

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

June 11, 2019

The regular meeting of the Placentia Planning Commission on June 11, 2019 was called to order at 6:34 p.m. in the City Council Chambers by Chair Schaefer.

ROLL CALL:

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

ABSENT: None

OTHERS PRESENT: Tom Duarte, Assistant City Attorney
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 Keller

ORAL COMMUNICATIONS:

Melanie Schlotterbeck, Chair of the City of Brea Planning Commission, introduced herself and invited the Planning Commission to attend a July 18, 2019 training hosted by OCPOLI-C (Orange County Planning Officials Initiative Collaborative).

CONSENT CALENDAR: None

REGULAR AGENDA: None

PUBLIC HEARINGS:

1. **Applicant:** Robert Adams
Project Location: 900 Golden Avenue

Tentative Parcel Map (TPM) 2018-201: To request the subdivision of an approximately 1.58 acre (67,350 square feet) lot into three (3) parcels, and a remainder lot (Lot "A"), located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01). The requested subdivision will allow for the future sales and conveyance of individual properties.

Recommended Actions: It is recommended that the Planning Commission take

the following actions:

1. Open the public hearing concerning TPM 2018-201; 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-2019-12, a Resolution of the Planning Commission of the City of Placentia, recommending to the City of Placentia City Council approval of TPM 2018-201 to permit the subdivision of an approximately 1.58 acre (67,350 square feet) parcel into three (3) parcels and a remainder lot (Lot "A") for a property within the R-1 (Single-Family Residential) Zoning District located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01) and making 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. Mr. Beck stated that the applicant, Robert Adams representing 900 Golden Avenue, is requesting to subdivide an approximately 1.58 acre parcel into three parcels with one remainder lot. The requested subdivision would allow for future sales and conveyance.

Mr. Beck spoke about the current condition of the vacant parcel. He also noted that the subdivision would conform to the surroundings, as the subdivided parcels would become single family homes like the homes in the area.

Mr. Beck stated that correspondence has been received regarding the maintenance of the proposed Lot A. He stated that the proposed Conditions of Approval require that the three occupied parcels form an HOA and maintain remaining Lot A, or the owner of Lot A will be responsible for it's maintenance, as an alternative. The applicant has stated that they intend to give the remainder lot, Lot A, to the Orange County Flood Control District. In that case, the Flood Control District will be responsible for the maintenance.

Mr. Beck then asked the Planning Commission to consider changes to the proposed Conditions of Approval. He asked that Condition 8 regarding grading be amended to state that drainage will lead to Golden Avenue and California Avenue. He also asked that Condition 11 be stricken entirely. He concluded by stating that staff recommends approval with the amended Conditions of Approval.

Commissioner Tomazic asked when the Golden Avenue bridge project was scheduled to be completed.

Director of Development Services Joseph Lambert stated that the project was approved by the City Council and will be funded in a forthcoming CIP (Capital Improvement Program) budget. He continued by replying that the Public Works Department anticipates construction to begin in March of 2020.

Chair Schaefer added that the project involves many agencies which can cause project delays.

The applicant, Robert Adams of 900 Golden Avenue, came forward to speak. He stated that the intent of the subdivision is to allow three single-family homes to be built on their own respective parcels. He stated that he will give the remainder parcel, Lot A, to the County of Orange to use as a bike path and for Flood Control access. Mr. Adams stated that he agrees to comply with the altered Conditions of Approval.

Chair Schaefer asked Mr. Adams if he is aware of the correspondence from the public. He replied that he is aware and has been dealing with maintenance of the property for years.

Chair Schaefer asked if the property is a fire hazard, to which Mr. Adams stated that he did not disagree with the statement. Mr. Adams stated further that he will hire a tree service to remove all debris.

Joanne Sprit came forward to make a public comment regarding the project. She stated that she is concerned about the overgrown vegetation on the proposed Lot A and said that the lot cannot be accessed due to a padlocked fence. She asked that the vegetation be cleared if the entitlement is approved.

Tom Duarte, Assistant City Attorney, stated that the complaint is a Code Enforcement matter, and not a matter for the Planning Commission to discuss.

Chair Schaefer added that the Conditions of Approval provide satisfactory answers to the concerns voiced.

Felix Armendariz of 950 Brooklyn Avenue came forward to make a public comment regarding the project. He stated that the lot has rarely been maintained, and noted that tree trimming on the property in 2018 resulted in debris being left behind.

Chair Schaefer asked staff if the Conditions of Approval will require maintenance of the property.

