



Placentia Planning Commission Agenda

Regular Meeting
September 8, 2015

6:30 p.m.

**City Council Chambers
401 E. Chapman Avenue**

**Christine Schaefer
Chair**

**Frank Perez
Vice Chair**

**Dennis Lee
Commissioner**

**James Schenck
Commissioner**

**Thomas Solomonson
Commissioner**

**Vic Tomazic
Commissioner**

**Vacant
Commissioner**

**City of Placentia
401 E Chapman Avenue
Placentia, CA 92870**

**Phone: (714) 993-8124
Fax: (714) 528-4640
Website: www.placentia.org**

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Planning Commission's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE the item is called.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

**PLEASE SILENCE CELL PHONES AND OTHER ELECTRONIC
EQUIPMENT WHILE THE COMMISSION IS IN SESSION.**

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Planning Division Counter, Placentia Library Reference Desk and the internet at www.placentia.org under the Planning Commission page. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room.

REGULAR MEETING
6:30 p.m. – City Council Chambers

MEETING CALLED TO ORDER

ROLL CALL: Chair Schaefer
Vice Chair Perez
Commissioner Lee
Commissioner Schenck
Commissioner Solomonson
Commissioner Tomazic

PLEDGE OF ALLEGIANCE:

ORAL COMMUNICATIONS:

At this time the public may address the Planning Commission concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the Planning Commission. There is a five (5) minute time limit for each individual addressing the Planning Commission.

CONSENT CALENDAR:

1. **Minutes**
Planning Commission Meeting- August 11, 2015
Recommended Action: Approve

PUBLIC HEARING:

2. **Applicant: CKUSA dba Shanghai Garden**
Project Location: 1448 N. Kraemer Boulevard

Use Permit (UP) 2015-05:

To permit the sale of alcoholic beverages (Type 41 On-site Sale Beer and Wine Bona-fide Eating Establishment) for on-site consumption, in conjunction with a full service restaurant, for the property located at 1448 N. Kraemer Boulevard in the T-C Town Center Commercial District. The proposed use is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline § 15061(b)(3) and City Environmental Guidelines.

Recommended Actions: It is recommended that the Planning Commission:

- a. Open Public Hearing concerning Use Permit 2015-05, Receive the Staff Report and consider all Public Testimony, and Close Public Hearing; and
- b. Adopt Resolution PC-2015-14, A Resolution of the Planning Commission of the City of Placentia, Approving Type 41 Alcoholic Beverage Control License On-Site Consumption of Beer and Wine- Bona Fide Eating Establishment,

and Approving Use Permit No. 2015-05 Located at 1448 N. Kraemer Boulevard; and

- c. Find that the Application is Categorically Exempt pursuant to the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15303) and Placentia Environmental Guidelines.

3. Applicant: James Carrone

Project Location: 201 – 261 Lakeview Avenue

Zone Change (ZC) 2015-01:

To change the zoning designation from Neighborhood Commercial (C-1) District to Office Commercial (C-O) District for a property located at 201 – 261 Lakeview Avenue. The proposed Zone Change is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline § 15301 Existing Facilities and City Environmental Guidelines.

Recommended Actions: It is recommended that the Planning Commission:

- a. Open the Public Hearing, concerning the Zone Change No. 2015-01, Receive the Staff Report and consider all Public Testimony, and Close Public Hearing; and
- b. Adopt Resolution PC-2015-15, A Resolution of the Planning Commission of the City of Placentia, Recommending to the City Council of the City of Placentia, California, Amending the Official Zoning Map of the City by Changing the Zoning Designation from “C-1” Neighborhood Commercial to “C-O” Commercial Office District and Change to Land Use Designation in the General Plan as Part of the General Plan Update on a +/- 1.20 Acre Site at 201-261 Lakeview Avenue (Zone Change 2015-01); and
- c. Find that the Applicant is Categorically Exempt from CEQA pursuant to State CEQA Guidelines § 15301 as it pertains to an “Existing Facility” where it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment.

OLD BUSINESS: None

NEW BUSINESS:

4. Finding of Conformity

Recommended Actions: It is recommended that the Planning Commission:

- a. Adopt Resolution PC-2015-16, A Resolution of the Planning Commission of the City of Placentia, Making Certain Findings Concerning the Installation of two (2) freeway-oriented entry signs with digital/static display capabilities, generally located at 350 S. Placentia Avenue, Placentia, California (Assessor’s Parcel Number 339-441-01) and 500 S. Melrose Street,

Placentia, California (Assessor's Parcel Number 339-102-01) with Respect to the Consistency of the Proposed Installation Thereof with the City of Placentia General Plan Pursuant to California Government Code § 65402.

DEVELOPMENT REPORT:

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS

Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners ADJOURN to a Regular meeting on Tuesday, October 13, 2015 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

CERTIFICATION OF POSTING

I, Charles L. Rangel, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the September 8, 2015 Regular Meeting of the Planning Commission of the City of Placentia was posted on September 3, 2015.

Charles L. Rangel, Secretary

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

August 11, 2015

The regular meeting of the Placentia Planning Commission on August 11, 2015 was called to order at 6:30 p.m. in the Placentia Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

ROLL CALL:

PRESENT: Commissioner Solomonson, Tomazic, Perez, Schaefer
ABSENT: Lee, Schenck

PLEDGE OF ALLEGIANCE: Commissioner Tomazic

OTHERS PRESENT: Yolanda Summerhill, City Attorney
Charles Rangel, Contract Senior Planner
Candice Martinez, City Clerk Specialist

ORAL COMMUNICATIONS: None

CONSENT CALENDER:

- 1. Minutes**
Planning Commission Meeting- April 14, and May 12, 2015
Recommended Action: Approve
(4-0, as recommended)

Motion by Commissioner Solomonson, seconded by Vice Chair Perez and carried a (4-0) vote to approve the recommended action.

PUBLIC HEARING:

- 2. Applicant: Martha Walswick
Project Location: 334 Morse Avenue**

Second Unit Permit (SUP) 2015-01

To permit the construction of a +/- 401 square foot second unit, +/-668 square foot garage and +/-115 square foot second story balcony. The balcony is proposed to be on the south side of a new second unit located over a proposed garage. The proposed use is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline § 15303 and City Environmental Guidelines.

Recommended Actions: It is recommended that the Planning Commission:

- a. Open Public Hearing, Receive Testimony, and Close Public Hearing; and
- b. Adopt Resolution PC-2015-12, A Resolution of the Planning Commission of the City of Placentia, Approving Second Unit Permit SUP 2015-01 Pertaining to the Construction of a +/- 401 Square Foot Second Unit, +/-668 Square Foot Garage and +/-115 Square Foot Second Story Balcony. The Balcony is Proposed to be on the South Side of the New Second Unit Installed Over a Proposed Garage Located at 334 Morse Avenue and Making Finding in Support Thereof; and

- c. Find that the Application is Categorically Exempt pursuant to the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15303) and Placentia Environmental Guidelines.

Senior Planner Rangel provided a brief overview on the proposed development of a second story unit and balcony on an existing structure on property located at 334 Morse Avenue. He noted that they meet the municipal unit parking requirements, and listed the dedications and improvements in the conditions of approval.

