

**PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING**

November 12, 2013

The regular meeting of the Placentia Planning Commission of November 12, 2013 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chairman Ebenhoch.

ROLL CALL: Present: Michael Ebenhoch, Chairman
Christine Schaefer, Vice Chair
Dana Hill, Commissioner
Frank Perez, Commissioner
Tom Solomonson, Commissioner
Vic Tomazic, Commissioner
Absent: James Schenck, Commissioner

PLEDGE OF ALLEGIANCE: Led by Commissioner Solomonson

Others Present: Andrew V. Arczynski, City Attorney
Monique Schwartz, Associate Planner
Cathy Carranza, Clerical Aide

ORAL COMMUNICATIONS: The Chair invited the public to make oral comments on matters not on the agenda and none were offered.

CONSENT CALENDAR:

1. a. Motion by Commissioner Tomazic, seconded by Vice Chair Schaefer, to APPROVE THE MINUTES of September 24, 2013. Passed by a 4-0-1-2 vote. Chairman Ebenhoch and Commissioner Hill abstained.
- b. Motion by Vice Chair Schaefer, seconded by Chairman Solomonson, to APPROVE THE MINUTES of October 8, 2013, 2013. Passed by a 6-0-1-0 vote.

Public Hearings:

2. **Applicant:** City of Placentia

Zoning Code Amendment 2013-03:

To consider a recommendation to the City Council of an Ordinance amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding § 23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code allowing digital and static advertising displays on City-owned property.

Andrew V. Arczynski presented the staff report.

Commissioner Tomazic asked for clarification, that the Planning Commission is being asked to make a recommendation to the City Council and not approving location. Mr. Arczynski confirmed that the recommendation to the City Council is being proposed not specific location.

Vice Chair Schaefer asked for confirmation that digital signage will be allowed in City Parks. Mr. Arczynski said yes. Vice Chair Schaefer asked if the signage will be used to advertise recreational activities. Mr. Arczynski stated, specific advertising is not before us at this time.

Commissioner Hill asked for clarification of the proposed arterial highways. Mr. Arczynski stated portions of Yorba Linda Blvd., Kraemer and Orangethorpe would be considered. Commissioner Hill asked what the bill board process is. Mr. Arczynski stated a public hearing and development agreement and adoption by the City Council. Commissioner Hill asked if the signage distance has been modified. Mr. Arczynski stated Cal Trans has standards that must be met.

Commissioner Perez asked if there are sign setbacks next to buildings. Mr. Arczynski stated there will be a development agreement for each specific site.

Chairman Ebenhoch asked if the Planning Commission is being asked to give City Council the ok to amend the ordinance. Mr. Arczynski said yes. Chairman Ebenhoch asked if other case studies have been done and will the ordinance be amendable in the future. Mr. Arczynski stated that the Planning Commission and City Council would need to approve any sign ordinance. Chairman Ebenhoch asked if there are any other cities who have adopted similar ordinances. Mr. Arczynski said yes, there are other cities who have adopted similar ordinances.

Vice Chair Schaefer referred to page 4, section D 1 of the staff report and asked for clarification. Mr. Arczynski stated that the proposed digital sign would have to meet the requirements of the code subject to a development agreement and an Ordinance.

Commissioner Hill asked what the typical time period is for a contract. Mr. Arczynski said long term due to the investment that is required.

John Douglas of J.H. Douglas and Associates in Santa Ana introduced himself. Mr. Douglas presented an overview of the Negative Declaration. Vice Chair Schaefer asked if the material from tonight's initial study would apply to each development proposal for each site down the line. Mr. Douglas stated that there would be a new initial study as part of an application for a development agreement. Vice Chair Schaefer asked if any of the proposed areas have greater impacts than others. Mr. Douglas stated that the impacts in the past had to do with view, lighting and glare. Vice Chair

Schaefer asked if all locations were considered in the initial study. Mr. Douglas stated that review was looked at from a programmatic stand point, not focusing on a particular location.

Commissioner Hill asked if any significant impacts in the initial study. Mr. Douglas stated there were potentially significant impacts.

