

CITY OF LA PUENTE
PLANNING COMMISSION AND DEVELOPMENT REVIEW BOARD

MINUTES

December 07, 2010

Per Robert's Rules of Order Newly Revised 10th Edition, minutes are a record of the actions taken by the body. These minutes do not include a summary of the discussion but only reflect the action taken by the body. A complete audio recording of this meeting is available on the City's website www.lapueente.org

A Regular Meeting of the Planning Commission of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on 12/07/2010, at 7:00 p.m.

CALL TO ORDER:

Chairman Klinakis called the meeting to order at 7:00 p.m.

**ROLL CALL: Commissioners: Dahlitz, Duarte, Landino, Lewis, and Klinakis;
Board Members: Dahlitz, Duarte, Landino, Lewis, and Klinakis**

Let the record show that Commissioner Duarte was absent.

EX OFFICIO: Community Development Director Yamachika, Deputy City Attorney Davtyan, Deputy City Attorney Sparks, City Planner Arreola, Assistant Planner Chow, Code Enforcement Officer Perez, Interim Code Enforcement Manager Corcoran, Administrative Secretary Ramirez.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Klinakis.

City Planner Arreola stated with the Planning Commissions permission, Staff would like to move up item No. 6, The Appeal of Notice of Violation to the first item heard at tonight's meeting.

ORAL COMMUNICATIONS:

Erick Sanchez, son of Jose F. Sanchez spoke on his father's behalf.

RECESS THE PLANNING COMMISSION

1. a. Reading of the minutes of the regular meeting of November 3, 2010.

Chairman Klinakis moved and Commissioner Dahlitz seconded to approve as presented.
The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, Lewis and Klinakis.
NOES: None
ABSTAIN: None
ABSENT: Duarte

DEVELOPMENT REVIEW BOARD UNFINISHED BUSINESS:

None.

2. DEVELOPMENT PLAN APPLICATION NO. 1085 - A request for construction of three (3) detached residential dwelling units at the southwest corner of Del Valle Avenue and Hill Street (Development Plan Application is submitted in conjunction with Vesting Tentative Parcel Map No. 71329)

Chairman Klinakis stated that he would need to recuse himself on this item, explaining that he lived within 500 feet of the proposed site; he left the dais and turned the meeting over to Vice Chairman Landino.

Vice Chairman Landino took the gavel.

Assistant Planner Chow presented the report for Development Application No. 1085.

Board Member Lewis stated that he was pleased with the presentation that all of his questions were answered during the presentation.

Vice Chairman Landino moved and Commissioner Lewis seconded to approve Development Plan Application No. 1085 based on the finding and conditions of approval set forth in the attached resolution. The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, Lewis.
NOES: None
RECUSE: Klinakis.
ABSENT: Duarte

MINUTES OF PREVIOUS PLANNING COMMISSION MEETING:

3. Reading of the minutes of the meeting of November 3, 2010.

Let the record reflect that Chairman Klinakis rejoined the meeting.

Chairman Klinakis moved and Commissioner Lewis seconded to approve as presented.
The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, Lewis, and Klinakis.

NOES: None

ABSTAIN: None

ABSENT: Duarte

City Planner Arreola stated with the commissions' permission, Staff would like to move item No. 6 on the agenda to be heard at this time.

6. Appeal of Notices of Violation issued to Jose F. Sanchez for violations of La Puente Municipal Code, constituting a public nuisance on property located at: 15845 Old Valley Blvd., La Puente, CA 91744, also known as 123 S. First Street, La Puente CA, 91744

Chairman Klinakis stated that he would be recusing himself from this item, explaining that his business office was within 500 feet of the address in the Notice of appeal and left the room.

James Corcoran, Interim Code Enforcement Manager, presented the report.

Deputy City Attorney Davtyan stated that she was present on behalf of the Public Safety Division and not to advise on the Planning Commission. Also, the property owner has two cases against his two properties and only one appeal was filed. The appeal was being handled as one item.

Vice Chairman Landino asked how many violations were in total.

Mr. Corcoran responded that there were a total of six (6) violations. There are four (4) Municipal Code Violation and two (2) California Building Code Violations.

Deputy City Attorney Sparks, stated that under the Municipal Code individuals were able to present evidence at this portion of the agenda item.

Mr. Jose Francisco Sanchez, owner of the Halloween Shop on Main Street, spoke on his behalf.

Commissioner Lewis asked if the violations could be addressed one at a time.

Commission Lewis asked Mr. Sanchez what year he received grant money from Community Development Grant Block Program (CDBG).

Mr. Sanchez responded in 2007 or 2008.

Commissioner Lewis asked if an inspection of the building was done at that time.

Mr. Sanchez responded in the negative.

Commissioner Lewis questioned if the City knew Mr. Sanchez was in violation when the grant money was given.

Community Development Director Yamachika responded in the negative.

Commissioner Dahlitz questioned with residential grants an inspection was done before the money was given, were the same guidelines followed for a commercial building.

Community Development Director Yamachika responded in the affirmative. Also, to clarify the grant money was to be used on the exterior of the building.