Commissioner Tomazic expressed his concerns regarding the construction of a second unit on top of an existing structure.

Senior Planner Rangel noted that the Planning Department ensures that the project will be uniform with the building codes.

Chair Schaefer opened the public hearing at 6:44 p.m.

Martha Walswick, applicant, provided a brief overview on the proposed development and requested for the Commission to remove language listed in the conditionals of approval for the construction of a partial sidewalk on their property.

Senior Planner Rangel noted that he has been in discussion with the Public Works Department for the complete right of way on Morse Avenue, but is not sure where the item is placed in the City's Capital Improvement Program (CIP). He noted that there have been previous projects that have requested a hold on a dedication, and the City placed a lien on the property until the dedication was complete.

Bob Carfield, resident, expressed his concerns regarding the safety of the construction of a partial sidewalk, and requested for the dedication to be removed as an item on the conditions of approval.

Chair Schaefer closed the public hearing at 7:00 p.m.

A motion was made by Commissioner Solomonson, seconded by Vice Chair Perez and carried a (4-0) vote to approve the recommended actions.

**3. Applicant: Rick Smets
Project Location: 950 S. Via Rodeo**

Use Permit (UP) 2015-04:

To permit the sale of alcoholic beverages for on and off-site consumption (Type 23 Small Beer Manufacturer Alcoholic Beverage Control License) in conjunction with the operation of a small craft brewery that manufactures specialty beers, conducts guided tours of their facility and offers beer and wine sampling within their tasting room, located in a +/- 5,120 square foot industrial tenant space located at 950 S. Via Rodeo in the Manufacturing (M) District.

Recommended Actions: It is recommended that the Planning Commission:

- a. Open Public Hearing, Receive Testimony, and Close Public Hearing; and
- b. Adopt Resolution PC-2015-13, A Resolution of the Planning Commission of the City of Placentia, California, Approving Use Permit No. 2015-04 Pertaining to Property Located at 950 S. Via Rodeo, and Making Findings in Support Thereof; and

- c. Find that the Applicant is Categorically Exempt Pursuant to the California Environmental Quality Act of 1970, as amended, the Guideline promulgates thereunder (14 CCR § 15303) and Placentia Environmental Guidelines.

Senior Planner Rangel provided an overview on the proposed business noting they have applied for a Use Permit (UP) to permit the sale of alcohol at their facility.

Chair Schaefer opened the public hearing at 7:11 p.m.

Rick Smets, applicant, provided this history on his business, and noted that the owner of The Brewery had recommended for him to open up his brewery in the City of Placentia. He thanked City Staff for all their assistance.

Chair Schaefer asked if the applicant accepts all the items listed in the conditions of approval.

Mr. Smets accepted all items listed in the conditions of approval.

Chair Schaefer closed the public hearing at 7:19 p.m.

Motion by Vice Chair Perez, seconded by Commission Solomonson and carried a (4-0) vote to approve the recommended action.

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Contract Senior Planner Rangel noted upcoming items that will be presented to the Planning Commission, including: Massage Parlor Ordinance, and Private School Re-Zoning. He announced that the City Council has approved, by first reading only, the 10-Unit development on Spruce Street.

DIRECTOR'S REPORT: None

PLANNING COMMISSION REQUESTS: None

ADJOURNMENT

Chair Schaefer adjourned the Planning Commission meeting at 7:33 p.m. to a regular meeting on Tuesday, September 8, 2015 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Charles L. Rangel
Contract Planner



Placentia Planning Commission Agenda Staff Report

TO: PLANNING COMMISSION
FROM: CONTRACT SENIOR PLANNER
DATE: September 8, 2015
SUBJECT: **USE PERMIT 2015-05**

RECOMMENDATION:

It is recommended that the Planning Commission take the following action:

- 1) Open Public Hearing, concerning Use Permit 2015-05, Receive the staff report and consider all Public Testimony, and Close the Public Hearing; and
- 2) Adopt Resolution PC-2015-14, A Resolution of the Planning Commission of the City of Placentia, Making Findings for the Type 41 Alcoholic Beverage Control License On-Site Consumption of Beer and Wine- Bona Fide Eating Establishment, and Approving Use Permit No. 2015-05 Located at 1448 N. Kraemer Boulevard; and
- 3) Find that the Application is Categorically Exempt Pursuant to the California Environmental Quality Act of 1970, as amended, the Guideline promulgated thereunder (14 CCR § 15303) and Placentia Environmental Guidelines.

DISCUSSION:

The applicant, CKUSA dba Shanghai Garden is applying for a type 41 license to serve beer and wine within an existing commercial suite located in the Placentia Village Plaza.

Pursuant to § 23.27.040(3) of the Placentia Municipal Code, the sale of alcoholic beverages is permitted within the Town Center Commercial (T-C) District, subject to obtaining a use permit.

Subject Site and Surrounding Land Uses:

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	CKUSA dba Shanghai Garden	Commercial	TC Town Center Commercial
Proposed	Sale of Beer and Wine for On-Site Consumption at CKUSA dba Shanghai Garden 3,051 Sq. Ft. retail space	Commercial	TC Town Center Commercial
North	Bank	Commercial	TC Town Center Commercial
South	US Post Office/Retail commercial shopping center	Commercial	C-M Commercial Manufacturing
East	Single Family Residential/Dry cleaners	Low Density Residential/Office Commercial	TC Town Center Commercial/ R- 1 Single Family Residential
West	Retail commercial shopping center	Commercial	TC Town Center Commercial

Operational Characteristics:

CKUSA dba Shanghai Garden is a family operated full service restaurant with 4 kitchen staff and 3 servers specializing in serving traditional dishes from the Shanghai region of China. Hours of operation are 11 am to 9 pm Tuesday through Saturday and 12 am to 9 pm on Sundays.

Existing ABC Licenses Within One-Half Mile Radius of the Subject Site:

The Alcoholic Beverage Control (ABC) license that is being applied for by CKUSA dba Shanghai Garden is a “Type 41 On-Sale Beer and Wine – Bona Fide Eating Place,” which is an on-site beer and wine license. Listed below are other businesses in Placentia within a one-half mile radius of the subject site that are permitted to sell alcoholic beverages for on and off-site consumption.

BUSINESS	ADDRESS	LICENSE TYPE
TJS Locker Room Inc	1164 E Yorba Linda Blvd	Type “48” On-Sale General for Public Premises
Saigon Noodle House *	1486 N Kraemer Blvd	Type “41” On-Sale General for Bona Fide Public Eating Place
Alta Vista Country Club	777 Alta Vista St	Type “47” On-Sale Beer and Wine - Eating Place
Maki Yaki *	1490 N Kraemer Blvd	Type “41” On-Sale Beer and Wine - Eating Place
El Torito *	1474 N Kraemer Blvd	Type “47” On-Sale Beer and Wine - Eating Place
Pho Viet	1156 E Yorba Linda Blvd	Type “41” On-Sale General for Bona Fide Public Eating Place
Orea Taverna	1390 N Kraemer Blvd	Type “41” On-Sale General for Bona Fide Public Eating Place
Meat Up BBQ*	1450 N Kraemer Blvd	Type “41” On-Sale Beer and Wine - Eating Place

*Restaurants located within shopping center

The sale of beer and wine in conjunction with a lunch or dinner meal is common and can complement a dining experience. Denying CKUSA dba Shanghai Garden the opportunity to sell alcoholic beverages could put it at a disadvantage with other restaurants in the area that are currently licensed and permitted to sell alcoholic beverages. Meat Up BBQ, El Torito and Maki Yaki are restaurants located nearby that are licensed to sell beer and wine for on site consumption. These restaurants provide direct competition to Taal Cultural Cuisine of India.

