

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 21, 2004

Mayor Duke called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, September 21, 2004, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

Mayor Duke led the Pledge of Allegiance to the United States Flag.

INVOCATION

Pastor Sandra Heer with A Fountain of Living Water Methodist Church gave the Invocation.

ROLL CALL:

Councilmembers present: Christine M. Barnes, Kenneth A. Blake, Alta E. Duke,  
Larry A. Herman

Councilmembers absent: Paul F. Walker

City Officials present: Catherine Standiford, City Manager  
Ed Ethell, Chief of Police  
Ismile Noorbaksh, Director of Public Works/City Engineer  
Robbeyn Bird, Director of Finance  
Dominic Lazzaretto, Director of Community Development  
Joel Kuperberg, City Attorney  
Tami Piscotty, Assistant to the City Manager

ORAL COMMUNICATIONS

None.

RECESS

Mayor Duke recessed the City Council to convene as the Community Development Commission at 7:04 P.M.

Mayor Duke reconvened the City Council at 7:14 P.M.

**PL-2 Request for Entitlements for Proposed 20-Unit Residential Condominium Project at 5052, 5062 and 5082 La Palma Avenue**

Mayor Duke re-opened the Joint Public Hearing.

Community Development Director, Dominic Lazaretto stated that this is a continued joint public hearing with the Planning Commission and the City Council for a proposed 20-unit condominium project at 5052, 5062 and 5082 La Palma Avenue. The applicant on the original proposal was La Palma Casas, LLC. The original proposal was for a General Plan Amendment and Zone Change from R-1 to R-3. The Precise Plan was to construct 20 condominiums. The item was continued from August 17, 2004. A letter was received from Mr. Paul Weatherly, property owner at 5082 La Palma Avenue, withdrawing his consent of approval of the applicant to work on his behalf. Additionally, Mr. Jim Travis, representing the applicant, submitted a letter requesting a 60-day continuance to resolve the disputes between the parties.

At the August 17, 2004 meeting, the Planning Commission and City Council chose to pursue only the changes in the land use designation and development standards, and revise the R-3 standards, and the item was continued to September 21, 2004.

The proposed modifications to the R-3 Zone development standards include lower densities for projects located on smaller lots, while allowing higher densities on larger lots. Mr. Lazaretto reviewed the parking standards, setbacks required, maximum lot coverage, additional landscaping requirements, common open area standards, and other features of the proposed modified R-3 Zone standards. The proposed modification to the R-3 standards would ensure that any project in the Zone would include appropriate amenities. This sliding scale of density ensures compatibility with surrounding properties.

Mr. Lazaretto went on to state that the Precise Plan and Tentative Tract Map cannot be pursued at this time, because the owner has withdrawn his consent. However, the City Council may adopt the General Plan Amendment and Zone Change with or without the property owners' consent.

No comments were received from the public.

A motion was made by Commissionmember Herman to close the public hearing. Commissionmember Blake seconded the motion, which carried unanimously.

Councilmember Herman stated the modifications to the R-3 Zone, as proposed, is a much better approach than we have had, and this project has given the City the opportunity to develop a more reasonable approach to this Zone.

Councilmember Barnes inquired if the project met the 40% coverage, to which Mr. Lazaretto responded affirmatively.

Councilmember Barnes expressed her concern that the setbacks, as presented this evening, are stringent, as well as are the open space and additional parking requirements, and would likely make it more difficult for the property to be financially feasible for a developer. She suggested that the street side setback be changed from 15 to 10 feet, and the side adjacent to residential zoned property from 20 to 10 feet.

Councilmember Barnes asked for clarification on the size of the open space, that it was 25 feet; and the private open space, whether it was beyond the 25 feet, for a total of 35 feet from the wall

to the building, to which Mr. Lazaretto responded affirmatively. Councilmember Barnes stated that this open area was too much, and is in excess of residential lots.

Councilmember Blake stated that, if it was an apartment building, he would prefer it was in excess of 25 feet. But it could be a total of 25 feet, combining the open space and the private patio, and not the 35 feet total.