Commissioner Lewis asked Mr. Sanchez when the General Plan is adopted in the up coming months, would he be willing to bring his building up to Code.

Mr. Sanchez responded in the affirmative.

Community Development Director Yamachika stated that the City had spoken to Mr. Sanchez in regards to the amendment the Specific Plan to expand the mixed use district.

Deputy City Attorney Davtyan clarified that there was no amendments to the Specific Plan, and that the issue being presented at this time was that Mr. Sanchez made alterations to his building, all completed without building permits. Ms.

Davtyan went on to explain the appeal process.

Vice Chairman Landino questioned if Mr. Sanchez's property was ruled a public nuisance, would he be required to vacate the property as a living space.

Planning Commission Council Sparks responded in the affirmative.

Vice Chairman Landino asked how long Mr. Sanchez would have to vacate the residence.

Deputy City Attorney Davtyan responded within ten days.

Mrs. Brenda Sanchez, stated that she understood that the building had violations, but please do not make them leave their home.

Deputy City Attorney Sparks stated that for the record there was a letter received by the City Clerk and a copy distributed to each commissioner written from JB restaurant. The letter spoke in favor of Mr. Sanchez.

Mr. Beltran, a resident of the City, spoke on behalf of Mr. Sanchez.

Vice Chairman Landino stated that he agreed that Mr. Sanchez had been a resident who cares about his community. However, Mr. Sanchez was in violation. Vice Chairman Landino explained that the City did what it had to do, and feels that the City should have responded sooner to the situation. He would like to work with Staff and Mr. Sanchez to try and resolve this matter. He would like to continue this item to the next regular scheduled planning Commission meeting.

Deputy City Attorney Sparks stated that modifications could be made to the recommendations made by Staff to create different time zones for the abatement actions, or the Commission may choose to take the item under submission for a period of thirty days.

Commissioner Lewis stated he also would like to bring this item back to the next regular Planning Commission meeting.

Commissioner Lewis moved and Commissioner Dahlitz seconded to place the item in submission for thirty days. The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, and Lewis.

NOES: None

RECUSE: Klinakis

ABSENT: Duarte

Chairman Klinakis re-entered the council chambers and joined the meeting.

4. **VESTING TENTATIVE PARCEL MAP NO. 71329 - A request for approval of a) Vesting Tentative Parcel Map No. 71329 to subdivide one (1) property into three (3) parcels, located at the southwest corner of Hill Street and Del Valle Avenue (Vesting Tentative Parcel Map No. 71329 is filed in conjunction with Development Plan Application No. 1085).**

Chairman Klinakis stated that he would recused himself from this item because his place of residence was within the 500 foot radius, and has seated in the audience

Assistant Planner Chow stated the report was the exact report that was given earlier in the Development Review Board meeting and if the Commissioner would like she would re-presented the report.

Vice Chairman Landino stated that there was no need to repeat the report.

Vice Chairman Landino opened the public hearing.

Brian Cravens, the applicant stated he was the architect for the project, he was more than willing to answer any questions that the commission may have.

With no further speakers, Vice Chairman Landino closed the public hearing.

Vice Chairman Landino moved and Commissioner Lewis seconded to approve Staff's recommendation. The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, and Lewis.

NOES: None

ABSTAIN: None

ABSENT: Duarte

5. MUNICIPAL CODE AMENDMENT NO. 135 - Consideration of Municipal Code Amendment No. 135 - Adoption of zoning regulations pertaining to large family daycare homes in the Residential zones in La Puente.

Chairman Klinakis returned to the Dias.

City Planner Arreola presented the report.

Chairman Klinakis opened the public hearing

Chairman Klinakis closed the public hearing.

Chairman Klinakis moved and Commissioner Dahlitz seconded to adopt the Resolution, attached to the staff report, recommending that the City Council add Sections 10.08.900, 10.08.910 and 10.60.010(n) to Title 10 (Zoning Ordinance) of La Puente Municipal Code and adopt zoning regulations for large family day care homes within the City's residential zones and recommending that the City Council approve and adopt the Negative Declaration. The motion carried with the following roll call vote:

AYES: Dahlitz, Landino, Lewis, and Klinakis.

NOES: None

ABSTAIN: None

ABSENT: Duarte

RECONVENE DEVELOPMENT REVIEW BOARD

ORAL COMMENTS FROM COMMISSION/BOARD:

None.

ORAL COMMENTS FROM STAFF:

None.

ADJOURNMENT:

Chairman Klinakis moved and Commissioner Lewis seconded to adjourn. The motion carried with the following roll call vote:

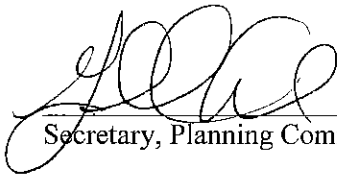
AYES: Dahlitz, Landino, Lewis, and Klinakis.

NOES: None

ABSTAIN: None

ABSENT: Duarte

Chairman Klinakis adjourned the meeting at 8:39 p.m.


Secretary, Planning Commission


Chairman, Planning Commission