The sale of alcoholic beverages in this restaurant will not be the primary attraction for patrons as in the case of bars and taverns. The sale of alcoholic beverages will be permitted only in conjunction with meals served for consumption on the premises CKUSA dba Shanghai Garden will be required to serve meals during all hours of operation.

As of January 1995, the State of California Legislature implemented Assembly Bill 2897 by amending the California Business and Professions Code (§ 23958) to require the ABC to deny an application for a liquor license "if issuance of that license would tend to create a law enforcement problem, or if the issuance would result in or add to an undue concentration of liquor licenses."

Undue concentration is defined as follows:

The premises of the proposed license is located in an area that has 20 percent more reported crimes than the average number of reported crimes for the City as a whole,

or

The premises of the proposed license are located in a census tract where the ratio of existing retail on-sale/retail off-sale licenses to population in the census tract exceeds the ratio of retail on-sale/retail off-sale licenses to population in the County of the proposed premise.

The Police Department has reviewed the application and reports this business is not located in a high crime area. The Police Department is recommending conditions of approval which are focused on ensuring that the sale of beer and wine remains an ancillary component of the business and that proper operational safeguards are implemented.

CEQA for Use Permit (UP) 2015-05:

The proposed Use Permit was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that Use Permit (UP) 2015-05 is exempt from CEQA pursuant to State CEQA Guidelines § 15061(b)(3) as it pertains to a use where it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment.

Prepared and submitted by:



Charles L. Rangel
Contract Senior Planner

Review and approved by:



Damien R. Arrula
Assistant City Administrator

Attachments:

1. Resolution No. 2015-14
2. Conditions of Approval
3. Site plan
4. Floor plan
5. Elevations

RESOLUTION NO. PC-2015-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2015-05 AND MAKING FINDINGS FOR TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE ON-SITE CONSUMPTION OF BEER AND WINE - BONA FIDE EATING ESTABLISHMENT FOR THE PROPERTY LOCATED AT 1448 N Kraemer Blvd.

A. Recitals.

(i) CKUSA dba Shanghai Garden, applicant located at 1448 N Kraemer Blvd ("Applicant" hereinafter) heretofore filed an application for approval of USE PERMIT NO. 2015-05, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the "Application".

(ii) On September 8, 2015 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Placentia as follows:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony and development plans, this Commission hereby specifically finds as follows:

a. The proposed use will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed use or within the city, or (2) injurious to the property or improvements within the neighborhood or within the city. Subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements (Attachment "A"), this use complies with all applicable code requirements and development standards of the "TC" Town Center Commercial and (3) It is not

anticipated that a Type 41 (On-Sale Beer and Wine-Eating Place) license will generate any negative impacts on the adjacent neighborhood. All sales shall be conducted within an enclosed building while maintaining an environment free from objectionable noise, odor, or other nuisances, subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements.

b. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Commercial", and the proposed use does not involve any change in the land use of the subject site. Establishments that sell alcoholic beverages for on site consumption and outdoor seating areas are permitted uses in the "TC" Town Center Commercial, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments A), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed uses (sale of alcoholic beverages within the restaurant are conditionally permitted uses in the "TC" Town Center Commercial in the City of Placentia. Approval of the Use Permit would be consistent with the zoning as the site can accommodate the proposed uses, and since other similar uses have been conditionally permitted within the "TC" Town Center Commercial.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the Use Permit approval. Attachments A contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2015-05 to ensure compliance with the Placentia Municipal Code.

e. Public convenience or necessity would be served by the issuance of an ABC license for the premises based upon the following:

(1). The facility will be limited to a Type 41 (On Sale Beer and Wine - Eating Place) license. No distilled spirits will be sold and no minors will be permitted to purchase alcoholic beverages.

(2). CKUSA dba Shanghai Garden is a new restaurant facility and the sale of beer and wine is not anticipated to be the source of nuisance behavior associated with excessive

consumption of alcoholic beverages as with bars or taverns. The proposed facility will be a family style restaurant that will serve beer and wine in conjunction with meals to compliment their menu items.

(3). The ability of CKUSA dba Shanghai Garden to sell beer and wine in conjunction with the service of food will allow them to compete with all other restaurant facilities that are licensed to sell alcoholic beverages within this shopping center. The sale of alcoholic beverages will enable customers to enjoy specialty beers and wines with their meals within the restaurant or within the outdoor seating area.

(4). The proposed availability of beer and wine with the service of food in a restaurant setting is a service expected by the public.

(5). Subject to compliance with all Special Conditions of Approval and Standard Development Requirements as approved by the Planning Commission through Resolution PC-2015-14 and Use Permit 2015-05, the Placentia Police Department does not believe that this use permit issuance will create a law enforcement problem. CKUSA dba Shanghai Garden is not located within a high crime reporting district. The Development Services Department and the Placentia Police Department are supportive of this proposal.

3. Based upon the environmental review of the project, the Planning Commission finds that Use Permit (UP) 2015-05 is exempt from CEQA pursuant State CEQA Guidelines § 15061(b)(3) and § 15301 as it pertains to a matter which can be seen with certainty that there is no possibility that Use Permit (UP) 2015-05 will have a significant effect on the environment and as operation of existing structure or facilities.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2015-05, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2015-05 as modified herein, and specifically subject to the conditions set forth in Attachments A, attached hereto and by this reference incorporated herein.

6. The Secretary to the Planning Commission shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 8th day of September, 2015.

Christine Schaefer, Chairman

I, Charles L. Rangel, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

Charles L. Rangel.
Secretary to the Planning Commission

APPROVED AS TO FORM

YOLANDA M. SUMMERHILL,
ASSISTANT CITY ATTORNEY

Attachment "A"
Special Conditions of Approval and Standard Development Requirements for
Use Permit (UP) 2015-05

SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

CITY PLANNING DIVISION:

1. Use Permit (UP) 2015-05 is valid for a period of twelve (12) months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void.
2. Use Permit (UP) 2015-05 shall expire and be of no further force or effect if the use is discontinued or abandoned for a period of one (1) year.
3. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.
4. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.
5. Prior to any changes in the days and hours of operation of Taal Cultural Cuisine of India, the applicant shall obtain written approval from the Director of Development Services or his/her designee. The following are the specified days

and hours of operation as requested by the applicant during which sales of alcoholic beverages shall be permitted:

Tuesday through Saturday: 11:00 p.m. to 9:00 p.m.
Sunday 12:00 p.m. to 9:00 p.m.

