

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA HABRA
February 13, 2023

CALL TO ORDER: Vice Chair Rojas called the Regular Meeting of the Planning Commission of the City of La Habra to order at 6:30 p.m. in the Council Chamber.

PLEDGE OF ALLEGIANCE: LED BY VICE CHAIR ROJAS

PRESENT: COMMISSIONERS: ROJAS
MANLEY
MAHECHA

ABSENT: (EXCUSED) COMMISSIONERS: SURICH
BERNIER

OTHERS PRESENT: DIRECTOR: KIM
PLANNING MANAGER: LUI
ASSISTANT PLANNER: O'TOOLE
SECRETARY: V. LOPEZ
CITY ATTORNEY: ROBERTO

PUBLIC COMMENT

Vice Chair Rojas asked if there was anyone in the audience that wished to speak on any item not listed on the agenda. There were none.

CONSENT CALENDAR

Vice Chair Rojas explained the Consent Calendar procedures. She asked if there were any members of the public or any Commissioners that wished to have any item removed. There were none.

Director Kim said that a motion should be made to continue the minutes to the Commission's next meeting given the fact that two Commissioners were absent. . Director Kim recommended that the Commission make a separate motion to approve the procedural waiver.

1. **PROCEDURAL WAIVER:** Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.

Moved by Commissioner Manley, seconded by Vice Chair Rojas. Motion passed 3-0

PUBLIC HEARINGS

1. **DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE PERMIT 22-30 TO ALLOW THE SALE OF BEER AND WINE UNDER A TYPE 41 LICENSE ISSUED BY THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR AN EXISTING**

RESTAURANT (FURAI CHICKEN -- LA HABRA) LOCATED AT 1460 SOUTH HARBOR BOULEVARD.

City Attorney Roberto clarified that two votes were needed to make a motion on tonight's public hearing item as two Commissioners would be representative of the majority.

Vice Chair Rojas asked if any correspondence had been received in regards to the item. Secretary Lopez said none had been received.

Assistant Planner O'Toole presented the staff report.

Vice Chair Rojas asked if any of the Commissioners had any questions.

Commissioner Manley questioned how customers access the outdoor enclosed patio area and wondered if other businesses that serve alcohol have a similar outdoor patio configuration. Assistant Planner O'Toole said that some businesses are similar to Furai Chicken's patio configuration, but there are also some businesses with patios that are accessed directly off the front door. Planning Manager Lui stated that the Department of Alcoholic Beverage Control (ABC) requires an enclosed patio area with a self-latching gate but it does not necessarily have to have a direct access from the storefront. Commissioner Mahecha said that the patio is configured as shown on the plans due to the nature of the space. Assistant O'Toole said that the outdoor patio square footages are similar for all the restaurants at the same shopping center. Director Kim noted that the photo image on the PowerPoint slide shows Harbor Mexican Café, which is immediately next door to Furai Chicken, has a similar outdoor patio area without direct access to the storefront and they also serve alcohol.

Vice Chair Rojas asked if there was a record of any nuisance calls regarding intoxicated individuals since this would be the sixth alcohol license at the shopping center. Associate Planner O'Toole said that the Police Department had not returned his requests for information regarding the total number of calls for service for this particular address. Vice Chair Rojas asked if there were any type of alerts from the Police Department to indicate that this was a problematic area. Assistant Planner O'Toole said he was not aware of any. Commissioner Manley asked if that was the standard process during staff's preparation of the report, to ask the Police Department for reports on any calls for service to the address in question. Mr. O'Toole confirmed that the Police Department only provides information for the specific address and not the neighboring businesses.

The Vice Chair opened the public hearing and asked if there was anyone wishing to speak in favor of the project.

The applicant, Alex Ryu, thanked the Commission for their time. He explained that the businesses in the center are family oriented and there is no party atmosphere. Mr. Ryu said that other units have similar outdoor patios that require patrons to go around and through a latched gate in order to access the patio seating area. He also explained that he is requesting approval of a CUP tonight because many of his customers have expressed their desire to enjoy some beer with their fried chicken. Mr. Ryu explained that the business name "Furai" is a play on the word "fried" and that their chicken is made with rice flour to make it crunchier, less greasy and delicious. He hoped the Commission would approve the request and said he is working with ABC since this would be their sixth alcohol license. Mr. Ryu said that ABC anticipates there would be no issues obtaining their license as long as the area was in a low crime zone, which appears to be the case.

The Vice Chair then asked if there was anyone wishing to speak in opposition of the project. There were none.

The Vice Chair closed the public hearing and asked for discussion or a motion.

Moved by Commissioner Mahecha and seconded by Commissioner Manley, approving Resolution No. 23-03, entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 22-30 TO ALLOW THE SALE OF BEER AND WINE UNDER A TYPE 41 LICENSE ISSUED BY THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR AN EXISTING RESTAURANT LOCATED AT 1460 SOUTH HARBOR BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301, CLASS 1: "EXISTING FACILITIES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS: MAHECHA, MANLEY, ROJAS
NOES: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: BERNIER, SURICH

COMMENTS FROM STAFF

Planning Manager Lui informed the Commission that there are not any public hearing items ready to be scheduled, a second meeting in February would not be necessary and instead the Commission should adjourn to March 13, 2023.

COMMENTS FROM COMMISSIONERS

The Commission congratulated the applicant and said they looked forward to trying their chicken. Vice Chair Rojas and Commissioner Manley welcomed Commissioner Mahecha.

ADJOURNMENT: 6:53 p.m.

Respectfully submitted,


Veronica Lopez,
Secretary