC HEARING TO CONSIDER REQUESTS FOR DESIGN REVIEW 22-08 AND CONDITIONAL USE PERMIT 22-26 FOR THE CONSTRUCTION AND OPERATION OF A DRIVE-THROUGH RESTAURANT (KRISPY KREME DOUGHNUTS) AT 1201 WEST IMPERIAL HIGHWAY
This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt pursuant to Section 15303(c), Class 3: "New Construction or Conversion of Small Structures" of the California Environmental Quality Act Guidelines. The project involves the demolition of a 5,400 square foot commercial building and the reconstruction of a 3,630 square foot drive-through restaurant in an urbanized area. The proposed structure does not exceed 10,000 square feet in floor area. The site is zoned for commercial uses. The use of a drive-through restaurant does not involve the use of hazardous substances, all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The project is not subject to any of the exceptions for exemption under Section 15300.2 of the CEQA Guidelines. The location of the project is predominantly urban and not considered a sensitive environment; therefore, the project will not result in any significant environmental impact. The project is not located along any state designated scenic highway nor within any designated hazardous waste site. Staff does not expect any significant impacts or unusual circumstances related to the approval and construction of the project.

That the Planning Commission Approve:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING DESIGN REVIEW 22-08 AND CONDITIONAL USE PERMIT 22-26 FOR THE CONSTRUCTION AND OPERATION OF A DRIVE-THROUGH RESTAURANT (KRISPY KREME DOUGHNUTS) AT 1201 WEST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS AND MAKING A DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

CONSIDERATION ITEMS:

Any member of the audience may request to address the Commission on any Consideration Item, prior to the Commission taking a final vote on the item. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per Consideration Item, unless otherwise modified by the Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

COMMENTS FROM STAFF:

COMMENTS FROM COMMISSIONERS:

ADJOURNMENT: Adjourned to Monday, April 24, 2023, at 6:30 p.m. in the City Council Chamber, 100 East La Habra Boulevard.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Office of the City Clerk during regular business hours, and on the City's webpage at <http://www.lahabracaca.gov/>.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the Community and Economic Development Department at 110 East La Habra Boulevard, La Habra, during normal business hours.

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the Community and Economic Development Department at least ninety-six (96) hours in advance of the meeting at (562) 383-4100.

DECLARATION: This agenda was posted on the bulletin boards outside the south entrance of City Hall and the Council Chamber, where completely accessible to the public, at least 72 hours in advance of the Commission Meeting.

Veronica Lopez, Secretary