6. Any modifications to the approved floor plan and any modifications which will change, expand or intensify the use shall be subject to review and approval by the Director of Development Services. The Director may determine if such modifications require approval by the Placentia Planning Commission.
7. At all times when the establishment is open for business, the sale of alcoholic beverages shall be conducted entirely within the building.
8. Outside displays are not permitted at any time.
9. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
10. All trash bins shall be kept inside trash enclosures, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be done at least three (3) times a week.
11. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.
12. The applicant shall comply with Chapter 8.34 if the Placentia Municipal Code regarding the posting of alcoholic beverage warning signs.
13. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.

Prior to issuance of a building permit, the applicant shall submit a sign plan for the design of all proposed signage on the site for review and approval by the Director of Development Services or his/her designee. The sign plan shall comply with the criteria and requirements set forth in Chapter 23.90, Signs-Advertising Structures, of the Placentia Municipal Code.

Pursuant to § 23.90.180(9), the total area occupied by window signs shall not exceed more than twenty-five (25 %) percent of the window area through which they are displayed. If more than 25 percent exists, the applicant shall remove the excess signage prior to the sale of alcoholic beverages.

14. This establishment shall be operated as a restaurant facility only. All activities shall be conducted within this enclosed tenant space, while maintaining an environment free from objectionable noise, odor or other nuisances.
15. The applicant/business owner shall be responsible for maintaining the property, including the landscaped areas, walkways, and all paved surfaces, free from graffiti, debris and litter. Graffiti shall be removed by the applicant/business owner within 48 hours of defacement and/or upon notification by the City.
16. The applicant/business owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business.
17. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Placentia Development Services Director and the Police Department at least 14 days in advance.
18. The sale and service of alcoholic beverages shall be in compliance with all local, state and federal laws, and all conditions of the Department of Alcoholic Beverage Control (ABC) for the issuance of a "Type 41" On Sale Beer and Wine - Eating Place shall be applicable.
19. Operator of the restaurant shall not sell alcoholic beverages at the premises until after the ABC approves and issues a license. A copy of the approved ABC license shall be transmitted to the City Planning Division upon receipt of it.
20. No live entertainment, i.e. dancing, karaoke, live music, sport bar or disc-jockey entertainment, etc, including amplified music shall be permitted on the premises or outdoor seating area without a valid Entertainment Permit approved by the Police Chief and Director of Development Services.

CITY POLICE DEPARTMENT:

21. Applicant/business owner of Taal Cultural Cuisine of India shall be in compliance with all Alcoholic Beverage Control requirements.
22. At all times when the premise is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
23. There shall be no bar or lounge area upon the licensed premises maintained solely for the purpose of sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
24. Food service, with an available menu, shall be made available until closing time on each day of operation.

25. The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
26. The subject alcoholic beverage license shall not be exchanged for another public type premises type license.
27. Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.
28. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
29. The patio gates shall have panic hardware which is always locked from the exterior. A sign shall be displayed at the patio gates indicating alcoholic beverages may not be taken off premises.
30. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The licensee shall at all times maintain records with reflect separately the gross sales of good and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.
31. There shall be no live entertainment (including Karaoke), amplified music, or dancing permitted on the premises at any time.
32. The use of any amplifying system, outdoor sound system, loudspeakers, paging system, or any other such device is prohibited on the licensed premises.
33. At no time shall there be a fee for entrance/admittance into the premises.
34. Graffiti shall be removed from the exterior walls and windows of the premises within 48 hours of discovery.
35. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
36. All employees of the petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and the handling of violence. The applicant must provide the City of Placentia Police Department, Administrative Services Lieutenant a copy of completed Alcohol Management Program (AMP), and a certificate of completion from an ABC LEAD program within six (6) months of the premises being licensed to sell alcohol.

ELEVATIONS



FRONT VIEW



REAR VIEW



EAST SIDE VIEW

PLEASE NOTE THAT WEST SIDE VIEW OF BUILDING IS OBSCURED DUE TO COMMON WALLS OF OTHER BUSINESSES.

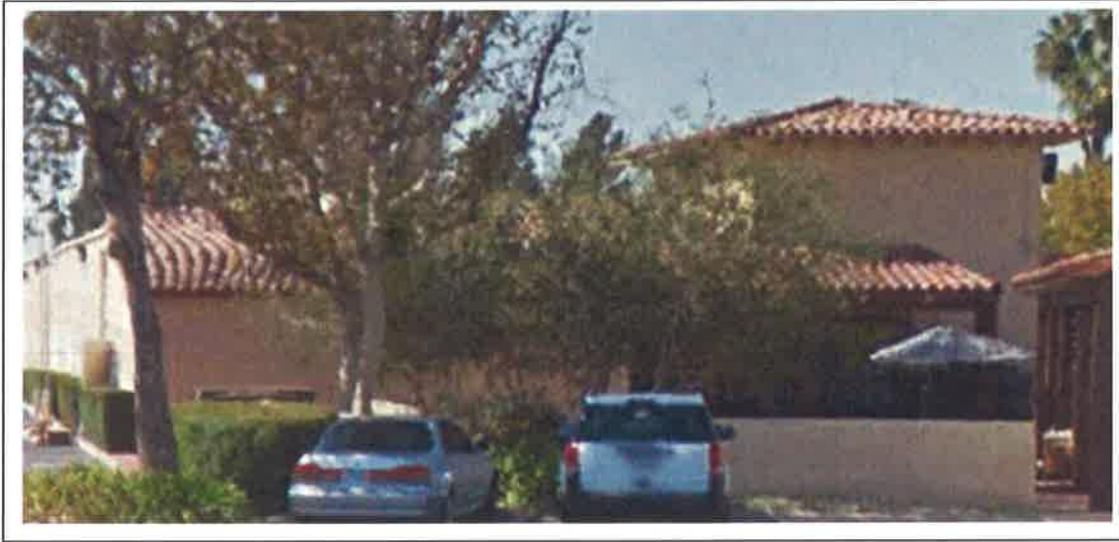
ELEVATIONS



FRONT VIEW



REAR VIEW



EAST SIDE VIEW

PLEASE NOTE THAT WEST SIDE VIEW OF BUILDING IS OBSCURED DUE TO COMMON WALLS OF OTHER BUSINESSES.



Placentia Planning Commission Agenda Staff Report

TO: PLANNING COMMISSION
FROM: CONTRACT SENIOR PLANNER
DATE: September 8, 2015
SUBJECT: **ZONE CHANGE 2015-01**

RECOMMENDATION

It is recommended that the Planning Commission take the following action:

- 1) Open Public Hearing, concerning the Zone Change, No. 2015-01, Receive the Staff Report and consider all Public Testimony, and Close the Public Hearing; and
- 2) Adopt Resolution No. PC-2015-15, A Resolution of the Planning Commission of the City of Placentia, California, recommending to the City Council of the City of Placentia, Amending the Official Zoning Map of the City by Changing the Zoning Destination from "C-1" Neighborhood Commercial to "C-O" Commercial Office District and Change to Land Use Designation in the General Plan as Part of the General Plan Update on a +/- 1.20 Acre Site at 201-261 Lakeview Avenue (Zone Change 2015-01); and
- 3) Find that the Application is Categorically Exempt from CEQA pursuant to State CEQA Guidelines § 15301 as it pertains to an "Existing Facility" where it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment.