Mayor Duke stated she prefers the proposed modifications as presented by staff this evening, particularly the setbacks proposed.

Councilmember Herman inquired if the rear setback was changed as Councilmember Barnes suggested, how would it impact the common open space and private area, to which Mr. Lazaretto responded it would be easier to provide.

Mayor Duke asked if the proposal tonight would provide any stumbling blocks for a developer, to which Mr. Lazaretto responded that the way these R-3 standards have been drafted and staff has modeled the buildings, it would allow a developer to complete a project with 14.5 or 14 units.

Mayor Duke clarified that there would still be a 200 square foot common open area, to which Mr. Lazaretto responded that either with the proposal this evening, or with Councilmember Barnes' changes, this 200 square foot common open area is still workable.

Commissionmember Herman made a motion for the Planning Commission to approve a Resolution recommending that the City Council adopt the General Plan Amendment 2004-01 and Zone Change 2004-01. The motion was seconded by Commissionmember Blake and carried on the following roll call vote:

AYES: Blake, Duke, Herman  
NOES: Barnes  
ABSENT: Walker

Commissionmember Blake made a motion for the City Council to adopt a Resolution approving General Plan Amendment 2004-01. The motion was seconded by Commissionmember Herman and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman  
NOES: None  
ABSENT: Walker

Commissionmember Blake made a motion for the City Council to introduce by title only, waiving further reading, an Ordinance approving Zone Change 2004-01. The motion was seconded by Commissionmember Herman and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman  
NOES: None  
ABSENT: Walker

Commissionmember Herman made a motion for the Planning Commission to direct the applicant to revise the Precise Plan and Tentative Tract Map to adhere to the standards of the adopted Zoning district. The motion was seconded by Commissionmember Blake and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman  
NOES: None  
ABSENT: Walker

#### CONSENT CALENDAR

Councilmember Blake moved to approve the following items on the Consent Calendar:

APPROVED THE SEPTEMBER 7, 2004 CITY COUNCIL MEETING MINUTES

ADOPTED THE RESOLUTION APPROVING A REGISTER OF DEMANDS FOR SEPTEMBER 21, 2004

APPROVED THE PLANS AND SPECIFICATIONS, AND AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO SOLICIT COMPETITIVE BIDS FOR THE INSTALLATION OF DRAINAGE DEVICES ALONG ANDREW DRIVE AND HOUSTON AVENUE, CITY PROJECT NO. 03-SWR-02.

The motion was seconded by Councilmember Herman and carried on the following roll call vote:

AYES: Barnes (abstain on Item No. 1 only) Blake, Duke, Herman,

NOES: None

ABSENT: Walker

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Councilmember Barnes stated that she attended the League of California Cities Conference in Long Beach, including a class on PEMCHA.

Mayor Pro Tem Blake attended the Tri-City Interfaith Breakfast and was unable to attend the League Conference due to his attendance at MWD's Colorado Aqueduct Tour.

Councilmember Herman spoke about the new vector, the Asian Tiger Mosquito, and said that staffing at the Orange County Vector Control District has been increased to deal with a variety of mosquito issues.


Mayor Duke spoke at the Tri-City Interfaith Breakfast, and carried in the City of La Palma's flag at the opening ceremonies of the League Conference.

CITY MANAGER COMMENTS

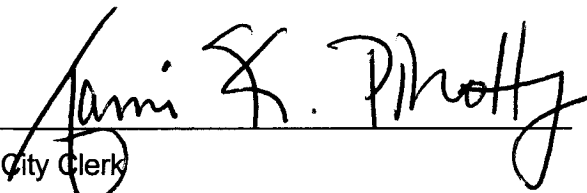
City Manager Standiford stated that she also attended the League Conference. She will be on vacation the week of September 27<sup>th</sup>, and in her absence, Chief Ethell will serve as Acting City Manager.

ADJOURNMENT

Mayor Duke adjourned the meeting at 8:10 p.m. until the next scheduled meeting on October 5, 2004.

  
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Mayor

ATTEST:

  
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City Clerk