Director Lambert stated that some entity will own Lot A, and that the three owners of the subdivided parcels will have responsibility for maintaining the lot. Furthermore, the Conditions of Approval will require ongoing property maintenance. Alternatively, if deeded to the County, the County will be responsible for maintenance of Lot A.

Commissioner Lee added that there were any eminent and specific concerns relating to the Municipal Code, the public was welcome to report them to Code Enforcement.

Chair Schaefer added that the role of the Planning Commission in reviewing a Tentative Parcel Map is to recommend action to the City Council.

Motion by Lee, second by Keller carried on a (6-0-0-0) vote to approve the recommended actions, with the amended Conditions of Approval as detailed by staff.

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

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

Zone Change Amendment (ZCA) 2019-02: To request a new ordinance recommending City Council adoption of an Ordinance amending the City of Placentia Municipal Code (PMC), by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10 (“R-A” – Residential Agricultural District), 23.12 (“R-1” – Single Family Residential District), 23.15 (“R-2” – Low-Medium Density Multiple-Family District), 23.18 (“R-G” – Medium Density Multiple-Family), 23.21 (“R-3” – High Density Multiple-Family), 23.25 (“RPC” – Residential Planned Community District), 23.72 (“PUD” – Planned Unit Development District), 23.106 (“SP-6” – Specific Plan 6), 23.107 (“SP-7” – Specific Plan 7), 23.108 (“SP-8” – Specific Plan 8), and 23.110 (“SP-10” – Specific Plan 10, 23.111 (“TOD” – Transit Oriented Development Packing House District), and 23.112 (“OT” – Old Town Placentia Revitalization Plan).

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

1. Open the Public Hearing, Concerning ZCA 2019-02, Receive the Staff Report and Consider All Public Testimony, and Close the Public Hearing; and
2. Adopt Resolution PC-2019-13, a Resolution of the Planning Commission of the City of Placentia, recommending the City Council adoption of an Ordinance amending the PMC, by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters

23.10 ("R-A" – Residential Agricultural District), 23.12 ("R-1" – Single Family Residential District), 23.15 ("R-2" – Low-Medium Density Multiple-Family District), 23.18 ("R-G" – Medium Density Multiple-Family), 23.21 ("R-3" – High Density Multiple-Family), 23.25 ("RPC" – Residential Planned Community District), 23.72 ("PUD" – Planned Unit Development District), 23.106 ("SP-6" – Specific Plan 6), 23.107 ("SP-7" – Specific Plan 7), 23.108 ("SP-8" – Specific Plan 8), and 23.110 ("SP-10" – Specific Plan 10, 23.111 ("TOD" – Transit Oriented Development Packing House District), and 23.112 ("OT" – Old Town Placentia Revitalization Plan); and

3. Recommend that the Planning Commission find that adoption of ZCA 2019-02 is categorically exempt from environmental review pursuant to Section 15061 (b)(3) in that the proposed code amendments are not expected to create a negative impact on the physical environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, staff is recommending that the Planning Commission recommend that the City Council find that adoption of the ordinance is exempt from environmental review.

Director of Development Services Joseph Lambert introduced Deputy City Attorney Carrie Raven, who aided in drafting the ordinance, and Planning Technician Arlen Beck presented the Staff Report for ZCA 2019-02.

Mr. Beck began by stating that in recent years, the City has seen an increase in popularity of short-term rentals, such as AirBnb and VRBO. In response to this change, staff was directed by the Housing, Economic Development, and Planning Ad Hoc Committee to draft an ordinance regulating short-term rentals. While short-term rentals are currently prohibited in the City, the ordinance would allow their existence through a regulatory permitting process.

Mr. Beck noted that some cities who have allowed short-term rentals have had problems regulating them, therefore staff recommends hiring a third-party company to monitor and regulate them. He continued by stating that while the short-term rental owners will pay a fee for their permit, the intent is that the fee will cover the expense of the third-party company and staff time.

Director Lambert discussed the repercussions property owners would face if they choose to violate the terms of the ordinance.

Commissioner Tomazic asked why the Planning Commission was evaluating this entitlement.

Director Lambert replied that since it is not allowed in the current Municipal Code, it would be prudent for the City to take action on allowing and regulating them or to recommend a

prohibition. The Planning Commission is charged with making a recommendation to the City Council.

Deputy City Attorney Carrie Raven stated that if proper regulations are not in place, it can be difficult to enforce any rules regarding short-term rentals.

Commissioner Tomazic stated that he believes the ZCA is overkill and will vote to not approve the recommended actions.

Commissioner Keller asked if currently operating short-terms rentals will need a permit to operate.

