CITY OF LA PUENTE

PLANNING COMMISSION AND DEVELOPMENT REVIEW BOARD

MINUTES

January 04, 2011

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.lapuente.org

A Regular Meeting of the Planning Commission and Development Review Board of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on 01/04/2011, at 7:00 p.m.

CALL TO ORDER:

Chairman Klinakis called the meeting to order at 7:05 p.m.

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

EXOFFICO: Community Development Director Yamachika, City Planner Arreola, Deputy City Attorney Davtyan, Deputy City Attorney Sparks, Administrative Secretary Ramirez.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Klinakis.

ORAL COMMUNICATIONS FOR THE PLANNING COMMISSION AND THE DEVELOPMENT REVIEW BOARD:

None.

RECESS THE DEVELOPMENT REVIEW BOARD

MINUTES OF PREVIOUS PLANNING COMMISSION MEETING:

1. **Reading of the minutes of the Planning Commission meeting of December 7, 2010.**

Commissioner Dahlitz moved and Chairman Klinakis seconded to approve the minutes of the previous Planning Commission meeting. The motion carried with the following roll call vote:

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

PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION:

None.

UNFINISHED BUSINESS BEFORE THE PLANNING COMMISSION:

Chairman Klinakis stated that he would abstain from this item because he owned a property within 500 feet of the property that is the subject of the next item, and turned the gavel over to Vice Chairman Landino and then left the Chambers.

Vice Chairman Landino took over the gavel.

2. **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.**

Community Development Director Yamachika gave a brief explanation on the Notice of Appeal from the meeting of December 7, 2010.

Frank Sanchez described what occurred since the previous meeting. He asked why a new condition requiring him to move out of his home was added.

Community Development Director Yamachika responded that a meeting was held in which the Building Official expressed his concern that the residential unit was in an un-reinforced masonry building and the residential use on the second floor needed to be terminated immediately. Previous Building Inspectors never expressed urgency or required the immediate termination of the residential use of the second floor in an unreinforced masonry building.

Deputy City Attorney Davtyan explained the clause for abatement under the Specific Plan.

Mr. Sanchez asked who was present at the meeting.

Community Development Director Yamachika responded that the meeting was arranged because of concerns expressed by a Council Member regarding the course of action being proposed. The meeting included the Community Development Director, two Council Members, the Chief of Police, Code Enforcement Supervisor and both the Building Official and Deputy City Attorney Davtyan via telephone.

Mr. Sanchez asked which two Council Members were present.

Community Development Director Yamachika responded that the Mayor and Mayor Pro Tem were present.

Mr. Sanchez stated that he would sign a waiver of liability for living on the second floor of an unreinforced masonry building with his family as they have been there for eleven years. He also stated that he understood that building permits are necessary to legalize the unit.

Deputy City Attorney Davtyan gave an explanation of the compliance agreement.

Commissioner Lewis inquired about the waiver for liability.

Deputy City Attorney Davtyan responded that the waiver does not address the fact that there are violations on the property.

Rick Hartman, Principal of Government Contracting and Consulting Services, 424 E. Portola Street, San Dimas, stated that he and Mr. Sanchez met with City Staff to try to come up with an agreement. Mr. Sanchez understands that he did things the wrong way and would like to work with the City to give him some time to make the corrections. Mr. Hartman explained that Mr. Sanchez was asking the Planning Commission to remove the requirement that he must vacate the residence.

Deputy City Attorney Davtyan stated if Mr. Sanchez chose to file for a Specific Plan amendment, It would be at his cost and it would be only one step in legalizing his building.

Sandra Perez, a Downtown business owner spoke in favor of Mr. Sanchez and other Downtown businesses.

Deputy City Attorney Davtyan stated that an application filed by Mr. Sanchez would be to amend the Downtown Specific Plan to allow residential units in the business park district of the Downtown Specific Plan.

Vice Chairman Landino stated that it was not the intention of the commission to force Mr. Sanchez out of the City.

Eric Sanchez, spoke in favor of his father Jose F. Sanchez.

Discussion ensued on the process to amend the Downtown Specific Plan.

Commissioner Duarte stated he was a proponent of mixed use developments, and understands Mr. Sanchez's support in the community. However, Mr. Sanchez was still living in a building that was unsafe. He suggested that Mr. Sanchez move out temporarily, obtain the proper permits, and then move back in once the necessary improvement were made.

City Planner Arreola gave an explanation on the process of legalizing an illegal room conversion.

Commissioner Duarte stated that he sympathizes with the Sanchez family. However, the fact was that the residential unit was constructed illegally and that the City had to take measures in bringing the building into compliance.

Mr. Sanchez asked about the amount of time it would take to amend the Specific Plan to allow mixed use. He was told by former Council Members, that everything would be taken care of.

Commissioner Duarte clarified for Mr. Sanchez what was before the Planning Commission tonight.

Vice Chairman Landino recessed the meeting at 8:00 p.m.

Vice Chairman Landino reconvened the meeting at 8:10 p.m.

Deputy City Attorney Davtyan stated that during the break the Appellant had executed the abatement agreement and would vacate the residence within the sixty days.

Deputy City Attorney Sparks responded that since the appellant had executed the abatement agreement, there was no longer a need for the Planning Commission to make a determination.

Vice Chairman Landino stated for the record that the Planning Commission would receive and file the abatement agreement.

Let the record show that Chairman Klinakis has rejoined the meeting.

NEW BUSINESS BEFORE THE PLANNING COMMISSION:

None

RECONVENE THE DEVELOPMENT REVIEW BOARD AND RECESS THE PLANNING COMMISSION:

MINUTES OF PREVIOUS DEVELOPMENT REVIEW BOARD MEETING:

1. **Reading of the minutes of the regular Development Review Board meeting of December 7, 2010.**

Board Member Dahlitz moved and Board Member Lewis seconded to approve the Minutes of the Development Review Board Meeting. The motion carried with the following roll call vote:

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

UNFINISHED BUSINESS BEFORE THE DEVELOPMENT REVIEW BOARD:

None.

NEW BUSINESS BEFORE THE DEVELOPMENT REVIEW BOARD:

None

RECONVENE THE PLANNING COMMISSION

ORAL COMMENTS FROM STAFF:

Commissioner Lewis stated that he would like to close tonight's meeting in memory of Leonardo "Lenny" Arriola, who had passed away over the New Year's weekend.

Commissioner Duarte stated he was pleased that an agreement was reached between Mr. Sanchez and the City and thanked Staff.

City Planner Arreola stated that the applications for re-appointment of Planning Commissioners positions are due on Monday January 10, 2011 at 5:30 p.m.

ADJOURNMENT:

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

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

Chairman Klinakis adjourned the meeting at 8:15 p.m.

Secretary, Planning Commission

Chairman Klinakis