

**Minutes of the Huntington Park Planning Commission meeting held on
October 19, 2011**

Chairman Benitez called the meeting to order at 5:08 p.m. Present: Commissioners Veronica Lopez, Eddie Carvajal, and Chairman Eddie Benitez; Absent: None. Also present: Planning Manager Eric Garcia, Senior Planner Albert Fontanez, Assistant Planner Mercenia Lugo, and Recording Secretary Genny Ochoa.

Approval of Minutes

A motion was made by Vice Chair Lopez, seconded by Commissioner Carvajal, to approve the minutes of the meeting held on September 21, 2011 as presented. The motion carried as follows: Ayes: Commissioners Lopez, Carvajal and Chairman Benitez; Noes: None; Absent: None;

Public Appearances

None.

Continued Public Hearings

None.

Public Hearings

(At staff's request, Chairman Benitez so ordered to deviate from the order of the Public Hearings section of the agenda.)

A. CASE NO. 1943-CUP: Request by Angelica Jacquez for a Conditional Use Permit to establish a banquet hall with full on-site alcohol service at 1940 E. 65th Street within the Industrial Manufacturing Planned Development (MPD) Zone and the adoption of a Mitigated Negative Declaration Environmental Assessment associated with the project.

Planning Manager Eric Garcia stated that staff was working with Police Department staff on completing their review of the proposed project and pending security issues, and that staff recommended that Chairman Benitez pull the item from the agenda after duly opening the public hearing for public testimony. Mr. Garcia stated that staff would restart the entitlement application process for the Conditional Use Permit and schedule a new public hearing for a future Commission meeting.

Chairman Benitez declared the public hearing open and called for those wishing to speak in favor of/or against Case No. 1943-CUP. Mr. Frank F. Mead, IV (331 Cozumel Court, Laguna Beach, CA 92651), Project Manager, came forward to speak in favor of the proposed project and stated that he understood that there were pending issues.

Mr. Garcia requested that it be noted in the record that staff had received a letter of opposition to the proposed project dated October 18, 2011, and signed by Terry Carter, indicating that "there is limited parking in the location" to support the type of proposed venue.

After a brief discussion and with no one else coming forward to speak for/or against Case No. 1943-CUP, Chairman Benitez declared the public hearing closed. The Commission took no further action on the matter.

B. CASE NO. 1941-DP/VAR: Request by 7-Eleven, Inc., for approval of a Development Permit and Variance to deviate from the minimum development standards to establish a convenience store at 2321 E. Florence Avenue in the C-G (General-Commercial) Zone.

Assistant Planner Mercenia Lugo reviewed the Administrative Report, which included the Municipal Code Requirements for a Development Permit and Variance, Administrative Comments and Analysis, and Recommendations. Ms. Lugo stated that in June 2011, the Planning Commission denied a Variance request by 7-Eleven, Inc., to deviate from the minimum development standards for the establishment of a convenience store with the off-sale of beer and wine at the subject site. Ms. Lugo added that after submitting an appeal of the Planning Commission's case to the City Clerk, and subsequently withdrawing the appeal, the applicant now requested the approval of a Development Permit and Variance for the establishment of a convenience store without alcohol sales. Ms. Lugo stated that there are inconsistencies within the City's municipal code in terms of distance requirements between convenience stores and sensitive receptors and that the Commission might want to consider directing staff to research for possible amendment to the Municipal Code. Ms. Lugo added that as proposed, the proposed convenience store would not cause adverse effects to the public's health, safety, and welfare, is consistent with the City's General Plan, and that staff recommended that the Commission consider the applicant's request.

Chairman Benitez declared the public hearing open and called for anyone wishing to speak in favor of Case No. 1941-DP/VAR.

The following persons came forward to speak **in favor** of Case No. 1941-DP/VAR:

1) Mr. Ralph W. Deppisch (611 Kings Pl., Newport Beach, CA) on Park), applicant's representative, came forward to speak in favor. Mr. Deppisch stated that the path of travel between the proposed convenience store and the schools is in excess of the 1,000 feet minimum distance requirements. Mr. Deppisch added that the proposed store would bring needed tax revenue to the City and would provide job opportunities by creating eight to ten (8-10) jobs. Mr. Deppisch stated that 7-Eleven, Inc., has a strong crime deterrent program and works closely with local law enforcement agencies. Mr. Deppisch requested that the Commissioners reconsider the request for establishment of the convenience store and approve Case No. 1941-DP/VAR.

2) Mr. David Sabin (Lend Lease, 800 W. 6th St., #1600, Los Angeles, CA 90017), Zoning Manager, came forward and stated that the community would benefit from the proposed convenience store, which offers a wide variety of products from fresh fruits and sandwiches to hot foods.

3) Mr. Maurice Refoua (410 S. Beverly Dr., Beverly Hills, CA 90212), property owner, stated that 7-Eleven stores are located throughout the Southern California region. Mr. Refoua stated that the proposed store would bring security and attract more tenants to the newly developed shopping center. Mr. Refoua stated that he hoped to do more projects in the City and requested that the Commission approve Case No. 1941-DP/VAR.

The following person came forward to speak **against** Case No. 1941-DP/VAR:

- 1) Mr. Amine Klaeb (Florence Shell Station, 2322 E. Florence Ave., Huntington Park) came forward and stated that “it did not make sense” to open a convenience store in such close proximity to other similar uses. Mr. Klaeb stated that he opposed the approval of Case No. 1941-DP/VAR.

With no one else wishing to speak in favor of/or against Case No. 1941-DP/VAR, Chairman Benitez declared the public hearing closed.

A discussion was held. Commissioner Benitez stated that because the City had too many existing convenience stores and the proposed project did not meet the development requirements he could not approve the project. Commissioner Carvajal stated that the project did not meet the code requirements and that the Commission’s job is to uphold the Municipal Code.

Chairman Benitez reopened the public hearing. Mr. David Sabin came forward and stated that 7-Eleven, Inc., has many stores that do not sell alcohol, known as “dry stores,” and that the proposed store will be a store without the sale of alcohol.

Mr. Ralph Deppisch and Mr. Refoua also came forward and restated their requests for approval of Case No. 1941-DP/VAR.

Hearing no further comments, Chairman Benitez closed the public hearing.

A motion was made by Vice Chair Lopez, seconded by Commissioner Carvajal, to APPROVE CASE NO. 1941-DP/VAR, subject to the condition that no alcohol sales be allowed and that staff research the inconsistencies in the Municipal Code reported by staff, and that staff present its findings to the Commission at a future meeting. The motion **died** with the following vote: Ayes: Vice Chair Lopez; Noes: Commissioner Carvajal and Chairman Benitez; Absent: None.

Planning Manager Garcia informed those in the audience that an appeal of the Commission’s decision to the City Council may be submitted to the City Clerk within 15 days.

New Business

None.

Closed Session

Chairman Benitez declared the meeting resolved into closed session at 5:43 p.m.

Pursuant to California Code Section 54957,
PUBLIC APPOINTMENT
Title: Planning Commissioner

Following the closed session, the meeting reconvened at 6:14 p.m. Planning Manager Garcia reported that the Planning Commission directed staff to present to the City Council its recommendation to appoint Ms. Laura M. Herrera to the Planning Commission at the next regularly scheduled City Council meeting.

Adjournment

There being no further business, the Chairman Benitez declared the meeting adjourned at 6:15 p.m. to Wednesday, November 2, 2011 at 5 p.m.

Chair

ATTEST:

Secretary