

PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
May 11, 2010

The regular meeting of the Placentia Planning Commission of May 11, 2010 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, California by Chairman Perez.

ROLL CALL: Present: Michael Ebenhoch, Commissioner
Christine Schaefer, Commissioner
Vic Tomazic, Commissioner
Craig Green, Vice Chairman
Frank Perez, Chairman

Absent: Floyd Farano, Commissioner (Excused)
John Scull, Commissioner (Excused)

PLEDGE OF ALLEGIANCE: Led by Commissioner Schaefer

Others Present: Kenneth A. Domer, Assistant City Administrator
Raynald F. Pascua, Development Services Manager
Monique Schwartz, Associate Planner
Andrew V. Arczynski, City Attorney
Sara Salazar, Administrative Assistant

Motion by Commissioner Ebenhoch, seconded by Commissioner Tomazic to APPROVE THE MINUTES of April 13, 2010. Passed by a 3-0-2 vote (Green Abstained, Schaefer Abstained).

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

Public Hearings:

- Applicant: Julia Malisos (Core Communications)**
Location: 505 N. Jefferson Street (Champions Sports Complex)

Use Permit (UP) 2010-06:

To permit the co-location of a second wireless communication facility by Clearwire, consisting of three (3) panel antennas, three (3) microwave dishes and three (3) DAP (Diverse Access Point) units on an existing 74 foot high freestanding light standard wireless communication facility owned by Sprint and related equipment to be located

in an existing enclosed Sprint ground lease area, located at 505 N. Jefferson Street (Champions Sports Complex) in the Specific Plan 7 (SP-7) District.

Mr. Pascua gave the staff report and offered to answer any questions, there were none.

Chairman Perez invited the applicant to address to Commission.

Ms. Malisos, Core Communications, greeted the Commission and offered to answer any questions.

Commissioner Schaefer asked if this is the second co-location at this site. Ms. Malisos responded, yes, this facility will go under the first provider, Sprint.

Commissioner Schaefer asked how much room remains for future co-locations. Ms. Malisos responded that she did not know, however, because there are lights at the top of the pole, the next carrier would have to determine if the height is appropriate for their requirements.

Commissioner Schaefer asked if the proposed Use Permit were not approved, where the next closest alternative location is. Ms. Malisos responded that research would be required to make that determination.

Chairman Perez opened the Public Hearing.

Chairman Perez closed the Public Hearing.

Motion by Commissioner Schaefer, seconded by Vice Chairman Green, TO ADOPT RESOLUTION NO. PC-2010-09 APPROVING USE PERMIT (UP) 2010-06, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-0 vote.

2. **Applicant: Luce Forward Attorneys at Law/Jennifer Chavez for Walgreens**
Location: 191 E. Yorba Linda Boulevard (Walgreens)

Use Permit (UP) 2010-05:

To permit the sale of alcoholic beverages (Type 20 Off Sale Beer and Wine) within a +/- 11,369 square foot existing commercial/retail store and pharmacy (Walgreens), located at 191 E. Yorba Linda Boulevard in the Town Center (T-C) District.

Commissioner Ebenhoch asked why the application to sell alcohol was not included in the original plans. Ms. Schwartz referred the question to the applicant for response.

Vice Chairman Green asked if the signage and outside display restrictions are ABC issued.

Ms. Schwartz responded they are standard conditions of the Placentia Police Department.

Vice Chairman Green expressed his opinion that these conditions are unnecessary due to the low crime rate in that area.

Chief Anderson commented that one of the reasons these conditions are in place is to prevent a new business from taking over the old license with a different use. He added that even though the area does not currently have a high crime rate, the intention of the Police Department is to keep it that way.

Chairman Perez invited the applicant to address to the Commission.

Jennifer Chavez, of Luce Forward, 600 West Broadway Suite 2600, San Diego, 92101 spoke on Walgreens behalf. She thanked staff for their presentation on the application. In response to Commissioner Ebenhoch's question concerning the timing of the application for alcohol sales, she indicated that Walgreens did not used to sell alcohol, however in response to customer demand, and to remain competitive, they have begun.

Vice Chairman Green asked if Walgreens has a policy regarding window signage for alcohol sales. Ms. Chavez responded, no, not that she was aware. However, she often sees it in municipal codes.

Commissioner Schaefer asked if Walgreens is doing a statewide rollout of alcohol sales. Ms. Chavez responded that yes, it is a nationwide rollout.

Chairman Perez opened the Public Hearing.

Chairman Perez closed the Public Hearing.

Motion by Vice Chairman Green, seconded by Commissioner Tomazic, TO ADOPT RESOLUTION NO. PC-2010-07 APPROVING USE PERMIT (UP) 2010-05, SUBJECT TO THE REVISED SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-0 vote.

3. **Applicant: Cameron Heath**
Location: 909 E. Yorba Linda Boulevard, Suite K (Action Kids)

Use Permit (UP) 2010-07:

To permit the sale of a children and family fitness center that offers instruction on martial arts, kick boxing, dance, circuit machines, sports team training and birthday parties in a +/- 1,920 square foot commercial/retail suite, located at 909 E. Yorba Linda Boulevard, Suite K in the Neighborhood Commercial (C-1) District.

