



Placentia Planning Commission Agenda

Regular Meeting
February 12, 2019
6:30 p.m.

City Council Chambers
401 E. Chapman Avenue, Placentia, CA 92870

Christine J. Schaefer
Chair

Frank Perez
Vice Chair

Heather Francine
Commissioner

Dennis Lee
Commissioner

James Schenck
Commissioner

Vic Tomazic
Commissioner

Claudia Keller
Commissioner

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.

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

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

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

CALL TO ORDER:

ROLL CALL: Commissioner Keller
Commissioner Francine
Commissioner Lee
Commissioner Schenck
Commissioner Tomazic
Vice Chair Perez
Chair Schaefer

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. **Planning Commission Meeting Minutes – November 13, 2018**
Recommended Actions: Approve
2. **Planning Commission Meeting Minutes – December 11, 2018**
Recommended Actions: Approve
3. **Planning Commission Meeting Minutes – January 8, 2019**
Recommended Actions: Approve

PUBLIC HEARINGS:

1. **Applicant:** Sheryl Brady, representing Far West Restaurant Group, LLC
Project Location: 1093 East Imperial Highway

Use Permit No. 2018-10 (Wingstop): To request to permit the onsite sale and consumption of beer and wine (ABC Type 41 License) at a proposed 1,315 square foot, 24 seat, Wingstop restaurant, located at 1093 E. Imperial Highway within the C-2 (Community Commercial) Zoning District.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit (UP) 2018-10; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2019-02, a resolution of the Planning Commission of the City of Placentia, approving Use Permit 2018-10 and making findings to permit the onsite sale and consumption of beer and wine (ABC Type 41 License) on property within the C-2 (Community Commercial) Zoning District, located at 1093 E. Imperial Highway; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

2. **Applicant:** Placentia Realty Partners, LLC
Project Location: 505 W. Crowther Avenue

Use Permit No. 2008-03 MOD: To request a Use Permit modification for an existing fifty-four (54)-foot high, free-standing wireless communication facility designed as a monopine and related equipment cabinets, located within a +/- 522-square foot walled ground lease area, to allow the facility to have a height not to exceed eighty-five (85) feet, located at 505 W. Crowther Avenue in the Transit Oriented Development Packing House (TOD) District.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit 2008-03 (MOD); and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2019-03, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit (UP) No. 2008-03 Modification (MOD) and making findings to permit the modification of an existing fifty-four (54) foot high, free-standing wireless communication facility designed as a monopine and related equipment cabinets, located within a +/- 522-square foot walled ground lease area, to allow the facility to have a height not to exceed eighty-five (85) feet, located at 505 W. Crowther Avenue in the Transit Oriented Development Packing House (TOD) District.; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

NEW BUSINESS:

1. **Applicant:** City of Placentia
Project Location: 120 South Bradford Avenue

General Plan Conformity Finding for the Acquisition of Real Property Located at 120 South Bradford Avenue (APN 339-052-28) Owned by Art M. Gastelum:

Recommended Actions: It is recommended that the Planning Commission:

Adopt Resolution No. PC-2019-04 finding that the acquisition of 120 S. Bradford Street (APN 339-052-28) conforms with the City of Placentia General Plan; and finding that the acquisition of said property is not a project for the purposes of CEQA as defined by the California Public Resources Code Sections 21065 and 21080 in that the Planning Commission is making a finding of General Plan conformity.

OLD BUSINESS:

DEVELOPMENT REPORT:

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS

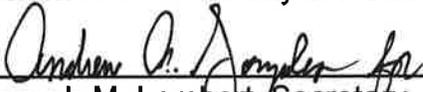
Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners CLOSE to the regular Planning Commission meeting on March 12, 2019 at 6:30 p.m. in the City Council Chambers located at 401 East Chapman Avenue, Placentia CA, 92870.

CERTIFICATION OF POSTING

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the February 12, 2019 Regular Meeting of the Planning Commission of the City of Placentia was posted on February 7, 2019.



Joseph M. Lambert, Secretary

PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

November 13, 2018

The regular meeting of the Placentia Planning Commission on November 13, 2018 was called to order at 6:32 p.m. in the Community Meeting Room 51, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

ROLL CALL:

PRESENT: Commissioners Francine, Lee, Tomazic, Perez, Schaefer

ABSENT: Commissioners Schenck, Keller

OTHERS PRESENT: Carrie Raven, Deputy City Attorney
Joseph M. Lambert, Director of Development Services
Andrew Gonzales, Senior Planner
Arlen Beck, Planning Technician
Alana Spector, Office Assistant

PLEDGE OF ALLEGIANCE: Commissioner Lee

ORAL COMMUNICATIONS: None

CONSENT CALENDAR:

1. Minutes

- a. Planning Commission Meeting – September 12, 2017
Recommended Actions: Approve
- b. Planning Commission Meeting – September 11, 2018
Recommended Actions: Approve
- c. Planning Commission Meeting – October 16, 2018
Recommended Actions: Approve

Motion by Perez, second by Tomazic carried on a (5-0-2-0) vote to approve the recommended actions.

Ayes: Francine, Lee, Tomazic, Perez, Schaefer

Noes: None

Absent: Schenck, Keller

Abstain: None

PUBLIC HEARINGS:

1. **Applicant:** Franco and Mandy DiAddezio, dba Fit Body Boot Camp
Project Location: 1434 North Kraemer Boulevard

Use Permit (UP) 2016-09 MOD: To permit modifications to the approved operating conditions set forth by Use Permit 2016-09 for the expansion of an existing health and fitness facility (Fit Body Boot Camp) located at 1434 N. Kraemer Blvd. within the T-C Zoning District. The requested expansion will increase the existing facility by approximately 730 square feet.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit (UP) 2016-09 MOD; and
2. Receive the staff report and consider all public testimony;
3. Close the public hearing; and
4. Adopt Resolution PC-2018-24, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit Modification No. 2016-09 and making findings to permit the expansion of operations of an existing health and fitness facility into the adjacent commercial suite. The proposed expansion will increase the floor area of the facility by approximately 730 square feet, totaling approximately 2,642 square feet in overall floor area. The subject property is located within the T-C (Town Center) Zoning District on property located at 1434 N. Kraemer Boulevard; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Senior Planner Andrew Gonzales presented the Staff Report. He stated that the applicants, Franco and Mandy DiAddezio (dba Fit Body Boot Camp), were requesting to modify their original Use Permit to permit the expansion of the existing business into a vacant, adjacent unit. The proposed modification would increase the floor area of the business by 730 square feet.

Mr. Gonzales went on to give a brief history of the business, and stated that the business first obtained a Use Permit nearly four years ago. He presented photos of the proposed expansion, and stated that the only modification to the original Use Permit would be enlarging the floor area.

Chair Schaefer called the applicants, Franco and Mandy DiAddezio, forward. Mrs. DiAddezio stated that they are excited to expand Fit Body Boot Camp, and that they look forward to the façade improvements coming to the Village Plaza Center.

Commissioner Tomazic asked Mrs. DiAddezio how long they have been in business.

Mrs. DiAddezio stated that they have operated in Placentia for nearly three years, and in Anaheim for four years. She agreed to comply with the Conditions of Approval.

Motion by Tomazic, second by Francine carried on a (5-0-2-0) vote to approve the recommended actions.

Ayes: Lee, Francine, Tomazic, Perez, Schaefer
Noes: None
Absent: Schenck, Keller
Abstain: None

- 2. Applicant: Placentia Hospitality, LLC**
Project Location: Unimproved +/-2.1-gross acre site located North of W. Crowther Avenue, East of S. Placentia Avenue

Development Plan Review (DPR) 2018-06; Use Permit (UP) 2018-06; Disposition and Development Agreement (DDA) 2018-02; General Plan Conformity (GPC) 2018-01; Addendum to Mitigated Negative Declaration (MND) 2017-03: To permit approval of a Development Plan Review, Use Permit, Disposition and Development Agreement, and General Plan Conformity to allow for the development of an approximately 69,663-square foot, five-story, 116-room hotel building on an approximately 2.1-gross acre, unimproved site. The development will feature a 116-space parking lot, decorative hardscape and landscape improvements, outdoor pool area, and associated hotel guest amenities, including the onsite sale and consumption of sealed beer and wine associated with a proposed hotel convenience market. The Disposition and Development Agreement will outline the sale and terms for the transfer of ownership of a City-owned site to Placentia Hospitality, LLC. Furthermore, an Addendum to Mitigated Negative Declaration (MND) No. 2017-03 has been prepared to address minor technical changes or modifications resulting from refinement of the overall development project not fully discussed by the prior environmental analysis.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open Public Hearing, concerning Development Plan Review (DPR) No. 2018-06, Use Permit (UP) No. 2018-06, Disposition and Development Agreement (DA) No. 2018-02, and General Plan Conformity (GPC) No. 2018-01; and
2. Receive the Staff Report and consider all Public Testimony;
3. Close the Public Hearing; and
4. Adopt Resolution No. PC-2018-25, a Resolution of the Planning Commission of the City of Placentia, recommending that the City Council of the City of

Placentia approve Development Plan Review 2018-06 for the development, establishment, and operation of an approximately 69,663-square foot, five-story, 116-room hotel building on an unimproved 2.1-acre site; approve Use Permit 2018-06 establishing the onsite sale of beer and wine for onsite consumption by hotel patrons; consideration of Disposition and Development Agreement 2018-02 between the City of Placentia and Placentia Hospitality, LLC, for the subject project pursuant to the procedures described in California Government Code §65867; and recommending the adoption of an Addendum to Mitigated Negative Declaration 2017-03 pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR §15074 and §15164 and the City of Placentia Environmental Guidelines.

5. Adopt Resolution No. PC-2018-26, a Resolution of the Planning Commission of the City of Placentia approving the disposition of one parcel in accordance with California Government Code Section 65402 finding that that the disposition of the parcel (APN 339-441-02) acquired by City of Placentia from the Orange County Transit Authority (OCTA) for completion of the OC Bridges Project at Placentia Avenue and to be disposed to Placentia Hospitality, LLC, for the purposes of developing the site with a hotel development conforms with the City of Placentia General Plan (General Plan).

Senior Planner Andrew Gonzales presented the Staff Report. He stated that the applicant, Placentia Hospitality, LLC, is requesting the Planning Commission approve the recommended actions concerning a Development Plan Review, Use Permit, Disposition and Development Agreement, General Plan Conformity finding, and adoption of an Addendum to the Mitigated Negative Declaration. The proposed entitlements would enable the development of a new 116-room hotel.

Mr. Gonzales gave a brief description of the project location, and stated that the 2.1-acre parcel is adjacent to commercial uses, a BNSF railway, the new TOD Zone, and the Old Town District. He presented photos of the current site, and noted that a city-owned parcel improved with a billboard would remain.

Mr. Gonzales continued by explaining the need for each requested entitlement and the project details. He presented a site plan and detailed the proposed amenities included in the hotel. Mr. Gonzales explained that there would be one vehicular access point on the North end of the property. Mr. Gonzales explained the applicant's proposal to add a left turn pocket to southbound Placentia Avenue, which would ease access to the site. Mr. Gonzales concluded his presentation by presenting a detailed landscape plan, and noting that the City billboard currently located on the site will remain.

Vice Chair Perez asked if the fire department has sufficient access for emergency purposes.

Mr. Gonzales replied that the Orange County Fire Authority had reviewed the plans and determined that they have sufficient access to meet Code requirements.

Commissioner Lee asked if the role of the Planning Commission is to consider the terms of the Disposition and Development Agreement.

Director Lambert clarified that the Planning Commission makes a recommendation to the City Council regarding the Disposition and Development Agreement.

Commissioner Francine inquired if the hotel will have an on-site restaurant.

Mr. Gonzales stated that there would not be an on-site restaurant, but that there would be a breakfast area for hotel guests to enjoy complimentary breakfast.

Chair Schaefer asked Mr. Gonzales about the CEQA determination for this project.

Mr. Gonzales stated that the original CEQA determination provided analysis for a 150 room hotel, but that the proposed hotel was 116 rooms, which changes the analysis. Mr. Lambert added that the original CEQA analysis contemplated a Zone Change, General Plan Amendment and a potential hotel. The addendum contemplates this specific hotel and entitlement request.

Chair Schaefer inquired if the City-owned on-site billboard will be used for signage.

Director Lambert stated that the Disposition and Development Agreement allows the City to use a certain number of ad slots at a discounted rate. He noted that the hotel will not have a free-standing pole sign, and that hotel branding will be on the building itself.

Chair Schaefer inquired about the amount of handicapped parking spaces that will be available on-site.

Mr. Gonzales stated that there would be four handicapped spots, in conformance with Building Code regulations.

Chair Schaefer asked Mr. Gonzales if staff foresaw any visibility problems with the proposed left turn lane on Placentia Avenue.

