

**Minutes of the Huntington Park Planning Commission meeting held on
October 6, 2010**

Chairperson Avygail Sanchez called the meeting to order at 6:30 p.m. Present: Commissioners Eddie Benitez, Eddie Carvajal, Vice Chair Rosa Perez and Chairperson Avygail Sanchez; Absent: Commissioner Veronica Lopez (declared excused). Also present: Planning Manager Eric Garcia, Senior Planner Albert Fontanez, Assistant Planner Gabriela Silva, and Recording Secretary Genny Ochoa.

Approval of Minutes

Motion by Vice Chair Perez, seconded by Commissioner Benitez, to approve the minutes of the meeting held September 15, 2010, as presented. The motion carried as follows: Ayes: Commissioners Benitez, Carvajal and Vice Chair Perez; Noes: None; Abstain: Chairperson Sanchez; Absent: Commissioner Lopez.

Public Appearances

None.

Continued Public Hearings

A. CASE NO. 1918-ZOA: Consideration of a resolution recommending to the City Council the adoption of an ordinance amending Title 9 of the Huntington Park Municipal Code (HPMC) applicable to Historical Preservation.

Planning Manager Garcia stated that at its meeting of September 1, 2010, the Planning Commission continued the public hearing in order to receive input from the City's Historic Preservation Commission (HPC) and the California Office of Historic Preservation regarding the proposed Zoning Ordinance Amendment. Mr. Garcia stated that Historic Preservation Commissioner Barry Milofski, on behalf of the HPC, submitted correspondence reiterating the recommendation of the HPC to the Planning Commission that the proposed amendment to the Historic Preservation Ordinance include "language that would allow a property owner, AT THEIR DISCRETION, to include the interior of their property within an historic designation." Commissioner Milofsky further requested in his correspondence that the Planning Commission continue the public hearing to allow the City Attorney to study the HPC's recommendation and provide direction to staff on the recommended ordinance amendments.

Planning Manager Garcia stated that staff recommended the approval of the Zoning Ordinance Amendment as presented in order to continue with the application process for the California Office of Historic Preservation for the City's Certified Local Government status. Mr. Garcia added that staff could present the recommendation by the HPC to include the interior of residential structures for historic designation for Planning Commission consideration at a future meeting. Mr. Garcia further added that staff would forward a copy of Commissioner Milofsky's correspondence to the City Council.

After a discussion, Chairperson Sanchez called for anyone wishing to speak for or against Case No. 1918-ZOA. Hearing no one, the public hearing was declared closed. A motion was made by Vice Chair Perez, seconded by Commissioner Carvajal, to APPROVE CASE NO. 1918-ZOA AND ADOPT RESOLUTION NO. 1918, recommending to the City Council the adoption of an ordinance amending Title 9 (Zoning), Chapter 3, Article 18 of the Huntington Park Municipal Code regarding Historic Preservation, as recommended by staff, and that a copy of the correspondence from Historic Preservation Commissioner Milofsky be provided to the City Council. The motion carried as follows: Ayes: Commissioners Benitez, Perez, Carvajal, and Chairperson Sanchez; Noes: None; Absent: Commissioner Lopez.

Public Hearings

A. CASE NO. 1921-CUP: Request by Sergio Diaz for a Conditional Use Permit to allow on-sale of beer and wine in conjunction with an existing bona-fide public eating establishment located at 5415 Pacific Boulevard, in the Manufacturing Planned Development (MPD) Zone.

Assistant Planner Silva reviewed the Administrative Report, which included the Municipal Code Requirements and Required Findings for Conditional Use Permit, Administrative Comments and Analysis, and Recommendation. Ms. Silva stated that a portion of a medical facility on the parcel to the south of the subject property is developed over the restaurant's property line, and a parking lot on the parcel to the north serves the existing uses on the parcels. Ms. Silva added that the same property owner owns the three parcels and, to eliminate non-conformity of the subject parcels, staff recommends that the applicant process a Tentative Parcel Map to consolidate the three parcels into one (Condition No. 28). Ms. Silva stated that the required site improvements include the installation of a trash enclosure and a six-foot high decorative wall/fence along the south border of the parking area; the removal or repair of the dilapidated fence along the easterly property line; and that all existing roof-top equipment be shielded or enclosed to obscure its visibility from the public streets and/or adjacent properties. Ms. Silva stated that the proposed use is consistent with the City's Zoning and Development Standards subject to Planning Commission approval of a Conditional Use Permit and that staff recommended the approval of Case No. 1921-CUP, subject to Conditions Nos. 1-38 as outlined in staff's report. Staff clarified that compliance of the Conditions of Approval would be required prior to the sale of beer and wine.