Ms. Raven stated that those currently operating are currently doing so illegally, and will need to obtain a business license and obtain a permit to operate in the City if the proposed ordinance is adopted.

Commissioner Lee asked if the management of the short-term rental oversight will be outsourced.

Director Lambert responded that a third-party will be responsible for the permitting and oversight.

Discussion ensued about how other cities are handling short-term rentals.

Commissioner Keller commented that she is glad the City is looking to the future and solving problems before they arise.

Motion by Francine, second by Tomazic carried on a (5-1-0-0) vote to approve the recommended actions.

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

3. **Applicant:** Brian Chuchua
Project Location: 600 S. Placentia Avenue, 620 S. Placentia Avenue, 640 S. Placentia Avenue, 721 W. Kimberly Avenue, 781 W. Kimberly Avenue, 711 W. Kimberly Avenue, 701 W. Kimberly Avenue, 750 S. Placentia Avenue, 770 S. Placentia Avenue, 710 W. Kimberly Avenue, 700 W. Kimberly Avenue, 774 S. Placentia Avenue, 776 S. Placentia Avenue, 777 W. Orangethorpe Avenue, 797 W. Orangethorpe Avenue, 735 W. Orangethorpe Avenue.

Zone Change Amendment (ZCA) 2019-01 and Specific Plan Amendment (SPA) 2018-01: To request approval of a Zoning Code and Specific Plan Amendment to amend the PMC Chapter 23.105 entitled "Specific Plan 5" (SP-5) to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for SP-5 to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet.

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

1. Open Public Hearing, concerning ZCA 2019-01 and SPA 2018-01; and
2. Receive the Staff Report and consider all Public Testimony; and
3. Close the Public Hearing; and
4. Adopt Resolution No. PC-2019-14, a Resolution of the Planning Commission of the City of Placentia, recommending that the City Council of the City of Placentia approve ZCA 2019-01 and SPA 2018-01 of the PMC Chapter 23.105 entitled SP-5 to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under ZCA 2019-01. The project will have a corresponding SPA 2018-01 for SP-5 to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet; and recommending the adoption of Negative Declaration (ND) No. 2019-02 pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR §15074 and the City of Placentia Environmental Guidelines.

Director of Development Services Joseph Lambert presented the Staff Report. He stated that the applicant, Brian Chuchua, is requesting to amend Specific Plan 5 (SP-5) to add hospitality uses to the list of permitted uses among other uses and to modify the maximum allowable height to be 75-feet. SP-5 encompasses Mr. Chuchua's property at 777 W. Orangethorpe.

Director Lambert continued his report by giving an overview of the history of SP-5.

The applicant, Brian Chuchua of 777 W. Orangethorpe, came forward to speak. He stated that the property is the former site of Premier Chrysler Jeep, and that currently, the only permitted use is auto sales. He would like to amend SP-5 to attract more opportunities for development.

The applicant's representative, commercial real estate agent Joe Miller of CBRE, came forward to speak. He said he sees many possible uses for the property and would like to see it more fully developed.

Mr. Chuchua stated that he agrees with the staff recommendation.

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

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

**4. Applicant: Randy Orozco
Project Location: 721 Monroe Way**

Development Plan Review (DPR) 2019-01: To request approval of a Development Plan Review (DPR) to allow for the development of an unimproved .37-acre lot, with a new industrial building measuring approximately 6,968 square feet in conjunction with various onsite hardscape and landscape improvements within the M (Manufacturing) Zoning District.

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

1. Staff is recommending that this item be continued to the next regularly scheduled Planning Commission meeting to be held on July 9, 2019.

Planning Technician Arlen Beck presented the Staff Report. He stated that the Public Hearing regarding DPR 2019-01 for 721 Monroe Way is recommended for continuation to the next regularly scheduled Planning meeting. He stated that the applicant is working through significant revisions before action should be considered.

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

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

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Director of Development Services Joseph Lambert presented the Development Report. He stated that Veterans Village has footings being poured and a block wall being built. In addition, the 7-11 convenience store on 818 W. Orangethorpe is now open. He continued by talking about the status of The Herald luxury apartments, SC Development on the southeast corner of Rose Drive and Alta Vista Street, and potential development at 455 S. Van Buren.

Director Lambert continued by stating that the Grocery Outlet store is now open, and that a Dollar Tree will be in the unit next to it. In addition, the Crunch Fitness in the same center will be undergoing expansion in the near future. Director Lambert concluded by giving updates on other projects previously approved by the Planning Commission.

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS: None

ADJOURNMENT:

Chair Schaefer closed the Planning Commission Meeting at 8:39 p.m. to the regular meeting of Tuesday, July 9, 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