DISCUSSION

The applicant, James Carone requests to change the zoning district designation from existing Neighborhood Commercial (C-1) to Office Commercial (C-O) for a property located at 201 – 261 Lakeview Avenue.

Subject Site and Surrounding Land Uses:

The table below illustrates the site and surrounding existing land uses, General Plan Land Use designation and zoning

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	22,396 square foot commercial building on 1.20 acre site and related parking area and landscape improvements	Commercial	C-1 Neighborhood Commercial
Proposed	22,396 square foot commercial building on 1.20 acre site and related parking area and landscape improvements	"Medium Density Residential"	C-O Office Commercial
North	Two-story multi-family condominium units	High Density Residential	R-3 Multi-family Residential(O- 1) Oil Combining Districts
South	Retail commercial center	Commercial	C-1 Neighborhood Commercial (O- 1) Oil Combining Districts
East	Single Family Residential	City of Yorba Linda	City of Yorba Linda
West	Two-story multi-family units	High Density Residential	R-G Medium Density Residential (O) Oil Combining Districts

Development Standards in the C-O Commercial Office District:

The table below illustrates that this project meets all of the development standards of the C-O District in terms of minimum lot size, lot width and depth, building height, lot coverage, setbacks and parking:

Development Standards Summary for the C-O Commercial Office District

	Required or allowed	Proposed (existing)	Conclusion/notes
Lot coverage	100% less required parking area and landscaping	100% excluding parking area, landscape	Complies with Requirement
Minimum lot size	5,000 square feet	52,368 square feet	Complies with Requirement
Lot Width	50 Linear Feet	302 linear feet	Complies with Requirement
Height	35'-0", except when located adjacent to properties zoned R-A or R-1, where max. height shall be 30'-0"	35' "	Complies with Requirement
Front yard setback	15 linear feet	57'	Complies with Requirement
Rear yard setback	0	0	Complies with Requirement
Lot Coverage:	100%. Less required parking area and landscape	100%. Less required parking area and landscape	Complies with Requirement
Parking	4 spaces per (1,000) square feet of gross floor area = 89 spaces	70 standard 2 HP spaces 308 spaces & 13 HP spaces through reciprocal parking easement	Complies with Requirement

Impacts of the OCTA Lakeview Avenue Overpass Closure Affecting The Commercial Center and Limitations of the Commercial Building

The 22,396 square ft. two-story building is not equipped with an elevator or an escalator which is an essential element to attract customers for retail sale opportunities and for this reason the center has struggled for years to compete with retail centers which are one story or have these convenient features. Moreover, based on discussions with the commercial brokers who market the center, the recent temporary closure of Lakeview Avenue has severely reduced access to the center. Additionally, due to the overpass project, there will be the permanent closure of the existing main driveway entrance into the commercial center from south/northbound Lakeview Avenue. Once the overpass is completed in 2017, only the existing north driveway will be re-opened. It should be noted that, the temporary negative effects of the overpass are also evident at the retail commercial center to the south (known as Cobblestone commercial center) which has better street visibility along Orangethorpe Avenue.

Due to these factors and hardships, the applicant has expressed concern that retail uses are no longer viable to either attract or retain tenants to the site. This is the fundamental basis for requesting the zone change from C-1 to C-O. Additionally, the applicant has also indicated that with office uses, the predominant types of uses are businesses such

as professional office, personal service uses including medical, dental, beauty and healthcare. As such, these types of clients are not apprehensive about difficult access or walking up stairs.

Sales Tax Leakage vs Conversion From Retail Commercial To Commercial

Normally, staff would not be supportive about a zone change from retail to office commercial in light of the ramifications of the City's \$200 million sales tax leakage but, in this case, given the severity of the challenges caused by the temporary closure of Lakewood Avenue as well as the limitations of the building, this appears to be the only viable option.

Consistency with the General Plan

As illustrated on the Site and surrounding Land Uses Table above, the General Plan Land Use Designation is Commercial and the zone is Neighborhood Commercial so at the present, they are consistent. On the issue of consistency between the zone and the General Plan Land Use Designation, State Guidelines provide the following:

- *In counties, general law cities, and charter cities with a population of more than two million, zoning provisions must be consistent with the general plan (§65860). Charter cities with a population of under two million are exempt from the zoning consistency requirement unless their charters provide otherwise.*

In this instance, the City of Placentia's Charter does not specifically state an exemption from the consistency provision; therefore, zoning should be consistent with the General Plan. If the zone change is approved, the Land Use Designation should be amended to Commercial Office. Since the applicant has been experiencing a severe economic hardship and the City is already in the process of a comprehensive update of the General Plan, a General Plan Amendment (GPA) was not required because staff can recommend to change the parcel in question to Commercial Office. The applicant is aware that if for any reason, the Land use Designation for his parcel is not changed when the Update is adopted by the City Council, it will be the responsibility of the applicant to file a GPA at his own expense in order to obtain consistency.

CEQA for Zone Change (ZC) 2015-01:

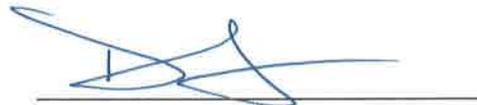
The proposed Zone Change was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that Zone Change(ZC) 2014-01 is exempt from CEQA pursuant to State CEQA Guidelines § 15301 as it pertains to an Existing Facility

Prepared and submitted by:



Charles L. Rangel
Contract Senior Planner

Review and approved by:



Damien R. Arrula
Acting City Administrator

ATTACHMENT:

1. Resolution No. PC-2015-15
2. Site Plan
3. Ordinance

RESOLUTION NO. R-2015-XX

AN RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING DESIGNATION FROM "C-1" NEIGHBORHOOD COMMERCIAL TO "C-O" COMMERCIAL OFFICE DISTRICT AND CHANGE TO LAND USE DESIGNATION IN THE GENERAL PLAN AS PART OF THE GENERAL PLAN UPDATE ON A +/- 1.20 ACRE SITE AT 201-261 LAKEVIEW AVENUE (ZONE CHANGE 2015-01)

City Attorney's Summary

This Ordinance amends the zoning designation regarding that certain parcel of real property consisting of a +/- 1.20 acre site, located at 201 - 261 Lakeview Avenue, in the City of Placentia from "C-1" Neighborhood Commercial District to "C-O" Commercial Office District.

A. Recitals.

(i). On September 8, 2015, the Planning Commission of the City of Placentia conducted, and concluded, a duly noticed public hearing, as required by law, to amend the Official Zoning Map of the City of Placentia as described in Zone Change 2015-01 and recommended adoption of this Ordinance to the City Council (Zone Change 2015-01).

(ii). A duly noticed public hearing was conducted, and concluded, before the City Council of the City of Placentia, with all persons present, heard evidence received and considered, as well as the Planning Commission's report and recommendation regarding Zone Change 2015-01.