Director Lambert stated that both the CEQA consultant and contract Traffic Engineer, Rusty Beardsley, reviewed the plans and determined that a left turn lane would not have a negative impact on visibility.

Chair Schaefer called the applicant representatives, Nish Carrow and Ken Pansuria from Fine Hospitality Group, forward.

Mr. Pansuria and Mr. Carrow stated that they have been operating the Quality Inn on Kimberly Road in Placentia for the past four years. They stated that Placentia has not had

a new hotel since 1989, and that they are excited for the opportunity to create a modern hotel with a Marriott related brand.

Commissioner Lee asked the applicant why they chose to use the Springhill brand rather than a Courtyard or Fairfield brand from Marriott.

Mr. Carrow replied that Springhill Suites is one of the fastest growing Marriott brands. He also noted that they have other Marriott brand hotels in the area, and wanted to avoid creating direct competition.

Commissioner Tomazic asked when they thought the hotel may be completed.

Mr. Carrow said they expected completion within about 14 to 18 months.

Chair Schaefer asked about their experience regarding building and operating hotels.

Mr. Carrow stated that Fine Hospitality Group is an investor group that currently operates 25 hotels nationwide. Mr. Pensuria introduced himself as the founder, and stated that Mr. Carrow joined the group in 2006.

Chair Schaefer asked who will be responsible for hiring and training hotel staff.

Mr. Carrow stated that Fine Hospitality Group will hire and train all hotel staff, in conjunction with the training service and standards provided by Marriott.

The applicant representatives agreed to comply with the Conditions of Approval.

Motion by Perez, second by Tomazic carried on a (5-0-2-0) vote to approve the recommended actions for Resolution No. PC-2018- 25.

Ayes: Lee, Francine, Tomazic, Perez, Schaefer
Noes: None
Absent: Schenck, Keller
Abstain: None

Motion by Schaefer, second by Lee carried on a (5-0-2-0) vote to approve the recommended actions for Resolution No. PC-2018-26.

Ayes: Lee, Francine, Tomazic, Perez, Schaefer
Noes: None
Absent: Schenck, Keller
Abstain: None

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Director Joseph Lambert stated that Mercy Housing's Veterans Village held a groundbreaking ceremony and would be obtaining building permits by the end of 2018. He continued by stating that Lyon Living's Project in the TOD Zone also intended to pull building permits soon. Director Lambert then spoke briefly about a third potential TOD project, and continued by noting that staff would be presenting an Accessory Dwelling Unit ordinance at the next Planning Commission Meeting.

Chair Schaefer asked how many homeless people live in Placentia.

Director Lambert stated that most recent measures estimate approximately 50 people. He noted that a recent court ruling out of Idaho greatly limited the powers of cities in dealing with issues brought on by homelessness.

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS:

ADJOURNMENT

Chair Schaefer closed the Planning Commission Meeting at 7:39 p.m. to the regular meeting of Tuesday, December 11, 2018 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA

Submitted by,

Joseph M. Lambert,
Secretary to the Planning Commission

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

December 11, 2018

The regular meeting of the Placentia Planning Commission on December 11, 2018 was called to order at 6:35 p.m. in the City Council Chambers by Chair Schaefer.

ROLL CALL:

PRESENT: Commissioners Keller, Lee, Perez, Schaefer

ABSENT: Commissioners Francine, Schenck, Tomazic

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney
Joseph M. Lambert, Director of Development Services
Andrew Gonzales, Senior Planner
Arlen Beck, Planning Technician
Alana Spector, Office Assistant

PLEDGE OF ALLEGIANCE: Commissioner Keller

ORAL COMMUNICATIONS: None

CONSENT CALENDAR: None

PUBLIC HEARINGS:

1. **Applicant:** Joshua Reese, dba Freckled Frog
Project Location: 2031-2043 E. Orangethorpe Avenue

Use Permit (UP) 2018-09: To permit the establishment and operation of a 3,773-square foot dance studio within an existing multi-tenant commercial shopping center located at 2031-2043 E. Orangethorpe Avenue in the Cobblestone Plaza shopping center.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit (UP) 2018-09; and
2. Receive the staff report and consider all public testimony;
3. Close the public hearing; and
4. Adopt Resolution PC-2018-28, a resolution of the Planning Commission of the City of Placentia, approving UP 2018-09 and making findings to permit the establishment and operation of a 3,773 square foot dance studio located within an existing multi-tenant commercial shopping center within the C-1 (O-1)

(Neighborhood Commercial - Oil Combining Districts) Zoning District on property located at 2031-2043 E. Orangethorpe Avenue; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Planning Technician Arlen Beck presented the Staff Report. He stated that the applicant, Joshua Reese, (dba Freckled Frog), is requesting a Use Permit to operate a dance studio in the C-1 Zoning District.

Mr. Beck continued by presenting an overview of the proposed business operations and a floorplan. The dance studio plans to teach six dance styles, and will hold classes from 10:00 a.m. to 7:30 p.m., although Mr. Beck noted that their Conditions of Approval would allow them to operate outside of these hours for greater flexibility.

Mr. Beck then showed photos of the current project site and gave an overview of surrounding uses of other businesses. He noted that the current conditions of the site would allow for adequate parking and traffic flow.

Chair Schaefer asked why this item required an entitlement.

Mr. Beck explained that in accordance with the Placentia Municipal Code, dance studios in the C-1 Zoning District are permitted subject to obtaining a Use Permit.

Director Lambert added that although the Freckled Frog currently operates a dance studio within the City, their desire to change location dictates that they obtain a Use Permit for the new location, as the Use Permit runs with the land rather than with the business.

Chair Schaefer called the applicant forward.

Joshua and Stacy Reese of 310 E. Orangethorpe came forward and introduced themselves as the owners and operators of the Freckled Frog. Mrs. Reese stated that they have been in business for 11 years and have three locations. She gave background on their experience and stated that they are excited to move locations to provide more space and more classes for their students.

Commissioner Keller asked the applicants about class schedules.

Mrs. Reese stated that young children take classes in the morning, while school-age children have classes in the afternoon. She stated that the benefit to the new location is that they will have two rooms so that different classes can be held simultaneously.

Chair Schaefer asked Mrs. Reese how tuition is calculated.

Mrs. Reese stated that it is based on how many classes a child takes per week.

Shelby McNeil, Kate Chamberlain, Audrey McNeil, Melanie McNeil, and Lisa Chamberlin came to the podium and spoke as a group in favor of the proposed entitlement.

Mr. and Mrs. Reese stated that they would comply with the Conditions of Approval.

Motion by Lee, second by Keller carried on a (4-0-3-0) vote to approve the recommended actions.

Ayes: Lee, Keller, Perez, Schaefer
Noes: None
Absent: Tomazic, Francine, Schenck
Abstain: None

2. **Applicant:** City of Placentia
Project Location: Citywide

Zone Change Amendment (ZCA) 2018-03: To recommend to the City Council of the City of Placentia, approval of a code amendment modifying Chapter 23.73 of the Placentia Municipal Code (PMC), currently entitled “Second Units”, to comply with new State regulations regarding Accessory Dwelling Units (ADUs) and making conforming changes to PMC Chapters 23.04 – “Definitions”, 23.10 – “R-A” – Residential Agricultural, 23.12 – “R-1” –Single-Family Residential, 23.15 – “R-2” – Low-Medium Density Multiple-Family, 23.25 – “RPC” – Residential Planned Community, 23.72 – “PUD” – Planned Unit Development, and 23.107 – Specific Plan 7.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the Public Hearing, Concerning Zone Code Amendment (ZCA) 2018-03, Receive the Staff Report and Consider All Public Testimony, and Close the Public Hearing; and
2. Adopt Resolution PC-2018-27, a Resolution of the Planning Commission of the City of Placentia, recommending to the City Council of the City of Placentia, approval of a code amendment modifying Chapter 23.73 of the Placentia Municipal Code (PMC), currently entitled “Second Units”, to comply with new State regulations regarding accessory dwelling units (ADUs) and making conforming changes to PMC Chapters 23.04 – “Definitions”, 23.10 – “R-A” – Residential Agricultural, 23.12 – “R-1” –Single-Family Residential, 23.15 – “R-2” –Low-Medium Density Multiple-Family, 23.25 – “RPC” –Residential Planned Community, 23.72– “PUD”— –Planned Unit Development, and 23.107 – Specific Plan 7; and
3. Recommend that the Planning Commission find that adoption of Zoning Code

Amendment No. 2018-03 is categorically exempt from environmental review because CEQA Guidelines Section 15282(h) establishes that “the adoption of an ordinance regarding second units in a single-family or multifamily zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code” relating to “granny” housing and “second unit ordinances” are exempt from the requirements of CEQA. Further, any effect on the environment is speculative at best because second units are already conditionally permitted in the city pursuant to similar regulations, and pursuant to 14 Cal. Code Regulations §15061(b)(3) there is no possibility that the proposed ordinance will have a significant effect on the environment.

Planning Technician Arlen Beck presented the Staff Report. He stated that the proposed Zone Change Amendment is related to Accessory Dwelling Units (ADU’s). The proposed amendment will bring the Placentia Municipal Code into compliance with recent state legislation and standards.

Mr. Beck gave a brief summary of the proposed changes to the code, and explained how they will bring the City into compliance with State law.

Commissioner Keller asked how many ADU’s currently exist within the City.

Director Lambert stated that while we do not keep records of how many exist, we typically receive between one and three applications per year. He continued by noting that the proposed ordinance is as conservative as possible without violating state law.

Vice Chair Perez inquired about setbacks for ADUs, and Director Lambert clarified what the setback requirements would be for existing structures converted to ADU’s versus ADU’s proposed as new construction.

Vice Chair Perez asked Mr. Lambert if Planned Unit Developments would be able to have ADU’s.

Director Lambert stated that ADU’s would only be permitted on property zoned for single-family development.

Chair Schaefer asked how many people can stay in a home or ADU, and voiced concerns regarding occupancy.

Mr. Beck explained that a city cannot legally limit the occupancy of a home unless it exceeds limits set by the Fire Marshal.

Chair Schaefer asked what improvements are legally required for a structure to be considered an ADU.

Mr. Beck stated that an ADU must contain a kitchen, bathroom, and heating.

Motion by Schaefer, second by Keller carried on a (4-0-3-0) vote to approve the recommended actions.

Ayes: Lee, Keller, Perez, Schaefer
Noes: None
Absent: Tomazic, Francine, Schenck
Abstain: None

OLD BUSINESS: None

NEW BUSINESS:

1. **Applicant: City of Placentia**
Project Location: 229 Alta Street

APPLICATION:

THE DISPOSITION OF REAL PROPERTY LOCATED AT 229 ALTA STREET (APN 339-061-10) OWNED BY THE CITY OF PLACENTIA HOUSING SUCCESSOR AGENCY

Recommended Actions: It is recommended that the Planning Commission:

Adopt Resolution No. PC-2018-29, A Resolution of the Planning Commission of the City of Placentia, California finding that the disposition of real property located at 229 Alta Street (APN: 339-061-10) conforms with the City of Placentia General Plan in accordance with California Government Code Section 65402; and finding that the proposed action is exempt from California Environmental Quality Act (CEQA) review because it is not a “project” as defined under California Public Resources Code Sections 21065 and 21080.

Director Joseph Lambert presented the Staff Report. He began by giving an overview and background regarding the subject property. The Housing Successor Agency will consider the sale of the property at their December 18, 2018 meeting. One of the draft terms of the dissolution is that the proceeds of the sale must be used for an affordable housing endeavor. The proceeds of the sale will be used to help fund the previously approved Veterans Village project as currently drafted.

Director Lambert continued by stating that the role of the Planning Commission is to determine if the sale of the property conforms with the City’s General Plan. Staff believes the sale conforms with the General Plan in that the existing land use designation allows residential uses and the sale helps to meet the housing goals of the General Plan by providing funding for Veterans Village.

Motion by Perez, second by Lee carried on a (4-0-3-0) vote to approve the recommended actions.

Ayes: Lee, Keller, Perez, Schaefer
Noes: None
Absent: Tomazic, Francine, Schenck
Abstain: None

DEVELOPMENT REPORT:

Director Lambert presented the Development Report. He started by stating that Veterans Village will be under construction in early 2019. In addition, Director Lambert stated that Atwood Sales, the rock crushing business located at 719 S. Lakeview Avenue, was in compliance with their settlement agreement and is on track to be completely vacated by March 2019. He noted that a developer is interested in developing two industrial buildings, one on the subject property and another on the adjacent property.

He continued by stating that the owner of the former El Torito building, located on the corner of Kraemer Boulevard and Yorba Linda Boulevard, has obtained demolition permits. They will demolish the building by the end of 2018. Director Lambert stated that staff anticipates they will obtain building permits for the subsequent development soon.

