

**PLACENTIA PLANNING COMMISSION
MINUTES
REGULAR MEETING
July 9, 2024
6:30 p.m. – City Council Chambers
401 E. Chapman Avenue, Placentia, CA**

CALL TO ORDER: Commissioner/Chair Perez called the meeting to order at 6:34 p.m.

ROLL CALL:

PRESENT: Commissioner Evans, Ingalls, Navarro, Rocke, Perez

ABSENT: Commissioner Silvestri, Polichetti

STAFF PRESENT:

Assistant City Attorney Kristi J. Smith, Assistant City Attorney Russell Hildebrand (via Zoom)
Director of Development Services Joseph Lambert, Planning Manager Andrew Gonzales,
Associate Planner Lesley Whitaker, Planning Technician Devan Wells, Deputy Director of Public
Works and City Engineer Chris Tanio, Transportation Manager Kyra Tao, Deputy Director of
Administrative Services Jeannette Ortega, Senior Management Analyst Kiana Louie, Fire Chief
Jason Dobine, Consultant Patricia Nahill, Administrative Assistant Margie McCoy

PLEDGE OF ALLEGIANCE: Commissioner Rocke

ORAL COMMUNICATIONS: None

CONSENT CALENDAR:

1. **Minutes
Placentia Planning Commission Meeting of:
May 14, 2024**

Recommended Action: Approve
(Approved 5-0-0-2 as recommended)

**Motion by Rocke second by Evans and carried on a (5-0-0-2) vote to approve the
Consent Calendar.**

Ayes: Evans, Ingalls, Navarro, Rocke, Perez

Noes: None

Abstain: None

Absent: Silvestri, Polichetti

REGULAR AGENDA: None

PUBLIC HEARING:

1. **Applicant: Toffoli Investments
Project Location: 440 N. Jefferson Street**

TENTATIVE PARCEL MAP NO. TPM 2024-113. A REQUEST TO SUBDIVIDE A +/- 4.97-ACRE LOT INTO FOUR PARCELS, WITH A REMAINDER PARCEL DESIGNATED SOLELY FOR FINANCIAL PURPOSES, LOCATED AT 440 N. JEFFERSON STREET WITHIN THE R-3 (HIGH DENSITY MULTIPLE-FAMILY) ZONING DISTRICT.

Chair Perez opened the public hearing at 6:36 p.m.

Director of Development Services Joseph Lambert introduced Associate Planner Lesley Whittaker to present the Staff Report. Ms. Whittaker presented an arial view of the property and noted that the applicant is the developer of the Hudson Development directly to the east. Request is to subdivide the property from two parcels into four with one remainder lot. The property land use is High Density Residential, and zoning is R-3, which allows for up to 30 dwelling units per acre. The applicant has submitted conceptual plans for the intended project, which will come to the Planning Commission to be considered in the future and the development will be similar in size and density to Hudson. Ms. Whittaker noted that Condition #11 was omitted due to a lack of clarity and Staff is recommending an exemption from CEQA based on section 15315 class 15 minor land division requirements. Further CEQA requirements will be based on the development submittal in the future. The applicant, Alan Toffoli, was present and stated that the reason for the request for subdivision is to keep finance costs down.

Commissioner Rocke asked for clarification about the financing hurdles as well as about continuity of design throughout the project. The applicant reiterated that the overall development will be a community and will be a continuous build throughout the phases of the project. Commissioner Ingalls asked about the reason for Staff's CEQA recommendation. Associate Planner Whittaker stated that the submittal meets requirements for exemption as a minor land division. Director Lambert clarified that the CEQA action remains for the subsequent submittal for development.

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

Recommended Action: Approve
(Approved 5-0-0-2 as recommended)

Motion by Rocke second by Evans and carried on a (5-0-0-2) vote to approve the motion as amended with the omission of Condition #11 as recommended by Staff.