(iii). All legal prerequisites to the adoption of this Ordinance have occurred.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia does ordain as follows:

SECTION 1. The Official Zoning Map of the City of Placentia, maintained in accordance with the provisions of §

23.08.020 of the Placentia Municipal Code, hereby is amended by adoption of Zone Change 2015-01 rezoning that certain parcel of real property by changing the "C-1" Neighborhood Commercial to C-O Commercial Office District per Exhibit "1" attached hereto and by this reference made a part hereof.

SECTION 2. California Government Code Sections 65803 and 65860 exempt charter cities from zoning regulations conformity with the general plan except to the extent that a city's charter requires zoning conformity with the general plan. The City of Placentia Charter does not include a provision requiring zoning regulations conform with the City of Placentia's General Plan. Notwithstanding the foregoing, the City of Placentia is undertaking a comprehensive update to its General Plan. As part of the General Plan Update, the Land Use Designation to the General Plan for the above referenced property will be modified to reflect the zoning change set forth in this ordinance.

ADOPTED AND APPROVED this 8th day of September, 2015.

Christine Schaefer, Chairman

I, Charles Rangel, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

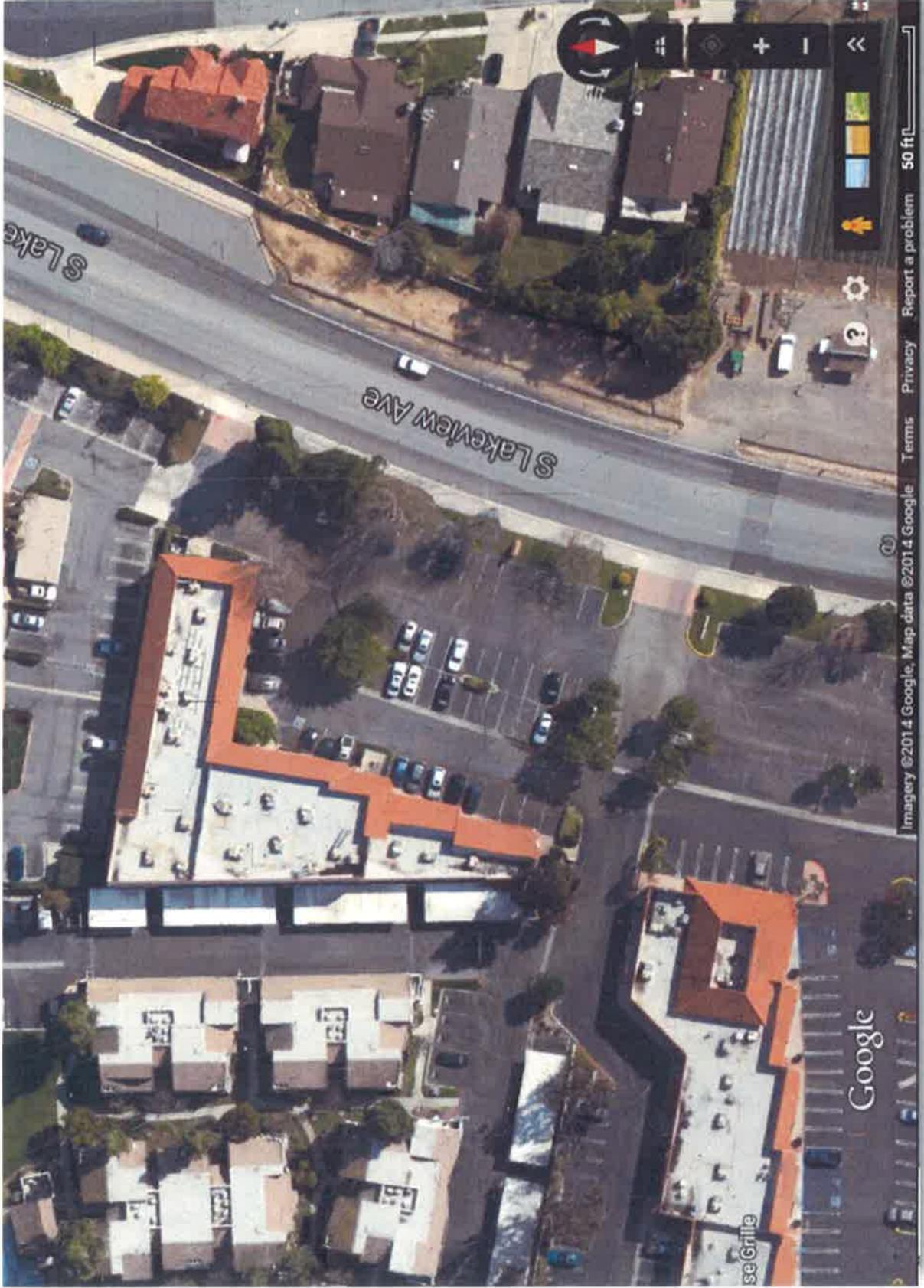
ATTEST:

Charles Rangel,
Secretary to the Planning Commission

APPROVED AS TO FORM:

YOLANDA M. SUMMERHILL,
CITY ATTORNEY

ENLARGED AERIAL PHOTOGRAPH



ORDINANCE NO. O-2015-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING DESIGNATION FROM "C-1" NEIGHBORHOOD COMMERCIAL TO "C-O" COMMERCIAL OFFICE DISTRICT AND CHANGE TO LAND USE DESIGNATION IN THE GENERAL PLAN AS PART OF THE GENERAL PLAN UPDATE ON A +/- 1.20 ACRE SITE AT 201-261 LAKEVIEW AVENUE (ZONE CHANGE 2014-01)

City Attorney's Summary

This Ordinance amends the zoning designation regarding that certain parcel of real property consisting of a +/- 1.20 acre site, located at 201 - 261 Lakeview Avenue, in the City of Placentia from "C-1" Neighborhood Commercial District to "C-O" Commercial Office District.

A. Recitals.

(i). On September 8, 2015, the Planning Commission of the City of Placentia conducted, and concluded, a duly noticed public hearing, as required by law, to amend the Official Zoning Map of the City of Placentia as described in Zone Change 2015-01 and recommended adoption of this Ordinance to the City Council (Zone Change 2015-01).

(ii). A duly noticed public hearing was conducted, and concluded, before the City Council of the City of Placentia, with all persons present, heard evidence received and considered, as well as the Planning Commission's report and recommendation regarding Zone Change 2015-01.

(iii). All legal prerequisites to the adoption of this Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, the City Council of the City of Placentia does ordain as follows:

SECTION 1. The Official Zoning Map of the City of Placentia, maintained in accordance with the provisions of § 23.08.020 of the Placentia Municipal Code, hereby is amended by

adoption of Zone Change 2015-01 rezoning that certain parcel of real property by changing the "C-1" Neighborhood Commercial to C-O Commercial Office District per Exhibit "1" attached hereto and by this reference made a part hereof.

SECTION 2. California Government Code Sections 65803 and 65860 exempt charter cities from zoning regulations conformity with the general plan except to the extent that a city's charter requires zoning conformity with the general plan. The City of Placentia Charter does not include a provision requiring zoning regulations conform with the City of Placentia's General Plan. Notwithstanding the foregoing, the City of Placentia is undertaking a comprehensive update to its General Plan. As part of the General Plan Update, the Land Use Designation to the General Plan for the above referenced property will be modified to reflect the zoning change set forth in this ordinance.

