

**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:

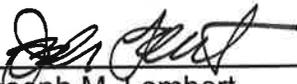
Chair Schaefer stated that one Commissioner has been absent for several meetings during the past two years, and has been absent for several meetings in a row, including being absent for all 2018 and 2019 meetings held so far. The Placentia Municipal Code (PMC) Chapter 2.12 outlines the duties and bylaws 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