Director Lambert continued his report by stating that a third TOD Zone project was under consideration, and would be located on the Northeast corner of Melrose Street and Crowther Avenue. Furthermore, the previously approved Lyon Living Integral Project is anticipated to pull building permits in early 2019. In addition, the commercial and residential project proposed by SC Development on the corner of Rose Drive and Alta Vista Street is moving forward, with a reputable builder considering purchasing the residential portion of the project.

Vice Chair Perez asked about the status of 431 Palm Drive.

Director Lambert stated that the City Attorney and staff are working in conjunction with the property owner on a stipulation agreement. He stated that if conditions were not met, the City would move forward with receivership proceedings.

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS:

Chair Schaefer stated that one Commissioner has been absent for several meetings during the past two years, and has been absent for several meetings in a row, including being absent for all 2018 and 2019 meetings held so far. The Placentia Municipal Code (PMC) Chapter 2.12 outlines the duties and bylaws of the Planning Commission. Pursuant to PMC Section 2.12.010, if a member of the Planning Commission is absent from three consecutive meetings of the Planning Commission, the Chair shall notify the City Council of said absences for consideration of removal of the member from the Planning Commission. Chair Schaefer directed staff to forward a recommendation to the City Council to remove Commissioner Schenck from the Planning

Commission pursuant to PMC Section 2.12.010. Assistant City Attorney Yolanda Summerhill confirmed that this was sufficient direction to process the request.

ADJOURNMENT

Chair Schaefer closed the Planning Commission Meeting at 7:56 p.m. to the regular meeting of Tuesday, January 8, 2019 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA

Submitted by,

Joseph M. Lambert,
Secretary to the Planning Commission

PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

January 8, 2019

The regular meeting of the Placentia Planning Commission on January 8, 2019 was called to order at 6:31 p.m. in the City Council Chambers by Chair Schaefer.

ROLL CALL:

PRESENT: Commissioners Keller, Francine, Lee, Tomazic, Perez, Schaefer

ABSENT: Commissioner Schenck

OTHERS PRESENT: Joseph M. Lambert, Director of Development Services
Masoud Sepahi, City Engineer
Andrew Gonzales, Senior Planner
Arlen Beck, Planning Technician
Alana Spector, Office Assistant

PLEDGE OF ALLEGIANCE: Commissioner Francine

ORAL COMMUNICATIONS: None

CONSENT CALENDAR: None

PUBLIC HEARINGS:

1. **Applicant:** Janice Henderson
Project Location: 1802 N. Valencia Avenue, Eastside of Valencia Avenue between Valencia Avenue and the Western Terminus of Alcott Avenue

Tentative Parcel Map (TPM) No. 2007-186: To request the subdivision of an approximately 0.57 acre (24,600 square foot) lot into three (3) parcels located on the east side of Valencia Avenue between Valencia Avenue and the west terminus of Alcott Avenue (Assessor's Parcel Number 346-361-50). The requested subdivision will allow for future sales and conveyance.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning TPM 2007-186; and
2. Receive the staff report, consider all public testimony, ask any questions of Staff; and
3. Close the public hearing; and
4. Adopt Resolution PC-2019-01, a Resolution of the Planning Commission of the

City of Placentia, recommending to the City of Placentia City Council approval of TPM 2007-186 to permit the subdivision of an approximately 0.57 acre (24,600 square foot) parcel into three (3) parcels for a property within the R-1 (Single-Family Residential) Zoning District located on the east side of Valencia Avenue between Valencia Avenue and the west terminus of Alcott Avenue (Assessor's Parcel Number 346-361-50) and to make findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15315 (Class 15 – Minor Land Divisions) and the City of Placentia Environmental Guidelines.

Planning Technician Arlen Beck presented the Staff Report. He stated that the applicant, Janice Henderson, is requesting to subdivide a 0.57-acre parcel into three parcels to allow for the future sale of single family residences on two of the parcels. Mr. Beck stated that if the Planning Commission recommends approval of the subdivision, the City Council will consider the TPM for approval.

Mr. Beck proceeded by displaying the proposed Parcel Map and explaining how future single family homes could be situated on the resulting parcels. Mr. Beck noted that the existing home on parcel one, located at 1802 N. Valencia Avenue, would remain.

He continued by giving a background on the history of the property. He noted that a Tentative Parcel Map for the property was originally approved in 2008, but a Final Map was never recorded, causing the tentative approval to become null and void. He added that the existing home is on the 2002 Placentia Historical Resource Survey and is protected by Chapter 23.06 of the Placentia Municipal Code.

Mr. Beck noted that the proposed parcels would all meet minimum lot configuration requirements of the Placentia Municipal Code. He closed by stating that after publishing the Resolution and Conditions of Approval, minor modifications to the draft Conditions of Approval and Resolution were made. First, Resolution item number 2h was eliminated to ensure consistency with the modified Conditions of Approval. Secondly, Planning Condition of Approval number 11 was changed based on discussion between staff and the applicant.

Commissioner Tomazic asked what tentative implies regarding a Tentative Parcel Map.

Mr. Beck replied that during review, the map is tentative. Once approved by the City Council and filed with the County Recorder, the map will become a Final Map.

Director Joseph Lambert added that a Tentative Parcel Map is sent to the City Council as a consent calendar item subsequent to Council approval of a Tentative Map or Tentative Parcel Map. In addition, he stated that the altered draft Condition of Approval removed the requirement to maintain an existing utility easement that is no longer needed.

Commissioner Keller asked if the proposed lots would have addresses on Valencia Avenue or Alcott Avenue.

Mr. Beck replied that the existing home will maintain its current Valencia Avenue address and main access point while the two proposed lots that are currently unimproved will have Alcott Avenue addresses, and will take access off Alcott Avenue.

Chair Schaefer asked how the historical designation of the home affects the entitlement process.

Director Lambert stated that Placentia Municipal Code Chapter 23.06 addresses restrictions regarding the physical historic resource on site, but not necessarily the property in general. He noted that by having a Placentia Historical Resource, rather than a state historical resource designation, there are only local requirements regarding preservation. If there is any future proposal to modify the historic resource, it must be done in conformance with Chapter 23.08 of the Placentia Municipal Code.

The applicant, Janice Henderson of 1802 N. Valencia Avenue, came forward to address the Commission. Ms. Henderson explained that due to the financial recession in 2008, the Tentative Parcel Map approved in 2008 was not finalized. She expressed her excitement to move forward with the project, and stated that she would fully comply with the modified Conditions of Approval.

Motion by Perez, second by Tomazic carried on a (6-0-1-0) vote to approve the recommended actions.

Ayes: Keller, Francine, Lee, Tomazic, Perez, Schaefer
Noes: None
Absent: Schenck
Abstain: None

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Director Joseph Lambert presented the Development Report. He began by stating that the former El Torito building located on the corner of Yorba Linda Boulevard and Kraemer Boulevard has been demolished to allow for construction to begin on the new multi-tenant pad building. In addition, construction has begun at the Veterans Village project site.

Director Lambert continued by stating that an entitlement application has been received to develop the site at the 719 S. Lakeview Avenue, which currently houses Atwood Sales. Director Lambert stated that according to the last report received in December, Atwood Sales is operating in compliance with the settlement agreement. In accordance with the

settlement agreement, the business should completely vacate the site by March 2019.

City Engineer Masoud Sepahi stated that the Golden Avenue Bridge project was moving forward. The anticipated start of construction date is winter 2020. The Planning Commission evaluated the environmental component of this Public Works project and adopted a Mitigated Negative Declaration in mid-2018.

DIRECTOR'S REPORT: None

PLANNING COMMISSION REQUESTS: None

ADJOURNMENT

Chair Schaefer closed the Planning Commission Meeting at 7:00 p.m. to the regular meeting of Tuesday, February 12, 2019 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA

Submitted by,

Joseph M. Lambert,
Secretary to the Planning Commission



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION
FROM: ARLEN BECK, PLANNING TECHNICIAN
DATE: FEBRUARY 12, 2018
SUBJECT: **USE PERMIT 2018-10 (WINGSTOP)**

RECOMMENDATION:

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

1. Open the public hearing concerning Use Permit (UP) 2018-10;
2. Receive the staff report and consider all public testimony;
3. Close the public hearing;
4. Adopt Resolution PC-2019-02, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit 2018-10 and making findings to permit the onsite sale and consumption of beer and wine (ABC Type 41 License) on property within the C-2 (Community Commercial) Zoning District, located at 1093 E. Imperial Highway; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

REQUEST:

The applicant, Sheryl Brady, representing Far West Restaurant Group, LLC, is requesting to permit the onsite sale and consumption of beer and wine (ABC Type 41 License) at a proposed 1,315 square foot, 24 seat, Wingstop restaurant, located at 1093 E. Imperial Highway within the C-2 (Community Commercial) Zoning District.

PROJECT BACKGROUND AND DESCRIPTION:

The subject property is located within an existing shopping center (Imperial Rose Plaza) at 1093 E. Imperial Highway. The proposed restaurant, Wingstop, is a fast-casual restaurant serving made to order chicken wings. There are several licensed Wingstop locations throughout Southern California and Nevada. This proposed location will employ approximately ten employees at any given time. The restaurant's hours of operation will be from 9:30 A.M. to 12:00 A.M. daily. ABC approval is necessary for the sale of alcoholic beverages for onsite consumption.

Wingstop does not provide an on-premise bar area designated primarily for the service of alcoholic beverages on the premise. All alcoholic beverages are to be served with food. Many Wingstop customers find that beer and/or wine complement an order of wings. The beer and wine sales will represent approximately two percent of the overall sales, according to Wingstop projections. The addition of beer and wine is not anticipated to pose any additional safety or security risks.

Applicable Code Section – Placentia Municipal Code

The subject property is currently zoned C-2. The project will be required to comply with all development standards and use requirements set forth in the Placentia Municipal Code (PMC) for projects within the C-2 zoning district. Pursuant to PMC Section 23.33.040(4), any establishment selling alcoholic beverages including those for on-site and off-site consumption shall require a UP to be reviewed and evaluated at a noticed public hearing before the Planning Commission.

Subject Site and Surrounding Land Uses

The restaurant will be located within an existing shopping center located at the corner of N. Rose Drive and E. Imperial Highway at 1093 E. Imperial Highway. The chart, on the following page shows surrounding existing land uses, zoning designations, and General Plan Land Use Designations:

Surrounding Land Uses:

Location	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Subject Site	Unoccupied tenant space in an existing shopping center	Commercial	C-2
North	Residential	Residential	R-A
South	Residential (SW of project); Commercial (SE of project)	Residential and Commercial	R-3 C-2
West	Commercial (City of Brea)	City of Brea	City of Brea
East	Commercial	Commercial	C-2

ZONING COMPLIANCE ANALYSIS

Site Development Standards

The project is located within the C-2 zoning district. No changes to the building footprint and overall building envelope will occur, as a result, of the project.

EXISTING ABC LICENSES WITHIN ONE-HALF MILE RADIUS OF SUBJECT SITE

Currently, there is one other business, located within the existing shopping center (Wasabi Fusion & Grill), that is licensed to sell beer and wine for on-site consumption. The Stater Bros. Market in

the same shopping center also holds a type 21 ABC license to sell general alcohol for off-site consumption. The following chart shows all businesses within a one-half mile radius of the subject site with an existing ABC license and their ABC license type.

Business	Address	License Type
Stater Bros. Markets*	1111 E. Imperial Hwy	21, Off Sale General
Super Liquor	1150 E. Imperial Hwy	21, Off Sale General
Arco Gas Station/ AM/PM	1201 E. Imperial Hwy	20, Off Sale Beer and Wine
Fish in a Bottle Sushi & Grill	1205-1207 E. Imperial Hwy	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Chuck E. Cheese	2300 N. Rose Dr.	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
El Pueblito Mexican Grill	1221 E. Imperial Hwy	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Brooklyn Pizza Works	1235 E. Imperial Hwy	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Group Therapy	1265 E. Imperial Hwy	42, On-Sale Beer and Wine for Public Premises
Wasabi Fusion & Grill*	1041-1045 E. Imperial Hwy	41, On-Sale Beer and Wine for Bona Fide Public Eating Place

* Within same shopping center

Other Departments Concerns and Requirements

The Divisions of Planning and Building, as well as the Placentia Police Department have reviewed the application, with no major concerns raised by other departments regarding the project proposal. The Planning Division identified comments and applicable code requirements that have been incorporated as conditions of approval into a draft resolution for consideration by the Planning Commission (Attachment No. 1).

ISSUES ANALYSIS:

General Plan Consistency

General Plan policies advocate to (a) increase the tax base of the City through land use planning while maintaining the City's suburban atmosphere and (b) orient land uses that create employment opportunities toward major and primary arterial streets so that activities associated with these uses have a minimal effect upon adjacent residential neighborhoods. The proposed project will fulfill these policies by offering goods, services, and employment opportunities to surrounding residents, thereby protecting and ensuring its long-term success. This will assist in maintaining a wide array

and variety of commercial uses to help facilitate greater patronage and shopping activity for the shopping center, thereby helping to maintain a steady revenue stream. Increased patronage will assist and stimulate further investment in the community and strengthen the City's economic vitality. The proposed request to allow the on-site sale and consumption of beer and wine at a proposed Wingstop restaurant will bring additional customers to the restaurant which will provide additional sales tax revenue to the City. In addition, the business is sited within an established commercial center where its operations will not impact sensitive land use receptors.