SECTION 3. The City Council of the City of Placentia finds that the proposed Zone Change was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Placentia and that the Planning Commission exercise its independent judgment and find that Zone Change(ZC) 2014-01 is exempt from CEQA pursuant to State CEQA Guidelines § 15301 as it pertains to an Existing Facility.

SECTION 4. Severability. The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 5. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause same to be published and posted pursuant to the provision of the law in the regard and this Ordinance shall take effect thirty (30) days after its final passage.

PASSED and ADOPTED this XX day of XXXXXXXXXXXX.

CHAD P WANKE, MAYOR

ATTEST:

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on the XX day of XXXXXXXXXXXX and was finally adopted at a regular meeting held on the XX day of XXXXX, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM

CHRISTIAN L. BETTENHAUSEN,
CITY ATTORNEY



Placentia Planning Commission

Agenda Staff Report

TO: PLANNING COMMISSION

FROM: CONTRACT SENIOR PLANNER

DATE: SEPTEMBER 8, 2015

SUBJECT: **Finding Of Conformity**

RECOMMENDATION:

It is recommended that the Planning Commission take the following action:

- 1) Adopt Resolution PC-2015-16, A Resolution of the Planning Commission of the City of Placentia, Making Certain Findings Concerning the Installation of two (2) freeway-oriented entry signs with digital/static display capabilities, generally located at 350 S. Placentia Avenue, Placentia, California (Assessor's Parcel Number 339-441-01) and 500 S. Melrose Street, Placentia, California (Assessor's Parcel Number 339-102-01) with Respect to the Consistency of the Proposed Installation Thereof with the City of Placentia General Plan Pursuant to California Government Code § 65402.

DISCUSSION:

The City of Placentia owns those certain parcels of real property generally located at 350 S. Placentia Avenue, Placentia, California (Assessor's Parcel Number 339-441-01) and 500 S. Melrose Street, Placentia, California (Assessor's Parcel Number 339-102-01). Additionally, the City proposes to install two (2) freeway-oriented entry signs with digital/static display capabilities.

California Government Code § 65402(a) provides, in relevant part, as follows:

"If a general plan or part thereof has been adopted, no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof."

The proposed installation of the two (2) freeway-oriented entry signs with digital/static display capabilities on the Property will constitute an action within the meaning of § 65402(a).

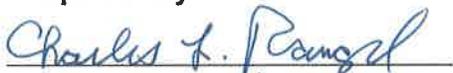
The Property in question is to be utilized for two (2) freeway-oriented entry signs with digital/static display capabilities including public service announcements and messages, including those sponsored by non-profit organizations, City promotional messages and

announcement of City sponsored and co-sponsored events such as celebrations, festivals, special events, park and public facility openings as well as to promote economic development within the City, including placement of ads for key local businesses. The location of the parcels are shown in Exhibit A.

CEQA:

The proposed finding of General Plan conformity is not a project as defined by the California Environmental Quality Act (CEQA). The finding of conformity does not commit the City to improve the property.

Prepared by:



Charles L. Rangel
Contract Senior Planner

Review and approved by:

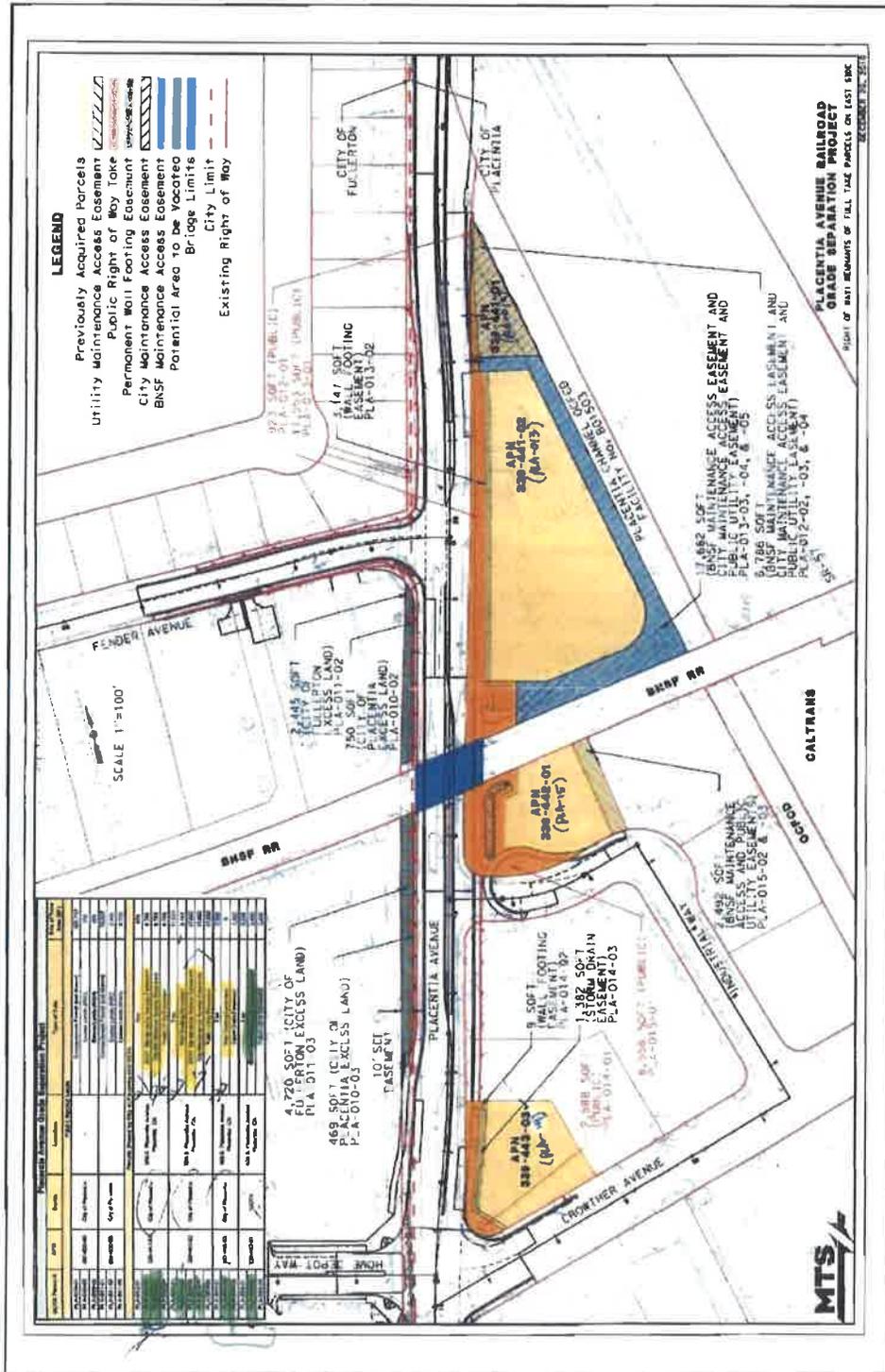


Damien R. Arrula
Assistant City Administrator

Exhibits:

