

THE MINUTES OF THE MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA HABRA  
April 10, 2023

**CALL TO ORDER:** Commissioner Bernier 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 COMMISSIONER MANLEY

**PRESENT:** COMMISSIONERS: BERNIER  
MANLEY  
SURICH  
MAHECHA

**ABSENT: (EXCUSED)** COMMISSIONERS: ROJAS

**OTHERS PRESENT:** DIRECTOR: KIM  
PLANNING MANAGER: LUI  
ASSOCIATE PLANNER: D. LOPEZ  
SECRETARY: V. LOPEZ  
CITY ATTORNEY: ROBERTO

**PUBLIC COMMENT**

Commissioner Bernier 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**

Commissioner Bernier 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.

Secretary Lopez requested the Commission make separate motions on the Consent Calendar. The first motion would be to approve item number one, the procedural waiver; the second motion is to move item number two, the minutes of March 13, 2023, to the next regularly scheduled meeting.

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

Moved by Commissioner Surich, seconded by Commissioner Mahecha. Motion passed 4-0.

2. Move the minutes of March 13, 2023 to the next regularly scheduled meeting.

Moved by Commissioner Manley, seconded by Commissioner Bernier. Motion passed 4-0.

**PUBLIC HEARINGS**

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 AVENUE.

Commissioner Bernier asked if any correspondence had been received in regards to the item. Secretary Lopez said none had been received.

Associate Planner Lopez presented the staff report.

Commissioner Bernier asked if any of the Commissioners had any questions.

Commissioner Manley asked staff how phases two and three of the traffic management plan would be enforced if the vehicle queue exceeded 15 vehicles. Associate Planner Lopez explained that implementation of the traffic management plan is included as a condition of approval for the proposed project. It is expected that restaurant staff will deploy temporary signs and direct traffic to the extended queueing area. A condition of approval requires that a copy of the traffic management plan is to remain onsite and be adhered to at all times. Additionally, there is a condition that states that if Police services are needed for traffic control, the applicant will be subject to bearing the cost for these additional police services.

Commissioner Surich questioned what was the total queuing capacity of La Habra's former Krispy Kreme restaurant which was located in the same shopping. Commissioner Surich stated that making sure a sufficiently sized queuing lane is provided is important in order to ensure customers can be served in La Habra and avoid the desire or need to visit the Krispy Kreme restaurant in the City of Industry. Associate Planner Lopez was unable to recall the queuing capacity of the former restaurant, but he did explain that the Chick-fil-A restaurant which replaced the former Krispy Kreme restaurant had reconfigured the current drive through by incorporating dual lanes to accommodate a total of 18 vehicles. Associate Planner Lopez reiterated that the traffic management plan for the new Krispy Kreme restaurant includes phases two and three to accommodate up to 50 extra vehicles in order to prevent queuing vehicles from spilling into Idaho Street and Imperial Highway.

Commissioner Mahecha asked if queuing analyses were completed for other Krispy Kreme locations in other cities which were similar in size to the proposed new Krispy Kreme restaurant in La Habra. Associate Planner Lopez confirmed that queuing analyses were done for three locations similar to La Habra. Staff specifically requested that the applicant look at the closest location to La Habra, which is City of Industry. Their queue count is larger but the analysis concluded that it was based on that restaurant's proximity to the freeway. Associate Planner Lopez noted additional queuing analyses considered data from other Krispy Kreme locations in Long Beach and San Diego.

Commissioner Bernier opened the public hearing and asked if there was anyone wishing to speak in favor of the project.

Amber Wesley, La Habra Associates, LLC, introduced herself as a representative of the shopping center owners and expressed support of the project. Ms. Wesley said they were happy to have Krispy Kreme back in the center generating revenue for them and for the City. Ms. Wesley stated that she could answer any questions from the Commission regarding the proposed project.

Commissioner Bernier asked if there was anyone wishing to speak in opposition to the project. There were none.

Commissioner Bernier closed the public hearing and asked for a discussion or a motion.

Commissioner Manley thanked staff for their report and the applicant for their work on the traffic study and said he was in support of the project.

Commissioner Surich thanked the applicant and said she was glad to see they have a good traffic study to accommodate vehicles as she had concerns when she first heard about the project but was now ready to approve it.

Commissioner Mahecha said she was glad to see Krispy Kreme coming back to La Habra.

Commissioner Bernier said she was happy with the design of the building and the overall project. She added that they had a good traffic study and was happy with the new location since the previous site was more difficult to get in and out of.

Moved by Commissioner Manley and seconded by Commissioner Bernier, approving Resolution No. 23-04, entitled: 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 AT 1201 WEST IMPERIAL HIGHWAY, 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 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The roll call vote was as follows:

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

### **COMMENTS FROM STAFF**

Planning Manager Lui informed the Commission that staff would be presenting the Costco gasoline station expansion project and requesting reorganization of the Commission at the next regularly scheduled meeting. Planning Manger Lui thanked those that attended the Planning Commissioners Academy.

### **COMMENTS FROM COMMISSIONERS**

Commissioners Mahecha and Surich thanked staff for the opportunity to attend the Planning Commissioners Academy and said it was very informative. Commissioner Bernier said she attended the City's Eggstravaganza and said it was great to see Planning staff at the event speaking to the residents.

ADJOURNMENT: 6:55 p.m. to the Planning Commission meeting on April 24, 2023.

Respectfully submitted,

Veronica Lopez,  
Secretary