PMC Consistency

Incorporation of the recommended conditions of approval will result in a project that complies with the provisions of the C-2 zoning district. The proposed request, with incorporation of the recommended conditions of approval, will meet or exceed the provisions of the C-2 zoning district and other applicable provisions of the PMC, including minimum parking requirements.

Land Use Compatibility

The project will be compatible with the land uses of the surrounding area because the request to sell beer and wine for on-site consumption in conjunction with a restaurant brings an additional service within an established commercial district containing primarily complementary commercial uses. The nature of the use will not have adverse impacts on adjacent business and properties as there are no significant noise or safety concerns.

Alcohol Sales

The request is to permit the onsite sale and consumption of beer and wine (ABC Type 41 License) at a proposed Wingstop restaurant. To mitigate any impacts associated with alcohol sales, the Police Department is recommending several operational conditions of approval to address onsite security and prohibit alcohol sales between 2:00 AM and 6:00 AM to correspond with the restrictions of ABC. With the implementation of these provisions, it is not anticipated to generate any significant adverse impacts detrimental to the site and surrounding properties. The proposed hours of operation will end at 12:00 A.M. (Midnight).

CEQA:

The proposed application 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 Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that UP 2018-10 is exempt from CEQA pursuant to State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing facility.

PUBLIC NOTIFICATION:

Legal notice was published in the Placentia News Times on January 31, 2019, and notices were sent to property owners of record within a 300-foot radius of the subject property on January 31,

2019. As of February 7, 2019, staff has received no comments in support or opposition of the request.

CONCLUSION:

The proposed request is consistent with the City's General Plan and meets the minimum standards of the PMC. With the recommended conditions of approval, the proposed request, to allow the on-site sale and consumption of beer and wine at a proposed restaurant located at 1093 E. Imperial Highway (Imperial Rose Plaza) within the C-2 (Community Commercial) zoning district will be compatible with adjacent land uses and will not result in any adverse impacts onto the surrounding area.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission of the City of Placentia adopt the Resolution PC-2019-02 recommending approval of UP 2018-10.

Prepared and submitted by:


Arlen Beck
Planning Technician

Review and approved by:


Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. 2019-02 with attached Conditions of Approval
2. Project Plans Dated and Received December 6, 2018
3. Statement of Use Submitted by the Applicant Dated and Received December 6, 2018

RESOLUTION NO. PC-2019-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2018-10 AND MAKING FINDINGS TO PERMIT THE ONSITE SALE AND CONSUMPTION OF BEER AND WINE (ABC TYPE 41 LICENSE) AT A PROPOSED 1,315 SQUARE FOOT, 24 SEAT, WINGSTOP RESTAURANT, LOCATED AT 1093 E. IMPERIAL HIGHWAY WITHIN THE C-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT.

A. Recitals.

WHEREAS, Sheryl Brady, representing Far West Restaurant Group, LLC (“Applicant” hereinafter), located at 1093 E. Imperial Highway, filed an application for approval of Use Permit (UP) No. 2018-10, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the “Application”;

WHEREAS, on February 12, 2019, the Planning Commission conducted a duly noticed public hearing, as required by law, and after careful consideration of all pertinent testimony and the staff report offered in the case, the Planning Commission voted to approve UP 2018-10; and

WHEREAS, 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:

SECTION NO. 1: Based on the evidence presented and the findings set forth, UP 2018-10 is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

SECTION NO. 2: Based upon the 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 request for the onsite sale and consumption of beer and wine at a proposed restaurant 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 Conditions of Approval and Standard Development Requirements (Attachment “A”), this use complies with all applicable code requirements and development standards of the C-2 zoning district and (3) it is not anticipated that the proposed Wingstop restaurant will generate any negative impacts onto adjacent properties and businesses. All primary activities

shall be conducted within the 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 request for the onsite sale and consumption of beer and wine at a proposed restaurant is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is Commercial.

c. The proposed request for the onsite sale and consumption of beer and wine at a proposed restaurant, subject to the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed request for the onsite sale and consumption of beer and wine at a proposed restaurant is a conditionally permitted use in the C-2 zoning district in the City of Placentia. Approval of the Use Permit for The proposed request for the onsite sale and consumption of beer and wine at a proposed restaurant will be consistent with the zoning as the site can accommodate the use, and other similar uses have been conditionally permitted within other similar commercial districts.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the UP approval. Attachment "A" contains Conditions of Approval and Standard Development Requirements specific to UP 2018-10 to ensure compliance with the Placentia Municipal Code (PMC).

SECTION NO. 3: Based upon the environmental review of the project, the Planning Commission finds that UP 2018-10 is exempt from 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 Guidelines of the City of Placentia pursuant to the State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing structure or facility.

SECTION NO. 4: The Planning Commission hereby directs that, upon approval of UP 2018-10, that a Notice of Exemption shall be filed with the Orange County Clerk/Recorder.

SECTION NO. 5: Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves UP 2018-10.

SECTION NO. 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 12th day of February, 2019

CHRISTINE J. SCHAEFER, CHAIR

I, Joseph M. Lambert, 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 12th day of February 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 12th day of February, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

JOSEPH M. LAMBERT,
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

TOM DUARTE,
ASSISTANT CITY ATTORNEY

ATTACHMENT "A"

Attachment A
Special Conditions of Approval and Standard Development Requirements for
Use Permit 2018-10
1093 E. Imperial Highway

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 TO CONTINUE IN GOOD STANDING FOR THE USE PERMIT TO PERMIT THE ONSITE SALE AND CONSUMPTION OF BEER AND WINE.

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:

1. Use Permit (UP) 2018-10 to establish onsite sale and consumption of beer and wine at a bona fide eating place (ABC type 41 License) is valid for a period of one (1) year 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, unless an extension is applied for and approved by the Director of Development Services.
2. Use Permit (UP) 2018-10 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 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 be issued 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. Any changes or modifications to Use Permit (UP) 2018-10 shall be subject to review and approval by the Director of Development Services or designee, with substantial changes or modifications subject to Planning Commission review and approval.
6. Minor modifications to the approved plans may be reviewed and approved by the Director of Development Services or his/her designee. Any significant changes to the approved plans, which has the effect of expanding or intensifying the present use, shall require a new or modified Use Permit at the discretion of the Director of Development Services of his/her designee.
7. If at any time in the future, the Director of Development Services determines that a parking/circulation study is necessary to address parking and/or circulation issues relative to the use, the applicant, current business owner, and/or property owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant, current business owner, and/or property owner shall also be responsible for the implementation costs of any mitigation measures deemed appropriate by the City based upon the findings of this study.
8. The applicant, current business owner, and/or property 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, current business owner, and/or property owner within 48 hours of defacement and/or upon notification by the City. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Director of Development Services.
9. The applicant, current business owner, and/or property owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain approval of a City Business License. The applicant, current business owner, and/or property owner shall maintain a valid City Business License at all times during operation of the business.
10. This Use Permit may be reviewed at the discretion of the Director of Development Services at any time in order to determine if the business is operating in compliance with all required Special Conditions of Approval and Standard Development Requirements.
11. 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's Administrative Lieutenant at least 14 days in advance.

12. The use shall comply with the following:

- a. Prior to any changes to the days and hours of operation, 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:

Sunday through Saturday: 8:30 AM to 1:00 AM

- b. No vending machines of any kind shall be installed outdoors within the project site.
- c. There shall be no public pay phones installed within or upon any portion of the premises.
- d. No outside storage, including the display of vehicles within the parking lot area or displays shall be permitted at any time.
- e. The use shall comply with all provisions of the PMC, including Chapter 23.76 Noise Control.

DEVELOPMENT SERVICES DEPARTMENT – BUILDING DIVISION:

13. Submit building plans for future tenant improvement work to the City for review and approval prior to building permit issuance.

14. 20% of the tenant improvement cost shall be contributed to the ADA improvements which includes restrooms, parking spaces, exit doors and signs.

15. Existing restrooms and handicap parking shall be compliance with current ADA regulations. Please provide all details for compliance.

16. All new plumbing systems shall be in compliance with 2016 California Green Building Code regulations.

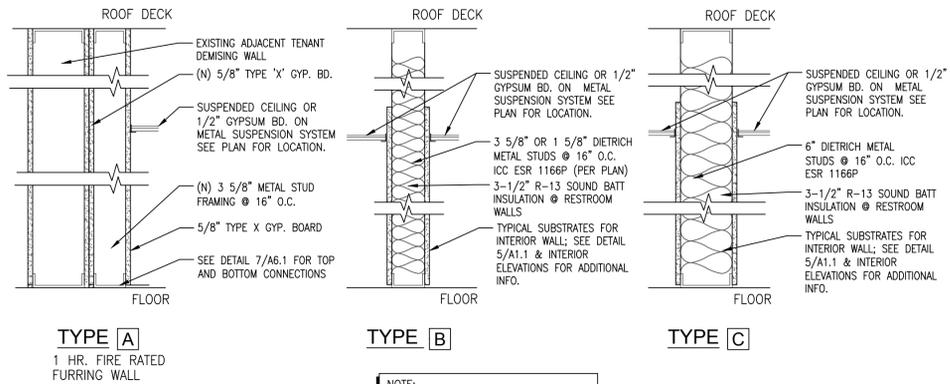
17. Obtain Orange County Health Department approval prior to the final building permit issuance.

ORANGE COUNTY FIRE AUTHORITY

18. Prior to issuance of a building permit applicant shall submit an architectural plan review (PR200-PR-285) to the Orange County Fire Authority.

19. Prior to concealing interior construction applicant shall submit a fire sprinkler system plan (PR430-PR455) to the Orange County Fire Authority if the existing sprinkler system require modification.

WALL TYPES SCALE: N.T.S.

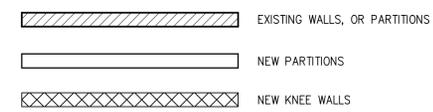


HEALTH DEPT. NOTES

1. VERIFY MIN. 50 FT.-CANDLE LIGHTING IN KITCHEN AND ANY FOOD PREP AREA.
2. ALL LIGHT FIXTURES IN FOOD PREP AND UTENSIL WASHING AREAS SHALL BE SHATTERPROOF.
3. ALL EXTERIOR WINDOWS SHALL BE FIXED. (NON-OPERABLE OR MOVABLE)
4. ALL EXIT/ENTRANCE DOORS SHALL BE RODENT PROOF, TIGHT FITTING, AND SELF CLOSING.
5. RESTROOM DOORS SHALL BE SELF CLOSING.
6. RESTROOM VENTILATION SHALL BE LIGHT SWITCH ACTIVATED. SEE MECHANICAL AND ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION.

NOTE:
 -SEE WALL TYPES ON THIS SHEET
 -SEE SHEET CS1.1 FOR ADA "REACH RANGES" AND "OPERABLE PARTS"
 -ALL DIMENSIONS FOR 3-5/8" METAL STUD WALLS SHOWN AT 3-1/2" FOR SIMPLICITY
 -SEE SHEET A4.0 FOR DOOR SCHEDULE
 -ALCOHOL SHALL ONLY BE SOLD AND CONSUMED WITHIN THE INTERIOR OF THE RESTAURANT ONLY
 -SIGNAGE WILL BE PLACED INSIDE THE RESTAURANT AT ALL PATRON EXITS STATING "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT". SEE NOTE #12

WALL LEGEND

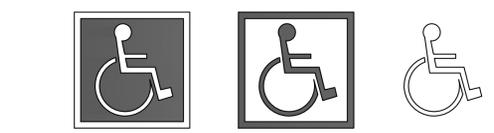


FLOOR PLAN LEGEND

- 1 DASHED LINE INDICATES SOFFIT/HEADER ABOVE - REFER TO REFLECTED CEILING PLAN ON SHEET A2.0
- 2 REFER TO ENLARGED SALES COUNTER PLAN FOR ADDITIONAL INFORMATION
- 3 ELECTRICAL PANEL LOCATION - PROVIDE A 30" X 36" CLEAR FLOOR SPACE IN FRONT OF PANELS - REFER TO ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION.
- 4 DASHED LINE INDICATES EXHAUST HOOD - REFER TO REFLECTED CEILING PLAN ON SHEET A2.0 FOR ADDITIONAL INFORMATION.
- 5 ACCESSIBLE ENTRANCE SIGN. SEE DETAIL 5/A1.0
- 6 TACTILE EXIT SIGN. SEE DETAIL 6/A1.0
- 7 OCCUPANT LOAD SIGN PER SECTION 1004.3
- 8 SHELVING UNIT - REFER TO DETAIL 9/E01.1
- 9 KNEE WALL - REFER TO MILLWORK DET. 5/A6.1 FOR ADDITIONAL INFO.
- 10 G.C. TO PROVIDE A LEVEL LANDING ON EACH SIDE OF DOOR EXTENDING 60" ON DIRECTION OF DOOR SWING AND 48" IN OPPOSITE DIRECTION OF DOOR SWING, MEASURED WITH THE DOOR CLOSED.
- 11 G.C. TO PROVIDE A LEVEL LANDING 24" BEYOND STRIKE SIDE OF EXTERIOR DOORS ON PULL SIDE AND 18" MINIMUM PAST STRIKE SIDE OF INTERIOR DOORS. ALSO PROVIDE 12" ON PUSH SIDE, IF THE DOOR AS BOTH A LATCH AND A CLOSER.
- 12 G.C. TO PROVIDE SIGN STATING: "NO ALCOHOL BEVERAGES BEYOND THIS POINT" SEE DETAIL 3/A1.0
- 13 G.C. TO INFILL WALL AND ADD STOREFRONT TO MATCH EXISTING EXTERIOR STRUCTURE & FINISH.