1. Site plan
2. Resolution

Grade Separation Project Map

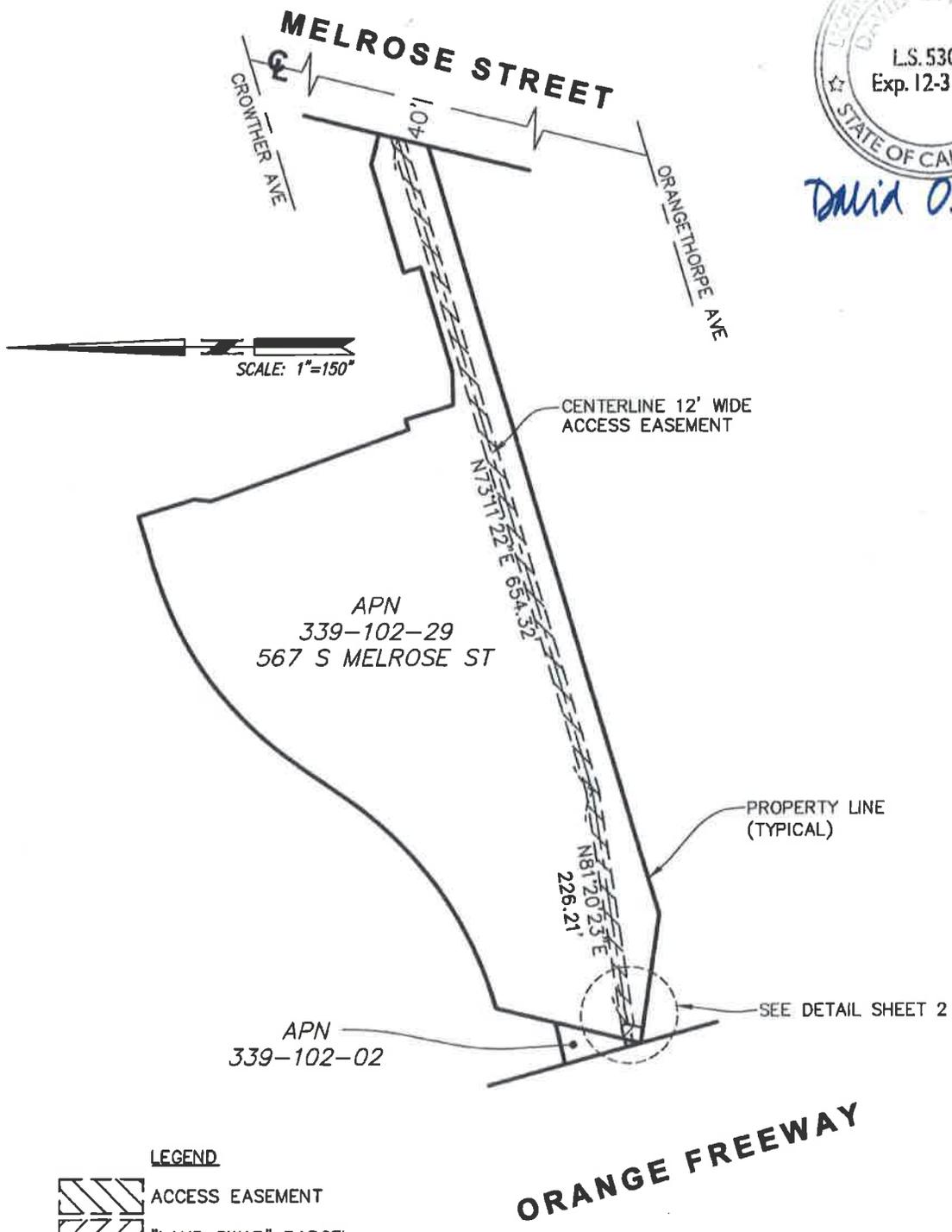


Note: The net usable area of the subject property is shown in beige (APN 339-441-02).

EXHIBIT B



David O. Knull



- LEGEND**
- ACCESS EASEMENT
 - "LAND SWAP" PARCEL

WILLDAN Engineering
 13191 CROSSROADS PARKWAY NORTH, SUITE 405
 INDUSTRY, CA 91746-3497
 (562) 906-8247

SCALE: 1"=150'
 DRAWN BY: SCB
 CHECKED BY: DOK
 DATE: 09/16/2014

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION

\\IND-DC1\MAPPING\PLACENTIA\MELROSE500\01 EXHIBIT\S01 EXHIBIT 150-8.5X11.DWG

RESOLUTION NO. PC 2015-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA MAKING CERTAIN FINDINGS CONCERNING THE INSTALLATION OF TWO FREEWAY-ORIENTED ENTRY SIGNS WITH DIGITAL/STATIC DISPLAY CAPABILITIES, LOCATED AT 350 S. PLACENTIA AVENUE AND 500 S. MELROSE STREET WITH RESPECT TO THE CONSISTENCY OF THE PROPOSED INSTALLATION THEREOF WITH THE CITY OF PLACENTIA GENERAL PLAN PURSUANT TO CALIFORNIA GOVERNMENT CODE § 65402

A. Recitals.

(i). The City of Placentia owns those certain parcels of real property generally located at 350 S. Placentia Avenue, Placentia, California (Assessor's Parcel Number 339-441-01) and 500 S. Melrose Street, Placentia, California (Assessor's Parcel Number 339-102-01) ("Property") proposes to two (2) freeway-oriented entry signs with digital/static display capabilities.

(ii). The Property is depicted on the map in Exhibit "A," attached hereto and incorporated herein by this reference.

(iii). California Government Code § 65402(a) provides, in relevant part, as follows:

"If a general plan or part thereof has been adopted, no . . . public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such . . . public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.."

(iv). The proposed installation of two freeway-oriented entry signs with digital/static display capabilities on the Property will constitute an action within the meaning of § 65402(a).

(v). The Planning Commission has reviewed the use of the Property and is fully advised with respect thereto. The Property in question is to be utilized for freeway-oriented message center/advertising structures including public service announcements and messages, including those sponsored by non-profit organizations, City promotional messages and announcement of City sponsored and co-sponsored events such as celebrations,

festivals, special events, park and public facility openings as well as to promote economic development within the City, including placement of ads for key local businesses in support of the general plan district where the Property is located.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia does hereby find, determine, and resolve as follows:

1. The Planning Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A., of this Resolution are true and correct.

2. In accordance with, and pursuant to, the requirements of California Government Code § 65402(a), the proposed installation of the freeway-oriented message center/advertising structures on the Property hereby is found to conform to the General Plan of the City of Placentia.

3. The Secretary to the Planning Commission shall certify to the adoption of this Resolution and shall forthwith transmit a full, true and correct copy to the City Council of the City of Placentia.

PASSED, ADOPTED AND APPROVED this 8th day of September, 2015:

Christine Schaefer, Chairman

I, Charles Rangel, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8th day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Charles Rangel, Secretary

APPROVED AS TO FORM:

Andrew V. Arczynski,
Special Counsel