

PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
October 12, 2010

The regular meeting of the Placentia Planning Commission of October 12, 2010 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, California by Chairman Green.

ROLL CALL: Present: Michael Ebenhoch, Commissioner (arrived at 6:35 pm)
Floyd Farano, Commissioner
Christine Schaefer, Commissioner (arrived at 6:40 pm)
John Scull, Commissioner
Frank Perez, Commissioner
Vic Tomazic, Vice Chairman
Craig Green, Chairman

Absent: None

PLEDGE OF ALLEGIANCE: Led by Commissioner Farano

Others Present: Ken Domer, Assistant City Administrator
Andrew V. Arczynski, City Attorney
Sara Salazar, Administrative Assistant

Motion by Chairman Green, seconded by Vice-Chairman Tomazic to APPROVE THE MINUTES of September 14, 2010. Passed by a 6-0-0-1 vote. (Farano Abstained)

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

Public Hearings:

1. **Applicant:** Gregory Bennett
Location: 443-467 S. Van Buren Street

Use Permit (UP) 86-19 (Review No. 2):

Request to continue the operation of an existing business that permits the sale of vehicle parts, vehicle towing, vehicle storage and dismantling on a +/- 5.15 acres site, located at 443-467 S. Van Buren Street in the Manufacturing [M(O)] District.

Mr. Domer gave the staff report. A correction was noted to Resolution PC-2010-15 on Page 3, section a. line 2 should read 'approved'. Additional conditions of approval, items 9b, 9c, 9d and 9e were read aloud.

Chairman Green opened up the Public Hearing.

Joann Nau, 2473 Valdina, Anaheim, 92801 addressed the commission. She introduced herself as the daughter of a nearby property owner, Nathan Haney, and expressed her concern regarding the unstable fence which borders her father's property. She asked that a date the fence will be repaired by, go on the record.

Commissioner Ebenhoch asked Ms. Nau to re-state her father's name and address. Ms. Nau responded that his name is Nathan Haney and his address is 3519 Flower in Fullerton, 92833.

Vice Chairman Tomazic, asked if the property Mr. Haney owns is located to the south of the property in question. Mr. Haney responded that yes it is.

Chairman Green invited the applicant to address the Commission.

Mr. Jeff Bennett of 10181 Brier Lane, Santa Ana, 92705 spoke on behalf of the property owner, Grace Rocco. Mr. Bennett acknowledged Ms. Nau's concerns and referred to Resolution item 9d which states that applicant shall contact City Building Department to ensure compliance of fencing with building and safety codes. He stated he is in support of and appreciates staff's recommendation to continue the Use Permit. He pointed out that three (3) out of the four (4) business owners, located on the property, were present in the audience. He stated that conditional approval items 9b, 9c and 9d all seemed feasible to meet.

Vice Chairman Tomazic asked what the time frame to meet these conditions will be. Mr. Domer responded that the Fire Authority made a specific time recommendation which would be continued for thirty (30) days in order for the building inspection and water quality inspections to be conducted. Based on these findings, a timeline will be established to correct the fence.

Chairman Green asked what type of fencing the City will require. Mr. Domer responded that the City will provide the City's fence and wall standards to the applicant.

Commissioner Scull asked if the applicant is still subject to the special conditions from the original permit. Mr. Domer responded that yes, as long as they are in compliance.

Commissioner Farano asked if any type of environmental assessment testing would be conducted. Mr. Domer stated there is no need at this time for an environmental assessment. He added that the site is on an inspection schedule with the National Pollution Discharge Elimination System (NPDES).

Chairman Green expressed concern over the Commission approving the item with outstanding corrections to be made. Mr. Domer responded that if the corrections are not completed in the allotted time frame, the item would come back for a Use Permit relocation hearing.

Commissioner Farano asked how much of the property is occupied. Mr. Bennett responded that it is one hundred percent occupied. Commissioner Farano expressed concern over possible seepage of auto liquids into the water table on the property. Mr. Bennett stated that they are mitigated by NPDES and most of the yard is concrete. Commissioner Farano asked that a condition for mitigation measure be added to the special conditions of the Use Permit. Mr. Domer responded that because the property is over five (5) acres, a mitigation plan is already required.

Ms. Nau apologized for speaking out of turn and expressed concern that a date has not yet been determined for the correction of the fence. Mr. Domer suggested one hundred and fifty (150) days if the Commission is agreeable. Chairman Green suggested one hundred and twenty (120) days. Ms. Nau expressed that she is only concerned with the portion of fence that borders her father's property, not the entire perimeter. Chairman Green suggested Ms. Nau work something out directly with Mr. Bennett.

Chairman Green closed the Public Hearing.

Motion by Commissioner Perez, seconded by Commissioner Schaefer, TO ADOPT RESOLUTION NO. PC-2010-15 APPROVING THE CONTINUANCE OF USE PERMIT (UP) 86-19, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 7-0 vote.

Old Business:

None

New Business:

PLANNING COMMISSION REQUESTS:

Mr. Domer advised the Commission of upcoming OCTA community meetings on the Kraemer Boulevard and Placentia Avenue bridge projects. Chairman Green requested the information be sent to the Commission via email.

Vice Chairman Tomazic asked for status on a lawsuit related to bridge projects. Mr. Domer responded that it had been dismissed by the judge. Mr. Arczynski added the appeal hearing starts November 1, 2010.

Mr. Domer updated the Commission on the status of the service station on the southeast corner of Yorba Linda Boulevard and Rose Drive. He stated that he and the Associate Planner, Monique Schwartz, recently met with the property owner. The owner was advised that the Use Permit will expire on January 11, 2011. The owner indicated he is having trouble securing financing but intends to post a 'coming soon' sign with a rendering at the site to advise residents the project is moving forward. Mr. Domer stated that the owner agreed to remove the canopy structure on the site at the beginning of December.

Mr. Domer also updated the Commission on the property at 738 La Jolla Street. A public nuisance hearing was held and it was determined that in approximately eighty (80) days the City can take action on the property which may include developing affordable housing.

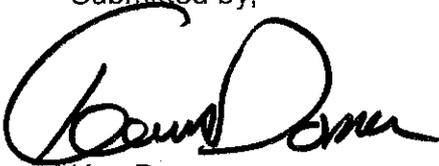
Chairman Green asked what the timeline is the start construction on the service station. Mr. Domer responded that the owner is looking to pull a demolition permit in December 2010. Commissioner Farano expressed concern about the owner losing their Conditional Use Permit. Mr. Domer responded that if that happens, they may be forced to abandon the project. He stated that the City would consult Mr. Arczynski if the demolition permit is not pulled in

December. Mr. Farano asked if the Commission should consider another use for the property. Mr. Domer responded that the problem is not with the use, it is with the economy.

Commissioner Schaefer asked for the timeline on demolition and abatement for 738 La Jolla Street. Mr. Arczynski responded that the statement of decision requires the owner take action within 30 days of the hearing. Commissioner Schaefer asked if the property could be demolished by the next PC meeting. Mr. Arczynski responded no, it would have to go to City Council first. Mr. Domer advised the Commission the City has an RFP out for the demolition of this property.

Chairman Green adjourned the Planning Commission meeting at 7:10 p.m. to the next regularly scheduled meeting on November 9, 2010 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

A handwritten signature in black ink, appearing to read "Ken Domer", written in a cursive style.

Ken Domer
Assistant City Administrator