1 NOT USED
 A1.0 SCALE: 1 1/2" = 1'-0"

3 NOT USED
 A1.0 SCALE: N.T.S.



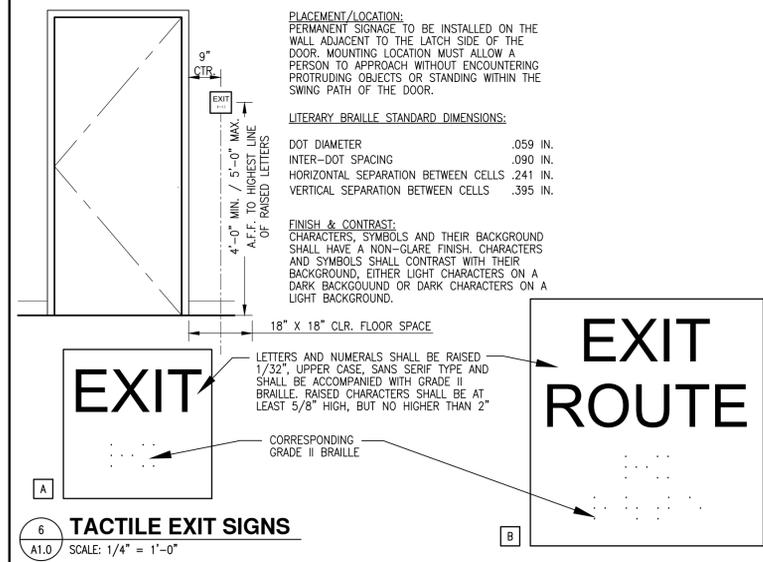
DISPLAY CONDITIONS

THE INTERNATIONAL SYMBOL OF ACCESSIBILITY IS REQUIRED ON:

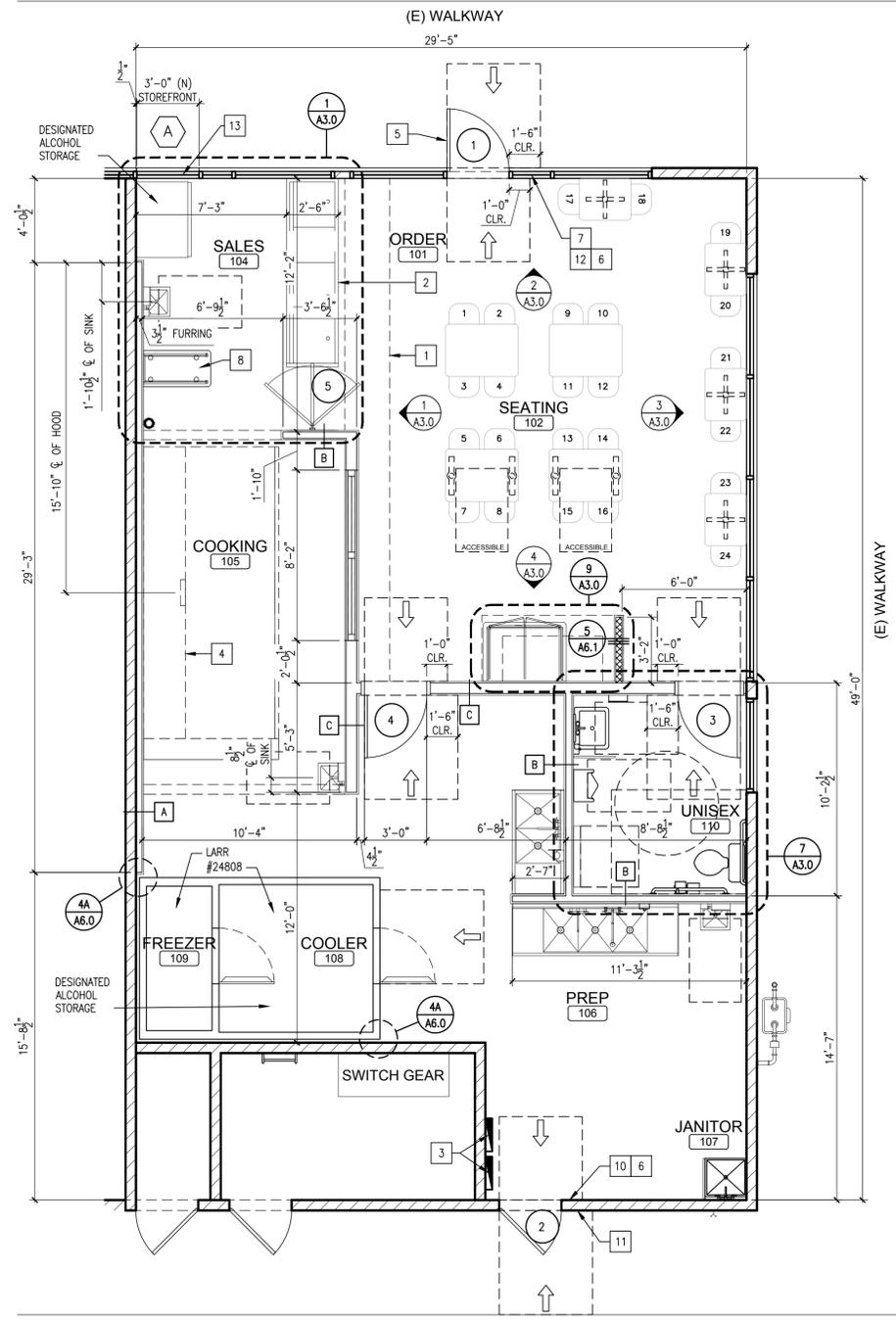
- PARKING SPACES DESIGNATED AS RESERVED FOR INDIVIDUALS WITH DISABILITIES
- ACCESSIBLE ENTRANCES (INACCESSIBLE ENTRANCES SHALL HAVE DIRECTIONAL SIGNAGE TO INDICATE THE ROUTE TO THE NEAREST ACCESSIBLE ENTRANCE)
- ACCESSIBLE TOILET AND BATHING FACILITIES

FIG. 122-1 THE INTERNATIONAL SYMBOL OF ACCESSIBILITY

5 ACCESSIBLE ENTRANCE SIGN
 A1.0 SCALE: 1/4" = 1'-0"



6 TACTILE EXIT SIGNS
 A1.0 SCALE: 1/4" = 1'-0"



ARCHITECTURAL FLOOR PLAN
 SCALE: 1/4" = 1'-0"



1330 OLYMPIC BLVD.
 SANTA MONICA, CALIFORNIA 90404
 PH 310 452-5533 FAX 310 450-4742

REV. DATE DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION
WINGSTOP
 GL#S247
 1093 E. IMPERIAL HWY
 PLACENTIA, CA. 92870

DATE
 05/18/18
 JOB NO.
 DRAWN BY
 VA
 CHECKED BY
 KD

FLOOR PLAN

A1.0



ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS

1330 OLYMPIC BLVD.
SANTA MONICA, CALIFORNIA 90404
PH 310 452-5533 FAX 310 450-4742

REV. DATE DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROMPTLY TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



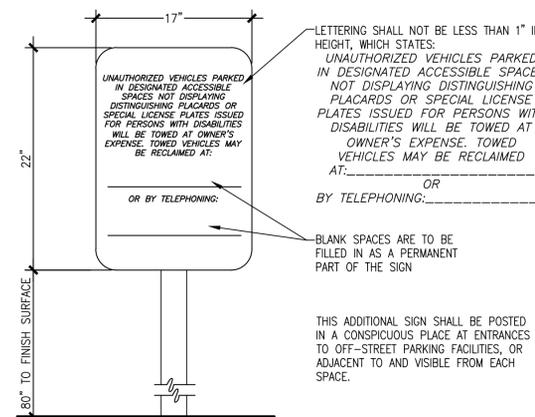
LOCATION
WINGSTOP
GL#S247
1093 E. IMPERIAL HWY
PLACENTIA, CA. 92870

DATE
05/18/18
JOB NO.

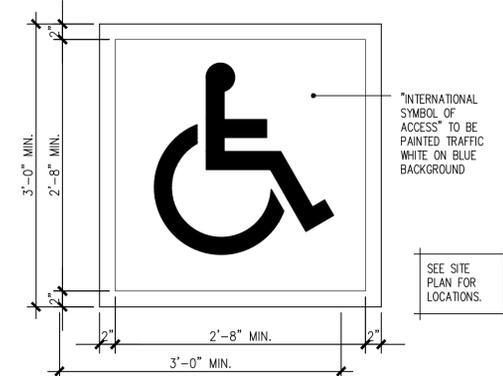
DRAWN BY
VA
CHECKED BY
KD

SITE PLAN

SP1.0



3 UNAUTHORIZED PARKING SIGNAGE
SP1.0 SCALE: N.T.S.

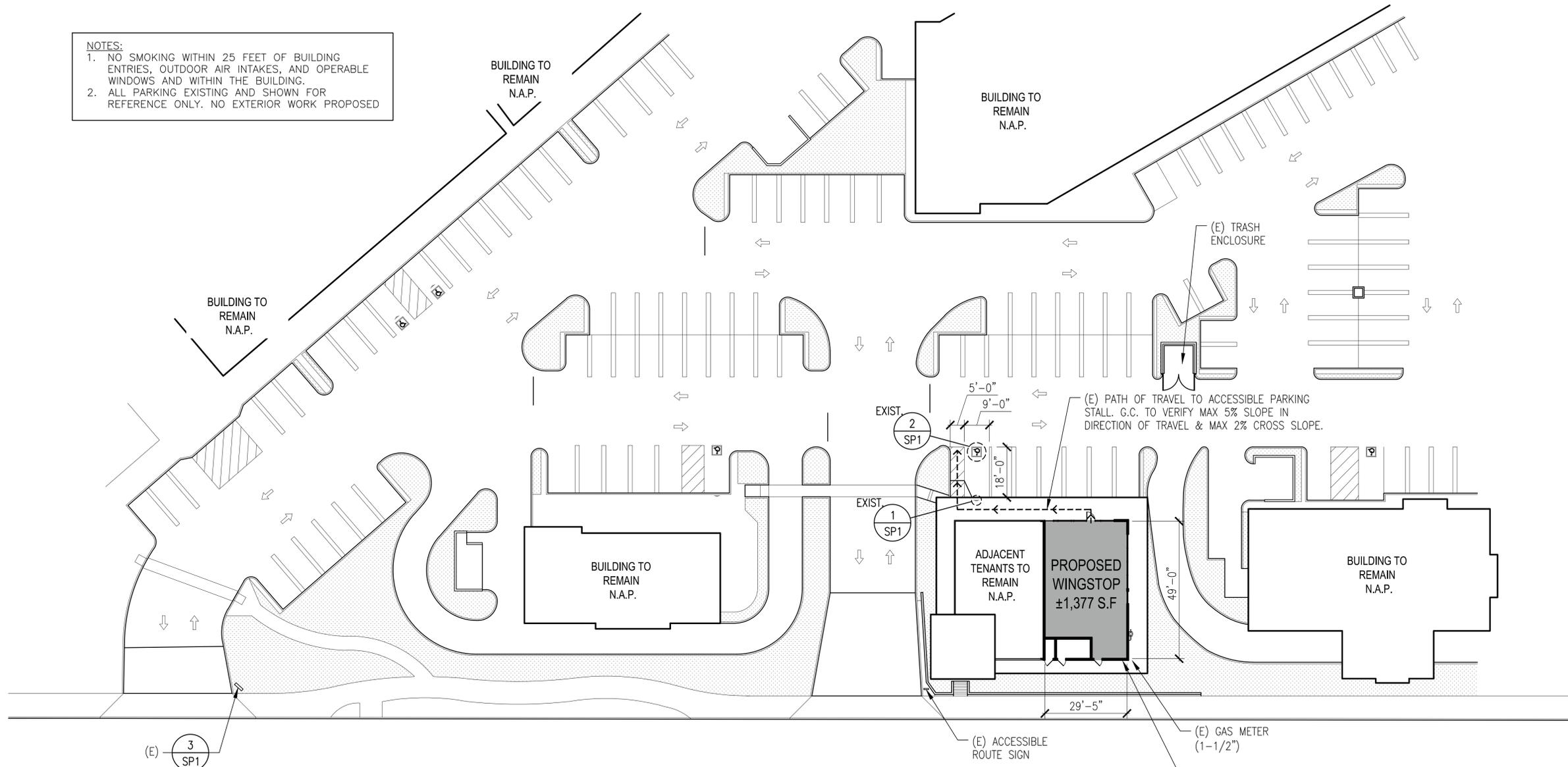


2 INTERNATIONAL SYM. OF ACCESSIBILITY
SP1.0 SCALE: N.T.S.

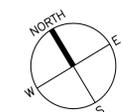


1 ACCESSIBLE PARKING SIGN
SP1.0 SCALE: N.T.S.

NOTES:
1. NO SMOKING WITHIN 25 FEET OF BUILDING ENTRIES, OUTDOOR AIR INTAKES, AND OPERABLE WINDOWS AND WITHIN THE BUILDING.
2. ALL PARKING EXISTING AND SHOWN FOR REFERENCE ONLY. NO EXTERIOR WORK PROPOSED