After a brief discussion, Chairperson Sanchez called for anyone wishing to speak in favor of, or against Case No. 1921-CUP. Mr. Sergio Diaz (12155 Julius Ave., Downey, CA 90242), applicant, came forward to speak in favor. Mr. Diaz stated that the current hours of operation are 8 a.m. to 5 p.m. and that, depending on the demand for restaurant service, the hours are subject to change. After a detailed discussion, Mr. Diaz stated that he agreed to the Conditions of Approval as recommended by staff; however, requested that the Commission grant him a three-month extension to complete the recommended site improvements, specifically the installation of the trash enclosure, the repair or replacement of the dilapidated fence, and the landscaping. Mr. Diaz further requested that the Planning Commission approve his request for a Conditional Use Permit to sell beer and wine.

A discussion ensued regarding the applicant's request. Chairperson Sanchez declared a recess at 7:08 p.m. The meeting reconvened at 7:12 p.m. Present: Commissioners Eddie Benitez, Eddie Carvajal, Vice Chair Rosa Perez and Chairperson Avygail Sanchez; Absent: Commissioner Veronica Lopez.

A discussion continued regarding the Mr. Diaz's request for the extension of time to comply with the Conditions of Approval. Mr. Gilbert Diaz (12155 Julius Ave., Downey, CA), the applicant's grandson, came forward and explained that in assisting the applicant with the Conditional Use Permit application process, he had assumed that the applicant had received his alcohol beverage license from the State Department of Alcoholic Beverage Control (ABC). However, after learning that ABC has not issued the license, Mr. Gilbert Diaz would clarify to the applicant that, in addition to the approval of the Conditional Use Permit, the ABC license is required prior to the sale of beer and wine. The Commission recommend to the applicant to start the site improvements during the ABC license application process.

With no one else coming forward to address the Commission, Chairperson Sanchez declared the public hearing closed. A motion was made by Commissioner Perez, seconded by Chairperson Sanchez, to APPROVE CASE NO. 1921-CUP subject to Conditions Nos. 1-38, as outlined in staff's report. The motion carried as follows: Ayes: Commissioners Benitez, Perez, Carvajal, and Chairperson Sanchez; Noes: None; Absent: Commissioner Lopez.

B. CASE NO. 1922-ZOA: Consideration of a resolution recommending to the City Council the adoption of an ordinance amending Title 9 of the Huntington Park Municipal Code (HPMC) applicable to entitlement time extensions.

Senior Planner Albert Fontanez reviewed the Administrative Report, which included the Required Findings for a Zoning Ordinance Amendment, Administrative Comments and Analysis, and Recommendation. Mr. Fontanez stated that the Municipal Code currently allows a one-time extension not to exceed six months for Minor Variances, Minor Conditional Use Permits, Variances, and Conditional Use Permits; and multiple time extensions not to exceed six months per extension for Development Permits. Mr. Fontanez added that staff had modified the language of the proposed amendment pertaining to the timeframe for an applicant to submit a request for extension from the original staff report distributed to the Commission. The proposed amendment, as modified, would delete the one-time extension stipulation, allowing for approval of as many extensions as needed by the applicant, as well as increasing the time extension(s) to one year for all entitlements, subject to submittal of the applicant's request no later than 90 days after the expiration date of the entitlement. Mr. Fontanez stated that the proposed amendment is a means to assist developers of approved projects who are at risk of having their entitlements expire due to the current economic downturn move forward with their development projects. Mr. Fontanez further stated that staff recommended the approval of Case No. 1922-ZOA.

Chairperson Sanchez called for anyone wishing to speak for or against Case No. 1922-ZOA. With no one coming forward, Chairperson Sanchez closed the public hearing. A motion was made by Vice Chair Perez, seconded by Commissioner Carvajal, to APPROVE CASE NO. 1922-ZOA AND ADOPT RESOLUTION NO. 1922, recommending to the City Council the adoption of an ordinance amending Title 9 (Zoning) of the Huntington Park Municipal Code applicable to entitlement time extensions. The motion carried as follows: Ayes: Commissioners Benitez, Perez, Carvajal, and Chairperson Sanchez; Noes: None; Absent: Commissioner Lopez.

New Business

None.

Information Items

None.

Subjects Presented by the Planning Commission

Vice Chair Perez invited the Commissioners and staff to attend the 2nd Annual Halloween Fundraiser for The Honorable Mayor Raul R. Perez Memorial Scholarship Fund on Saturday, October 16, 2010.

Adjournment

There being no further business, Chairperson Sanchez declared the meeting adjourned at 7:45 p.m.

Chairperson

ATTEST:

Secretary