Chairman Ebenhoch asked if different developers can be selected for each location. Mr. Douglas stated that the CEQA review or the ordinance do not identify a specific developer. Chairman Ebenhoch asked if citizens can express concerns with each project. Mr. Douglas said yes.

Vice Chair Schaefer asked if any other Southern California Cities have ordinances that permit these types of operations. Mr. Douglas stated he has not reviewed ordinances from other cities.

Chairman Ebenhoch opened the public hearing.

Stanley Nelson a Placentia Resident introduced himself. Mr. Nelson expressed concern with the two proposed billboard locations on La Jolla Street. Mr. Nelson stated that advertising on the billboards will impact the kids traveling to and from school daily. Mr. Nelson has concerns with billboard location that was submitted to Cal Trans. Commissioner Tomazic stated that sign location is not the issue for this meeting.

Victor De la Cruz of Manatt Phelps and Phillips Law Firm, 11355 W. Olympic Blvd. introduced himself. Mr. De la Cruz has concerns with the impact of this ordinance. Mr. De la Cruz suggested having the billboards placed on private property. Mr. De la Cruz suggested that an RFP be recommended for this process. Chairman Ebenhoch asked for confirmation that Mr. De la Cruz is legal council for Regency Advertising. Mr. De la Cruz said yes. Chairman Ebenhoch asked if the items in his case study could be sited. Mr. De la Cruz stated that Long Beach, Irwindale and West Hollywood have development agreements that could be looked at. Chairman Ebenhoch asked for clarification of Mr. De la Cruz's comment on segmentation. Mr. De la Cruz stated you cannot segment a project into multiple components. Commissioner Hill asked what is the typical contract time for Regency Advertising. Mr. De la Cruz said 15 to 25 years.

Joshua Correa of 844 Tafolla Street introduced himself. Mr. Correa expressed concern with CEQA zoning. Mr. Correa expressed concern with the proposed locations of the billboards. He stated he would be in support of the billboard advertising if they were located in commercial or industrial areas. Vice Chair Schaefer asked if Mr. Correa would be in support of the billboard advertising if they were located in commercial or industrial areas. Mr. Correa said yes.

Dwayne De Rose a Placentia resident and President of Placentia Chamber of Commerce introduced himself. Mr. De Rose is in support of the outdoor billboard advertising. Mr. De Rose stated that the advertising will benefit local Placentia business owners. Chairman Ebenhoch asked for clarification of revenue from the billboards. Mr. De Rose said \$725,000.00 based on the five signs. Chairman Ebenhoch asked if he would be in support if they were on arterial roads opposed to freeway. Mr. De Rose said yes.

Lilia Queen of 835 Iowa introduced herself. Ms. Queen expressed concern with the proposed sign locations. Ms. Queen is against the proposed signs in the La Jolla residential area.

Paul Olivares of 826 Nebraska Ave introduced himself. Mr. Olivares is against billboard advertising in his neighborhood.

Crystal Tovar a Placentia resident introduced herself. Ms. Tovar is against billboard advertising in her neighborhood.

Dwayne De Rose President of Placentia Chamber of Commerce expressed appreciation to the Planning Commission and City Council.

Chairman Ebenhoch closed the public hearing.

Andrew V. Arczynski, City Attorney stated that tonight is a recommendation to the City Council to adopt an ordinance that modifies the zoning ordinance that relates to billboard advertising. Chairman Ebenhoch asked for clarification that the Planning Commission is being asked to consider environmental, not approve specific operations or development. Mr. Arczynski said they are not being asked to consider potential locations. Vice Chair Schaefer asked if five specific locations have been chosen. Mr. Arczynski said that City Council has taken the previous locations and development agreement off the table. Mr. Arczynski stated that the City is looking at potential alternatives.

Commissioner Hill does not support the amendment and the zoning code.

Commissioner Solomonson does not support the amendment and the zoning code.

Vice Chair Schaefer recommends a joint study session with the Planning Commission and City Council.

Motion by Commissioner Hill, seconded by Chairman Ebenhoch to decline recommendation of Zoning Code Amendment 2013-03 to City Council. Passed by a 6-0-1-0 vote.