EAST IMPERIAL HIGHWAY



SITE PLAN
SCALE: 1" = 20'-0"

City of Placentia
Department of Development Services

Re: Letter of Operation
Far West Restaurant Group, LLC / Wingstop – 1093 East Imperial Highway, Placentia, CA 92870

My name is Daniel Sonenshine and I am President of Far West Restaurant Group, LLC. We are requesting a Use Permit (UP) for the sale and dispensing for on-site consumption of beer and wine for our newest "Wingstop" location in the Placentia area at 1093 East Imperial Highway. We have many licensed Wingstop locations throughout Southern California and Nevada. Wingstop is a fast casual restaurant serving made to order "Chicken Wings."

Our proposed Placentia location will employ approximately ten (10) employees at any given time. My VP of Operations handles the day to day operation of the stores. The Placentia location is within an existing commercial center. The space is 1,315 square feet in size and will seat approximately 24 guests. The restaurant hours will be 10:30am – midnight daily.

Wingstop is a bona fide family restaurant serving distinctive flavors of chicken wings. The chicken wings are offered in a variety of sauces and tossed to order. These distinctive sauces include teriyaki, Hawaiian, garlic parmesan, lemon pepper, hickory smoked BBQ, mild, Louisiana rub, original hot, Cajun, and atomic. The menu is limited to the wings, side dishes, and beverages. Such side dishes include fresh cut seasoned fries, baked beans, coleslaw, potato salad, veggie sticks, and fresh baked yeast rolls. Guests can also choose from among a la carte dips and sauces (buttermilk ranch, blue cheese, honey mustard, and hot aged cheddar cheese sauce) to enjoy with their wings and/or fries. The sole purpose of our restaurant is the serving of deliciously favored chicken wings made fresh to order for our guests. There is no other restaurant in the immediate area that provides such a unique experience and a similar concept to Wingstop.

We do not provide an on premise bar area designated primarily for the service of alcoholic type beverages on the premise. Many of the guests, visiting our Wingstop, find the beer and wine to be a perfect complement to an order of hot wings, especially in a concept that operates daily until midnight. The beer and wine will represent approximately two (2%) percent of the overall sales, which is not much a factor in the sales mix. This minor addition of beer and wine will not pose any additional safety or security risks.

We are committed to keeping Wingstop clean inside and outside and not add anything that will disturb the community such as live music or improper lighting, and etc. If patron to patron disturbances arise, the trained local police will be contacted to handle the matter without disturbance to our adjacent neighbors.

We are committed to the Placentia community.

Regards,



Daniel Sonenshine
Far West Restaurant Group LLC



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: ARLEN BECK, PLANNING TECHNICIAN

DATE: FEBRUARY 12, 2019

SUBJECT: **USE PERMIT NO. 2008-03 MODIFICATION (WIRELESS COMMUNICATION FACILITY)**

RECOMMENDATION:

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

1. Open the public hearing concerning Use Permit 2008-03 (MOD);
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2019-03, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit (UP) No. 2008-03 Modification (MOD) and making findings to permit the modification of an existing fifty-four (54) foot high, free-standing wireless communication facility designed as a monopine and related equipment cabinets, located within a +/- 522-square foot walled ground lease area, to allow the facility to have a height not to exceed eighty-five (85) feet, located at 505 W. Crowther Avenue in the Transit Oriented Development Packing House (TOD) District; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

REQUEST:

The applicant, Placentia Realty Partners, LLC, is requesting a Use Permit modification for an existing fifty-four (54)-foot high, free-standing wireless communication facility designed as a monopine and related equipment cabinets, located within a +/- 522-square foot walled ground lease area, to allow the facility to have a height not to exceed eighty-five (85) feet, located at 505 W. Crowther Avenue in the Transit Oriented Development Packing House (TOD) District.

INTRODUCTION:

On March 11, 2008 the Planning Commission took action on UP 2008-03 and approved the request to construct a fifty-four (54)-foot high, free-standing wireless communication facility designed as a monopine. A modification has been requested to raise the maximum height of the existing monopine of a height not to exceed eighty-five (85) feet. The modification request to increase the height of the monopine is necessary because of a five-story, mixed-use development featuring 418 multi-family

residential units with associated amenities for residents, 10,553 square feet of retail space, 3,572 square feet of leasing office space, and a seven-level parking structure at this site that was approved as Development Plan Review (DPR) 2018-04 by the Planning Commission on May 8, 2018. The height of the proposed development will exceed that of the current height of the monopine and will render this wireless communication facility largely ineffective. Raising the height of the existing monopine will allow telecommunication services to continue and will service surrounding residents and businesses on Crowther Avenue continuously from State College Boulevard to Kraemer Boulevard as well as in the general area near the junction of the 57 freeway and Orangethorpe Avenue.

DISCUSSION:

The existing monopine and related equipment cabinets are located within a +/- 522-square foot walled area along the northwest corner of the subject site. The lease area is enclosed with a seven-foot high solid block wall and solid gate. This site is currently used as a heavy equipment storage and rental facility. North of the subject site is the BNSF (Burlington Northern Santa Fe) Railroad and east is a storage yard with a small recycling facility and various legal nonconforming residential structures, located more than 100 linear feet from the proposed wireless communication facility and related equipment cabinets. The following table shows the General Plan and Zoning designations of the subject site and the surrounding area.

Subject Site and Surrounding Land Uses:

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	Industrial uses	TOD	TOD
Proposed	253,089 s.f. residential building plus 10,553 s.f. of retail, 3,572 s.f. leasing office, club and fitness areas, and residential garage structure, with a Wireless communication facility.	TOD	TOD
North (across BNSF tracks)	High density residential uses	High Density Residential	R-3 (High Density Residential)
South (across Crowther Avenue)	Industrial uses	Industrial	M (Manufacturing)
East	Industrial and Residential uses	TOD	TOD
West	Industrial uses	TOD	TOD

ISSUES ANALYSIS:

PMC Consistency

Incorporation of the recommended conditions of approval will result in a project that substantially complies with the provisions of the TOD Zoning District. With incorporation of the recommended conditions of approval, the proposed modification request to an existing wireless communication facility will meet or exceed the provisions of the TOD Zoning District, including other applicable provisions of the Placentia Municipal Code (PMC). Although the modification request will result in the facility exceeding the maximum sixty-eight (68)-foot building height limitation within the TOD Zoning District, PMC Section 23.82.060 (Height) affords the Development Services Director the latitude to recommend a greater height if circumstances exist that adversely impact signal transmission strength. The height of the adjacent five-story, mixed use development project will effectively interfere with the clear transmission of communication signals, thereby making it necessary to raise the height of the facility upward of eighty-five (85) feet to avoid signal interference. Therefore, it is the determination of the Director of Development Services that the proposed request for the monopine to extend beyond the maximum code permitted height is necessary to maintain clear signal strength. Also, it should be noted that the provisions of the TOD Zoning District allow certain elements of buildings to exceed the sixty-eight (68)-foot height limit.

Antennas/Operational Characteristics:

The modified wireless communication facility will provide twenty-four (24) hour service to T-Mobile USA customers, seven (7) days a week. A T-Mobile USA technician will service this facility on a periodic basis; with routine maintenance/inspections of the facility occurring once a month, during normal working hours. T Mobile USA requires twenty-four (24) hour access to the facility to ensure that technical support is immediately available if warranted. They will have keys to access the site as well as the gate that surrounds the monopine and related equipment cabinets.

Consistency with the General Plan

The City's General Plan was amended in April 2017 to include a Transit-Oriented Development Designation which coincides with the boundaries of the TOD zone. This project is consistent with the intent of this new General Plan land use designation, which reads as follows:

Transit Oriented Development (TOD) - This designation permits transit oriented development. Transit-oriented development, or TOD, is a type of community development that includes a mixture of housing, office, retail and/or other amenities integrated into a walkable neighborhood and located within a half-mile of quality public transportation. Typically, this type of development is characterized by high density residential development (65 to 95 dwelling units/acre), lower parking standards, enhanced pedestrian environment, active streetscape, and enhanced amenities for bikes and buses. In TOD areas, the pedestrian and transit rider are given priority over the motorist.

CEQA:

The proposed application was reviewed by City 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 Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that UP 2008-03 (MOD) is exempt from CEQA pursuant to State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing facility.

RECOMMENDATION:

The City Planning Division is recommending approval of UP 2008-03 (MOD), subject to the attached Special Conditions of Approval and Standard Development Requirements.

Prepared and submitted by:

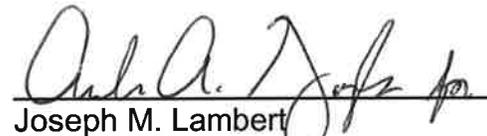


Arlen Beck
Planning Technician

Reviewed and approved by:



Andrew A. Gonzales
Senior Planner



Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. PC 2019-03 with attached Conditions of Approval
2. Site Plan & Color Renderings
3. Statement of Request Justification dated February 5, 2019

RESOLUTION NO. PC-2019-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2008-03 (MOD) PERTAINING TO THE MODIFICATION OF AN EXISTING FIFTY-FOUR (54) FOOT HIGH, FREE-STANDING WIRELESS COMMUNICATION FACILITY DESIGNED AS A MONOPINE AND RELATED EQUIPMENT CABINETS, LOCATED WITHIN A +/- 522-SQUARE FOOT WALLED GROUND LEASE AREA, TO ALLOW THE FACILITY TO HAVE A HEIGHT NOT TO EXCEED EIGHTY-FIVE (85) FEET, LOCATED AT 505 W. CROWTHER AVENUE IN THE TRANSIT ORIENTED DEVELOPMENT PACKING HOUSE (TOD) DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Placentia Realty Partners, LLC (“Applicant” hereinafter), have filed an application for approval of Use Permit No. 2008-03 (MOD) to be located at 505 W. Crowther Avenue, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit Modification request is referred to as the “Application”.

(ii) On February 12, 2019 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) Pursuant to Placentia Municipal Code (PMC) 23.82.060, the Director of Development Services has determined that it is necessary for the proposed facility to exceed the height limit of the Transit Oriented Development Packing House (TOD) Zoning District in order to effectively blend in with the natural environment and service the surrounding area.

(iv) 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 Transit Oriented Development Packing House (TOD) Zoning District and Chapter 23.82, Wireless Communication Facilities.

b. According to the submitted Letter of Compliance, the modified T-Mobile USA "Monopine" structure installation is regulated by the Federal Communications Commission (FCC) and will operate within the frequencies established for Specialized Mobile Radio operators. The T-Mobile USA wireless telecommunication facility will operate at the lowest possible power levels that are below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proven safe by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

c. The modification of the existing wireless communication facility will not have a visual or aesthetic impact on the property or in the immediate vicinity. The trunk and branches of the "Monopine" are painted brown and the leaves are shades of green to resemble a natural living pine tree. The colors will be subdued and the materials will be non-reflective to blend with materials and colors in the surrounding area. Special Conditions of Approval have been included to require that all cable/utility runs are to be placed underground. The equipment associated with the telecommunication facility modification will be located within a 522-square foot ground lease area

d. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "TOD", and the proposed use does not involve any change in the land use of the subject site. Wireless communications facilities are permitted in the TOD Zoning District, subject to Use Permit approval.

e. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachment "A"), is consistent with the provisions of the PMC, or regulations applicable to the property. The proposed use is a conditionally permitted use in the TOD Zoning District in the City of Placentia. Approval of the Use Permit for the modification of the existing wireless communication facility would be consistent with the zoning as the site can accommodate the existing use and proposed modifications.

f. 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. Attachment "A" contains Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2008-03 (MOD) to ensure compliance with the PMC.