Ms. Schwartz presented the staff report. Vice Chairman Green expressed concern over the restriction to business hours and the process the business would be subjected to if a change in hours was desired. Ms. Schwartz responded that a change of business hours can be approved by staff and would not need to go back before the commission.

Commissioner Schaefer asked if adults and children would be using the facilities at the same time. Ms. Schwartz referred the question to the applicant.

Chairman Perez asked what other businesses are in the shopping center. Ms. Schwartz responded that Rembrandts Restaurant and Kelly's Korner are two other establishments.

Chairman Perez expressed concern over business hours and the other establishments within the shopping center. Ms. Schwartz responded that the applicant will have a policy to ensure that children are not dropped off out front, but walked in by parents.

Chairman Perez invited the applicant to address to the Commission.

Cameron Heath, 12326 Baja Panorama, Santa Ana, 92705 responded to Commissioner Schaefer's question concerning adults and children in the same classes. Mr. Heath responded there are classes available for adults and teens, aged 13 and up, together. However, at this time, there are no classes available for adults and children together.

Commissioner Schaefer asked what consideration was given to the presence of Kelly's Korner and Rembrandts Restaurant in the same shopping center. Mr. Heath responded that at Action Kids previous location at Imperial Highway and Rose Drive, there was a drinking establishment two (2) doors down and he felt it did not negatively affect his business.

Chairman Perez opened the Public Hearing.

Kim Summers, 150 Paularino Avenue Suite 194, Costa Mesa, 92626 spoke on behalf of the centers property management. She commented on access to the center, stating there are three (3) driveways, two (2) on Yorba Linda Boulevard and one (1) on McCormack Lane.

Chairman Perez asked if there is any data showing the level of traffic in the center during the applicant's business hours. Ms. Summers responded that in the middle of the day the center is quiet. Most of the business is at night.

Chairman Perez closed the Public Hearing.

Motion by Commissioner Ebenhoch, seconded by Commissioner Schaefer, TO ADOPT RESOLUTION NO. PC-2010-08 APPROVING USE PERMIT (UP) 2010-07, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-0 vote.

Old Business:

None

New Business:

None

DEVELOPMENT SERVICES MANAGER'S REPORT:

Mr. Pascua welcomed any questions from the Planning Commission.

Commissioner Schaefer asked for an update on the service station at the corner of Rose Drive and Yorba Linda Boulevard. Ms. Schwartz stated she recently spoke with the owner who indicated he would be replacing the existing fence with a new green fence. Additionally he had indicated they are in the final stages of the Lot Line Adjustment and hoped for it to be completed soon.

Mr. Domer spoke about zoning in the City and the need for it to be made current, more flexible and accommodating to new businesses. He stated that staff has been advised by business owners, that neighboring cities are sometimes easier to open a business in, than in Placentia. He advised that an annual review of Development Services Fees had just been completed. The fee study conducted in 2007 and later approved by City Council did not recover fees at 100%. The goal is to re-exam and recover 100% of fees with a new study. It has been found that the Use Permit fee can be reduced, and this will be taken to City Council for approval.

Commissioner Ebenhoch expressed support of the proposed reduced fees and zoning changes.

Commissioner Tomazic also expressed support and asked how the Planning Commission can help. Mr. Domer responded that support from the Commission is appreciated.

Vice Chairman Green commented that the City needs to support businesses and therefore he supports the proposed changes.

Commissioner Schaefer asked if the City was not struggling financially, would we still want these changes. Mr. Domer responded, yes.

Chairman Perez expressed support for the proposed changes.

Mr. Eric Holmegren, 912 Magnolia Avenue, Placentia, 92870 was invited to address the Commission. He commented that he would like to open a business in the City, however his business does not meet the City's zoning requirements and a Special Use Permit would be very expensive for him. In the City of Anaheim, he stated, there are minimal restrictions and a business license is the only required fee.

Chairman Perez proposed a pilot program to allow Mr. Holmegren's business to operate in the City.

Commissioner Ebenhoch commented that we need to be more competitive because we are so close to the 57 and 91 freeways and our location makes us very desirable. He proposed amortizing the Special Use Permit fee over a couple of years to make it easier on start up businesses.

Mr. Domer stated that unfortunately, right now, there is no way to do a pilot program or a fee waiver. However, we can bring something back to the next meeting. One idea is to replicate the codes the City of Anaheim uses in their 'Canyon Manufacturing District'.

The Commission thanked Mr. Holmegren for speaking.

Mr. Domer updated the Commission on the Placentia Center at Bastanchury Road and Placentia Avenue. Vons still holds the lease and the market that was leasing it had a fire and they are waiting for their insurance to settle. Once that happens they will come back to the center.

Chairman Perez asked how long the sub-lease is for. Mr. Domer responded that it is for five (5) years plus.

Chairman Perez adjourned the Planning Commission meeting at 7:40 p.m. to the next regularly scheduled meeting on June 8, 2010 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,



Raynald F. Pascua
Development Services Manager