3. Applicant: 5150 Armory & Ammo Surplus, LLC

Use Conformity Determination 2013-01: To Determine if a +/-600 square foot retail store that specializes in the sale of firearms, ammunition and accessories is a use permitted by right or with a Use Permit, located at 118 N. Bradford Avenue in the Neighborhood Commercial (C-1) District.

Robyn Uptegraff, Assistant City Administrator presented the staff report.

Chairman Ebenhoch asked for clarification of the three choices being asked of tonight. Ms. Uptegraff stated by right, by use permit with conditions or not allowed.

Commissioner Solomonson asked if apparel will be sold at the location. Ms. Uptegraff said yes. Commissioner Solomonson stated of the twenty four he identifies four that qualify as permitted uses. Ms. Uptegraff recommends that Planning Commission approve through a Use Permit so conditions can be captured.

Jonathan Duran of 5515 Camino de Bryant, Yorba Linda introduced himself. Mr. Duran stated that he and his business partner approached the City and Police Department in August to propose their new business location. Mr. Duran stated all conditions from the Police Department and Planning Department were obliged by. Chairman Ebenhoch asked if a building permit was issued. Ms. Uptegraff stated no permit was issued. Mr. Duran stated that construction has begun to comply with requirements. Chairman Ebenhoch asked for clarification that prior to ATF being issued, there will be no sale of fire arms at the location. Mr. Duran said yes.

Carlos Magana of 5150 Armory & Ammo Surplus, LLC introduced himself. Mr. Magana stated only parts will be sold at the location at this time. Chairman Ebenhoch asked if tenant improvements have been completed at the location. Mr. Magana said electricity is needed at the location and cannot be turned on because the business license is being held up.

Todd Haddock of 16168 Beach Blvd. Ste 201 Huntington Beach introduced himself. Mr. Haddock stated 5150 Armory is exempt from the California Gun Free Zone Act. Mr. Haddock said 5150 is not manufacturing guns at this location and is a sporting goods store. Vice Chair Schaefer expressed concern with the statement that all business owners will be on site every hour of operation. She also asked if industrial locations were considered. Mr. Magana stated this location was ideal for their new business and their budget. Vice Chair Schaefer asked if they were aware from the beginning that Planning Commission approval would be needed. Mr. Duran said no. Commissioner Hill asked what the days and hours of operations would be. Mr. Duran said the hours of operation are Monday through Friday 10:00 AM to 7:00 PM; Saturday and Sunday from 9:00 AM to 6:00 PM. Commissioner Hill asked if another location is an option. Mr. Duran said no, a lease has been signed and thousands of dollars have been spent on tenant improvement. Vice Chair Schaefer asked if the Planning Commission can approve 5150 Armory pursuant to a Use Permit process. Mr. Arczynski said yes. Commissioner Perez asked if it is a California State Law that a store selling hand guns cannot be within 1000 feet from a school. Mr. Haddock said yes. Vice Chair Schaefer asked the applicants if they have business management experience. They both said yes.

Motion by Chairman Ebenhoch, seconded by Vice Chair Schaefer that the proposed use must go through the Conditional Use Permit Process. Passed by a 6-0-1-0 vote.

NEW BUSINESS

DEVELOPMENT REPORT

Chairman Ebenhoch asked for an update on McDonald's located at 164 Yorba Linda Boulevard. Ms. Schwartz stated they are expected to be pulling demo permits and moving forward.

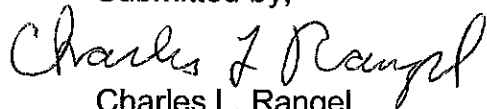
Commissioner Hill made a request to move forward with a study session between Planning Commission and City Council regarding the Bill Board Advertising. Ms. Uptegraff said she will discuss the request with the City Administrator.

PLANNING COMMISSION REQUESTS

ADJOURNMENT

Chairman Ebenhoch, seconded by Commissioner Hill adjourned the Planning Commission meeting at 8:55 p.m. to the next regularly scheduled meeting on Tuesday, December 10, 2013 in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,



Charles L. Rangel
Contract Planner