3. The Planning Commission specifically finds that the Application is Categorically Exempt pursuant to the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15301) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2008-03 (MOD), 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 2008-03 (MOD) as modified herein, and specifically subject to the conditions set forth in Attachment "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 12th day of February, 2019

CHRISTINE SCHAEFER, CHAIR

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at an adjourned regular meeting of the Planning Commission of the City of Placentia held on the 12th day of February, 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 12th day of February, 2019, by the following vote:

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

ATTEST:

JOSEPH M. LAMBERT,
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

TOM DUARTE,
ASSISTANT CITY ATTORNEY

Attachment:

Attachment A – Special Conditions of Approval of Use Permit Modification (UP) No. 2008-03

Attachment "A"

Special Conditions of Approval of Use Permit (UP) No. 2008-03

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 SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

1. *The Modification of* Use Permit (UP) 2008-03 is valid for a period of ~~twelve (12) months~~ three (3) years 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, unless an extension is applied for and approved.
2. 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.
3. As a condition of issuance of this approval, the applicant shall agree, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, suit or proceeding brought against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Commission, or other decision making body, or staff action concerning this project. 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. The City may, at its sole cost and expense, elect to participate in the defense of any such action in this condition.
4. Prior to any modifications to the site plan that would affect the location or visibility of the wireless communication facility and/or the ground installation, the applicant shall obtain prior written approval from the Director of Development Services or his/her designee.
5. No expansion or modification of the wireless communications facility shall occur at any time without first obtaining Planning Commission review and approval.
6. Applicant shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid Business License prior to the issuance of any building permits.

7. Applicant shall provide to the Director of Development Services a preliminary report and field report, both prepared by a qualified engineer, indicating that the operation of the facility is in full conformance with the standards established by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE) for safe human exposure to electromagnetic fields (EMF) and radio frequency radiation (RFR). These reports are due within ninety (90) days after the start of operations.
8. Applicant shall receive and maintain a license by the Federal Communications Commission (FCC) to operate a wireless communication facility in this location. A copy of this FCC license shall be submitted to the Director of Development Services prior to the issuance of any building permits.
9. Each major wireless communications facility shall be approved for a period not to exceed the term of the lease. A copy of both leases shall be submitted to the Director of Development Services prior to the issuance of a building permit for the new wireless communication facility.
10. If the lease is extended or terminated, notice and evidence thereof shall be provided to the Director of Development Services.
11. Upon expiration or termination of the lease, the use permit for the wireless communication facility shall become null and void and the wireless communication facility shall be removed.
- ~~12. UP 2008-03 shall be reviewed by the Planning Commission five (5) years from the date of approval.~~
12. Applicant shall place all cable/utility runs underground.
13. The applicant's new "monopine wireless communication facility and related ground mounted equipment shall be located within a walled ground leased area. The perimeter of the ground leased area shall be screened by a solid block wall at a minimum of 7'-0" high in order to completely screen the ground mounted equipment cabinets. The gate to enter the enclosure shall be of solid material at a minimum of 7'-0" high. Applicant shall continue to screen and maintain the new "monopine" and related ground mounted equipment in good visual condition at all times.
14. The ground equipment shall be located as indicated on the submittal site plan, adjacent to the new "monopine".
15. Wireless communication facilities shall not bear any signs or advertising devices other than certification, warnings or other required seals or signage.

16. 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 120 hours of defacement and/or upon notification by the City.
17. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.
18. Property owner shall move or relocate existing storage trailer located at the northwest corner of the subject site.
19. Property owner shall comply with all storage yard regulations of Section 23.47.120 of the Placentia Municipal Code.
20. Property owner shall remove storage of materials higher existing perimeter fencing.
21. Property owner shall remove debris and materials not related to the nature of the existing business of heavy equipment rentals.
22. The trunk of the monopine shall be painted brown. The leaves or needles and antennas shall be painted green to resemble a living pine tree. (Added by Staff on March 11, 2008)
23. The branches on the proposed monopine shall be placed in prescribed positions to the satisfaction of the Director of Development Services. (Added by Planning Commission on March 11, 2008)
24. **The approval of UP 2008-03 MOD and conditions of approval contained herein hereby supersedes the previously approved Special Conditions of Approval of UP 2008-03.**
25. **The Director of Development Services is hereby authorized to review and act upon minor modifications to the facility as approved by this Resolution. All major modifications shall be required to be reviewed and approved by the Planning Commission.**

CITY BUILDING DIVISION:

26. The building plans shall be prepared by a California licensed structural/civil engineer, with structural details and calculations regarding wind and seismic loads.
27. Building and electrical permits are required for new block walls, new "monopine" structure and related ground mounted equipment related to this project.
28. Applicant shall submit structural calculations prepared by a licensed California civil engineer prior to issuance of the building permit.

29. Applicant shall provide a soil report for the site unless the maximum allowable bearing stress equals 1,000 P.S.F. is used.
30. All contractors and sub-contractors shall obtain a city business license. Applicant and/or contractor shall request a standard sub-contractor form from the City Building Division prior to issuance of a building permit. This standard form shall be completed and submitted to the City Business License Division prior to the issuance of any building permits.

CITY ENGINEERING DIVISION:

31. The proposed meter pedestal on Sheet A-1 shall be located on the property where the cell tower will be installed. The service conduit shall be Southern California Edison owned and shall run from the pedestal to the existing transformer on the south side of Crowther Avenue.
32. Applicant shall verify all property lines on site plan. The site plan does not match the Orange County Assessor's Map. It appears that the cell equipment as shown on the submittal plans may be on BNSF property.

CITY POLICE DEPARTMENT:

33. Applicant shall contact BNSF for any requirements they may have.





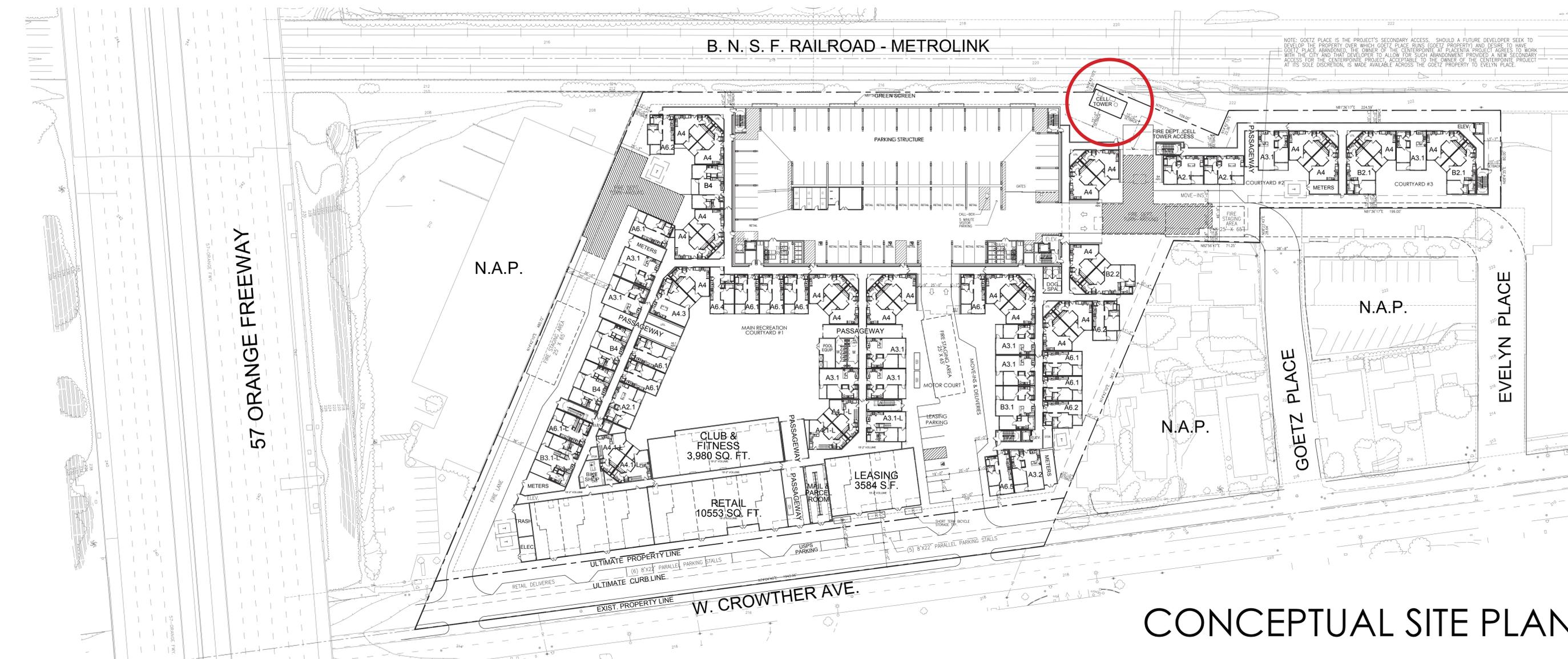
SIGNAGE

SIGN SIGN SIGN CENTERPOINTE AT PLACENTIA

CENTERPOINTE

B. N. S. F. RAILROAD - METROLINK

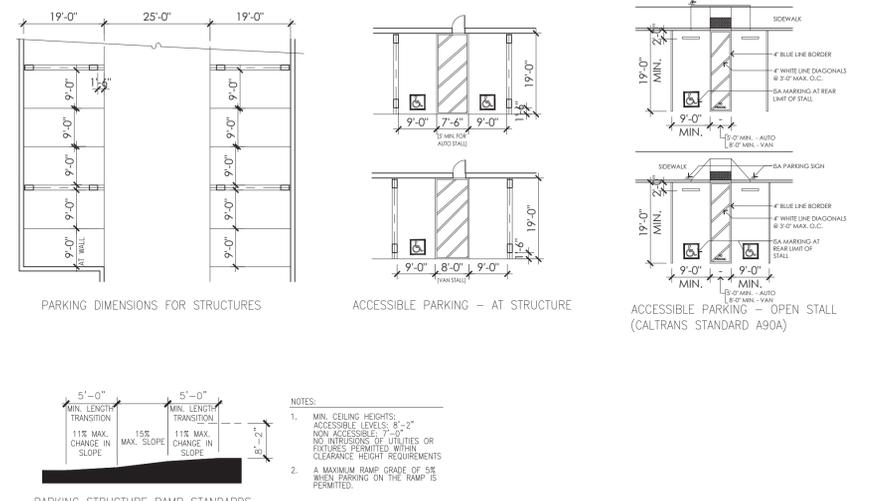
NOTE: GOETZ PLACE IS THE PROJECT'S SECONDARY ACCESS. SHOULD A FUTURE DEVELOPER SEEK TO DEVELOP THE PROPERTY OVER WHICH GOETZ PLACE RUNS (GOETZ PROPERTY) AND DESIRE TO HAVE GOETZ PLACE ABANDONED, THE OWNER OF THE CENTERPOINTE AT PLACENTIA PROJECT AGREES TO WORK WITH THE CITY AND THAT DEVELOPER TO ALLOW FOR SUCH ABANDONMENT PROVIDED A NEW SECONDARY ACCESS FOR THE CENTERPOINTE PROJECT, ACCEPTABLE TO THE OWNER OF THE CENTERPOINTE PROJECT AT ITS SOLE DISCRETION, IS MADE AVAILABLE ACROSS THE GOETZ PROPERTY TO EVELYN PLACE.



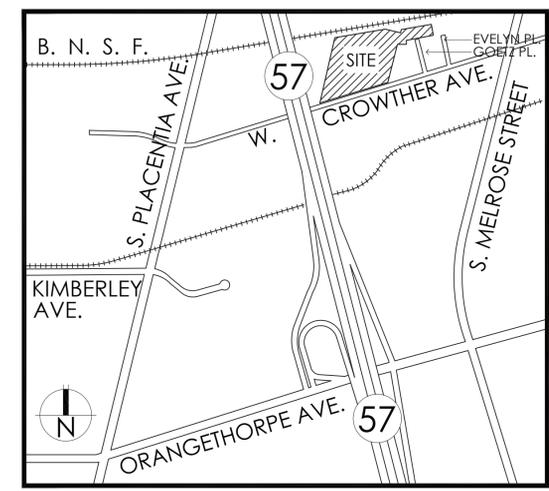
CONCEPTUAL SITE PLAN

SITE PLAN NOTES:

- 75% OF FRONTAGE MUST BE DESIGNED AND CONSTRUCTED FOR POTENTIAL COMMERCIAL WITH A MIN. 15' FLOOR TO CEILING HEIGHT.
- 75% OF BUILDING FACADE TO HAVE STREET-LEVEL TRANSPARENT WINDOWS.
- GROUND FLOOR COMMERCIAL TO BE CONSTRUCTED WITH EXHAUST & GREASE TRAP SYSTEMS FOR POTENTIAL RESTAURANT USES.
- SETBACK FROM RAILROAD TRACKS: 0'. PROPOSED 10'. FRONT YARD SETBACK: 3' TO 15' MAX. PROPOSED: 6'. SIDE YARD SETBACK: 0'. PROPOSED 10'. SIDE YARD SETBACK AT RESIDENTIAL: 10'. PROPOSED: 10'.
- MINIMUM 10% OF PROJECT'S PARKING SPACES MUST BE E.V. LEVEL 2 CHARGING STATIONS. MIN. REQUIRED : 63. PROVIDED : 63.
- SURFACE PARKING MUST NOT BE VISIBLE FROM PUBLIC STREET AND FULLY LANDSCAPED & SCREENED FROM PUBLIC VIEW.



TYPICAL PARKING LAYOUT - 1" = 20'

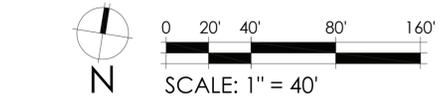


VICINITY MAP - N.T.S.

CENTERPOINTE AT PLACENTIA

PLACENTIA, CA

BLACKWOOD REAL ESTATE
1000 NEWPORT CENTER DRIVE, NEWPORT BEACH, CA 92660
(949) 510-8255



DATE: 09-19-18
JOB NO.: 2018-037

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CA 92886
(714) 639-9860



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SBA Communications Corporation
8051 Congress Avenue
Boca Raton, FL 33487-1307

T + 561.995.7670
F + 561.994.0618

sbasite.com

WRITERS E-MAIL bweber@sbasite.com
WRITERS DIRECT DIAL: 561.226.9392
WRITERS FAX: 561.998.2973

February 5, 2019

Via EMail

Victor De la Cruz
Manatt Phelps & Phillips, LLP
113355 W. Olympic Blvd
Los Angeles, CA 90064

Re: SBA Site: LA3632 Crowther Rental 3 (CA40639)

Mr. De la Cruz:

As per your request, please allow this letter to provide the basis for SBA's requested extension of its tower height for consideration by the City of Placentia.

Currently SBA owns a fifty-four foot (54') free standing stealth "monopine" communications facility at 505 W. Crowther Avenue. At the present, SBA's tenant is T-Mobile, which has equipment installed at the forty-nine foot (49') location. This communications facility is capable of collocating additional tenants at other locations on the tower.

We were approached by representatives of the prospective builders with plans to re-develop the property. The proposed plans provide for nearby building elements in excess of sixty feet (60'). At this height, the tower's signal for its current tenant and future tenants would be completely blocked on multiple sides. This location is vital to our tenant's network and its service for the 57 Expressway (as well as all other customers in this area).

A tower extension of forty-five feet (45') above the new adjacent building height would give SBA and its tenants the same coverage that they currently have at this site. This would result in an overall tower height of one hundred and eight feet (108'). In an effort to reduce this height to coincide with the adjacent elements of the project and the area in general, both SBA and T-Mobile engineers reviewed proposed site. Both parties have determined that a minimum height of eighty feet (80') would be needed to provide T-Mobile with sufficient clearance for its signal and proper network performance.

If you have any questions please contact me.

Respectfully,

Bryan Weber
Corporate Counsel



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: FEBRUARY 12, 2019

SUBJECT: **GENERAL PLAN CONFORMITY FINDING FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 120 SOUTH BRADFORD AVENUE (APN 339-052-28) CURRENTLY OWNED BY ART M. GASTELUM**

RECOMMENDATION

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

Adopt Resolution No. PC-2019-04 finding that the acquisition of 120 S. Bradford Street (APN 339-052-28) conforms with the City of Placentia General Plan; and, finding that the acquisition of said property is not a project for the purposes of CEQA as defined by the California Public Resources Code Sections 21065 and 21080 in that the Planning Commission is making a finding of General Plan conformity.

BACKGROUND

The property located at 120 South Bradford Avenue (APN: 339-052-28) (the "Property") was built in 1940 by the Works Project Administration (WPA) of the New Deal as Placentia's first City Hall. The Property served as Placentia City Hall until 1974, when the construction of the new City Hall at 401 E. Chapman Avenue was completed. Nonetheless, the Property's Spanish Revival architecture and its historic significance have made it a designated City landmark and has been listed on the City's local list of Historic Buildings since 1989.

The former Placentia Redevelopment Agency purchased the Property in October 2002 for redevelopment purposes. In April 2005, the former Placentia Redevelopment Agency sold the Property to a private individual for \$580,000 for use as an office building. Subsequently, in 2014 the Property was acquired by Mr. Art M. Gastelum. The City of Placentia (City) entered into a Lease with Option to Purchase Agreement (the "Agreement") with Mr. Gastelum. Under the terms of the Agreement, an initial \$100,000 deposit was made by the City to Mr. Gastelum. Over the course of the five-year Agreement, the City has paid consecutive monthly lease payments in the amount of \$5,000 to Mr. Gastelum. Prior to the Agreement expiration date of March 31, 2019, the City can exercise its option to purchase the Property for the full purchase price, less the deposit and monthly lease payments. As a result, the remaining balance of the purchase price is \$282,904.05.

Pursuant to State Government Code, before a City can acquire or dispose of real property, the planning agency for that City must rule upon the consistency of such acquisition or disposition with a City's General Plan. California Government Code Section 65402 establishes requirements for review of public property transactions by local planning/redevelopment agencies. Since the Planning Commission acts as the planning agency for the City, it is the Planning Commission's

responsibility to rule in this matter before the City can acquire the property. The Housing Successor Agency of the City will be considering the acquisition of property located at 120 S. Bradford Avenue on February 19, 2019. Prior to that, it is the responsibility of the Planning Commission to rule upon the consistency of the acquisition of the property with the City's General Plan.

DISCUSSION

California Government Code Section 65402 requires a finding by the Planning Commission that the acquisition of City owned property conforms to the City's General Plan. A property description and location map are attached (Attachment 1). The basis for making the proposed conformity finding is determining whether or not the proposed acquisition of the property is consistent with and fits into a goal or implementation policy as outlined in the adopted General Plan. The Land Use designation for the subject property is "Old Town". This designation permits a mixture of housing, retail, office, and/or other similar uses integrated into a walkable neighborhood. This land use designation allows a mixture of medium-high to high density residential development (30 to 65 dwelling units/acre), and neighborhood-supporting mixed-use areas designed to be contextually appropriate in and compatible with the identified neighborhood or historic area. The subject property is improved with an office/commercial building, formerly utilized as Placentia's first City Hall, which is in conformance with the Old Town land use designation.

The Property has the potential to significantly contribute to the revitalization of the Old Town area in a variety of methods. The Property can become a centralized business center in which the Placentia Chamber of Commerce can relocate to the Property. In addition to maintaining the building's current usage for California State University Fullerton Auxiliary Services Corporation and an ambulance provider, there is opportunity to provide conference/meeting room space for the Placita Santa Fe Merchants Association and other non-profits in the City. The Property can continue to serve the ambulance provider and expand opportunities for the adjacent Fire Station #35 to use the Property as part of their daily operations. Lastly, the Property could be developed into a restaurant with outdoor dining due to the significant setback and courtyard area.

The purchase price for the property, less the initial City deposit of \$100,000 and monthly lease payments of \$5,000, is \$282,904.05. As stated in the Lease with the Option, the City shall bear all costs of escrow fees. The City will pay the initial \$282,904.05 purchase price using General Fund monies. Upon the disposition and sale of the current Chamber of Commerce property at 117 N. Main Street, the City will pay back the General Fund in the amount of \$282,904.05 plus escrow fees. This is consistent with the following policy and implementation program of the the Land Use Element of the General Plan:

LU Policy 4.1

Promote the redevelopment and revitalization of older commercial areas to serve the needs of the community as a whole, as well as adjacent residential neighborhoods.

LU Implementation Program 2

Utilize the Redevelopment Agency to assemble parcels and provide for reinvestment in targeted areas.

As such, the disposition of 120 S. Bradford Avenue (APN 339-052-28) conforms with the applicable provisions of the City of Placentia General Plan, specifically the Land Use Element, in that the City is utilizing principles of redevelopment to assemble parcels for reinvestment into the Old Town area. Moreover, the subject property was once owned by the Redevelopment Agency.

Environmental Review

The proposed finding of General Plan Conformity for the disposition of 229 Alta Street (APN 339-061-10) is not a project as defined by the California Public Resources Code Sections 21065 and 21080 in that the Planning Commission is making a finding of General Plan Conformity. As such, the City has complied with the California Environmental Quality Act.

Prepared, reviewed and approved by:

Reviewed and approved by:



Andrew A. Gonzales
Senior Planner



Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. PC-2019-04
 - a. Property Legal Description
 - b. Site Map

RESOLUTION NO. PC-2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, COUNTY OF ORANGE, STATE OF CALIFORNIA, FINDING THAT THE ACQUISITION OF REAL PROPERTY LOCATED AT 120 SOUTH BRADFORD AVENUE (APN 339-052-28) CONFORMS WITH THE CITY OF PLACENTIA GENERAL PLAN IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65402

WHEREAS; the City of Placentia ("City"), on its own application, proposes to acquire a parcel ("Property") identified as 120 S. Bradford Avenue (APN 339-052-28), herein referred to as Exhibit "A" (see attached Exhibit "A");

WHEREAS, California Government Code Section 65402 requires a finding by the Planning Commission that the acquisition of property conforms with the City's General Plan;

WHEREAS, the acquisition of the property proposed herein conforms with the Land Use Element in that it is consistent with the "Old Town" land use designation it is located in. The subject property is improved with an office/commercial building, formerly Placentia's City Hall, which is in conformance with the Old Town land use designation;

WHEREAS, the acquisition of the property proposed herein conforms with the Housing Element in that it will assist in the implementation of Policy 4.1 and Implementation Program 2 of the Housing Element of the General Plan which are as follows:

1. LU Policy 4.1 - Promote the redevelopment and revitalization of older commercial areas to serve the needs of the community as a whole, as well as adjacent residential neighborhoods; and
2. LU Implementation Program 2 - Utilize the Redevelopment Agency to assemble parcels and provide for reinvestment in targeted areas.

WHEREAS, the City Council has determined that the property acquisition is in the public interest and convenience; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Placentia, as follows:

Section 1. The above recitals are all true and correct.

Section 2. The Planning Commission finds and determines that the General Plan Conformity determination required herein is not a "project" as defined under California

Public Resources Code Sections 21065 and 21080 in that the Planning Commission is making a finding as to General Plan conformity. Therefore, the City has complied with the California Environmental Quality Act and that City Council and Housing Successor Agency determinations reflect the independent judgment of the City Council.

Section 3. Based upon the findings set forth in the recitals above and all reports and evidence received at the hearing, the Planning Commission hereby determines that the acquisition of 120 S. Bradford Avenue (APN 339-052-28) conforms with the City of Placentia General Plan.

Section 4. If any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

ADOPTED AND APPROVED this 12th day of February 2019

CHRISTINE SCHAEFER, CHAIR

I, Joseph M. Lambert, 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 12th day of February, 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 12th day of February, 2019, by the following vote:

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

ATTEST:

JOSEPH M. LAMBERT,
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

TOM DUARTE,
ASSISTANT CITY ATTORNEY

Attachments:

Exhibit A – Property Legal Description
Exhibit B – Site Map

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PLACENTIA IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARCEL MAP NO. 85-378, IN THE CITY OF PLACENTIA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 208, PAGES 13 AND 14 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY; EXCEPTING THEREFROM A PORTION OF SAID PARCEL 2, MORE PARTICULARLY DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL 2; THENCE ALONG THE NORTHWESTERLY AND NORTHEASTERLY BOUNDARY LINE OF SAID PARCEL 2 THROUGH THE FOLLOWING COURSES NORTH 13°59'25" EAST 65.00 FEET; THENCE SOUTH 76°01'54" EAST 71.26 FEET; THENCE NORTH 13°58'06" EAST 2.00 FEET; THENCE SOUTH 76°01'54" EAST 20.00 FEET TO AN ANGLE POINT IN SAID NORTHEASTERLY BOUNDARY LINE; THENCE LEAVING SAID NORTHEASTERLY LINE AND ALONG THE SOUTHEASTERLY PROLONGATION OF SAID NORTHEASTERLY LINE SOUTH 76°01'54" EAST 29.99 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY LINE OF SAID PARCEL 2; THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH 13°59'25" WEST 67.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL 2; THENCE LEAVING SAID SOUTHEASTERLY LINE AND ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 2; NORTH 76°01'54" WEST 121.25 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 7,981 SQUARE FEET (0.183 ACRES)

APN: 339-052-28

EXHIBIT B

SITE MAP