Ayes: Evans, Ingalls, Navarro, Rocke, Perez
Noes: None
Abstain: None
Absent: Silvestri, Polichetti

2. **Applicant: Gilad Ganish, on behalf of Orangethorpe Investment Partners, LLC**

Project Location: 777 W. Orangethorpe Avenue

GENERAL PLAN AMENDMENT NO. 2022-01, SPECIFIC PLAN AMENDMENT NO. SPA 2021-01, AND DEVELOPMENT PLAN REVIEW NO. DPR 2021-02. A REQUEST TO MODIFY THE GENERAL PLAN LAND USE ELEMENT TO ALLOW MIXED-USE (RESIDENTIAL-COMMERCIAL DEVELOPMENT) AS A PERMISSIBLE LAND USE CATEGORY WITHIN

PARCEL 9 OF SPECIFIC PLAN NO. 5 BY AMENDING TABLES 2-4 - SPECIFIC PLANS, TABLE 2-5 - GENERAL PLAN/ZONING RELATIONSHIP-SPECIFIC PLANS, AND TABLE 2-7 - GENERAL PLAN LAND USE DESIGNATION - POTENTIAL DEVELOPMENT BUILDOUT, AND AMENDING SPECIFIC PLAN NO. 5 TO ALLOW FOR MIXED-USE (RESIDENTIAL COMMERCIAL DEVELOPMENT) WITHIN THE SP-5 PARCEL 9 BOUNDARIES AND ESTABLISHING DEVELOPMENT STANDARDS FOR NEW MIXED USE LAND USE TYPES, INCLUDING BUT NOT LIMITED TO BUILDING SETBACKS, FLOOR AREA RATIO, RESIDENTIAL DENSITY, DWELLING UNIT SIZE, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AND OPERATION OF A FIVE-STORY MIXED USE BUILDING CONSISTING OF 248 RESIDENTIAL UNITS, UP TO 3,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL RETAIL, AND A 6-LEVEL PARKING STRUCTURE ON A 2.72-ACRE SITE, ON PROPERTY LOCATED AT 776 S. PLACENTIA AVENUE AND 777 W. ORANGETHORPE AVENUE (APN 339-112-27).

Recommended Action: Adopt Resolution recommending that the City Council Deny the project.

(Resolution Adopted 5-0-0-2 as recommended)

Assistant City Attorney, Kristi J. Smith asked Chair Perez and the rest of the Commissioners to disclose if any discussions were had with the developer about the project. Chair Perez disclosed that he spoke with the applicant. Director of Development Services Joseph Lambert mentioned that Assistant City Attorney, Russell Hildebrand was joining the meeting via Zoom and may answer some questions and also reminded the Commissioners again to disclose during their comments if they had met with the applicant or representatives prior to tonight's meeting.

Chair Perez opened the public hearing at 7:10 p.m.

Director Lambert introduced Planning Manager Andrew Gonzales to present the Staff Report. Mr. Gonzales stated that there have been two public communications received since the agenda was posted. The first was from the law firm of Lozeau Drury, LLP, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) who are questioning the merits of the environmental determination for the project. A Mitigated Negative Declaration was prepared for this development. They contend that an Environmental Impact Report (EIR) should have been prepared for this project with studies to justify this. City Staff does not concur with that determination. Second communication was from Litta Queen of 835 Iowa Place, who is expressing excitement about economic investment on this site but expresses concern regarding past and future parking issues. During special events at The Bruery, there is spillage of parking into the neighborhood. She'd like to find out how the developer will address parking. Planning Manager Gonzales also stated that because of this project's scope, there have been many team players that participated with the review of this project; Director of Public Works Chris Tanio, Transportation Manager Kyra Tao, Deputy Director of Administrative Services, Jeannette Ortega, Senior Management Analyst Kiana Louie, Consultant Patricia Nahill, Assistant City Attorney, Kristi J. Smith, Assistant City Attorney Russell Hildebrand and Fire Chief Jason Dobine.

In looking at the Resolution and should the PC proceed, the parking structure is amended to reflect six levels and not seven. He stated that the applicant was present for any questions. The presentation included a Project Overview, Site & Surrounding Land Uses, Zoning and General Plan, Design and Architecture, Environmental Review, Economic Benefit Analysis and

finally the Recommendation to the Planning Commission and City Council. Staff stated that the reasons for recommendation of denial were determined based on several factors, including the land use element of the City of Placentia's General Plan. Residential uses are not identified and were never envisioned for this Specific Plan, so a General Plan Amendment is also required for this project. Director Lambert stated that there are several (10) Specific Plans within our City and that each one has a General Plan land use designation of Specific Plan, and the General Plan states what the permitted uses are. Planning Manager Gonzales stated that there are a number of issues and concerns related to the development of the site. One is that this particular property would be seen as a residential island due to the lack of connectivity to existing residential uses, lack of vision-planning to really make this a multi-modal project site. Multi-modal is a synonymous trait to mixed use development, providing improvements that facilitate walkability, bike travel, landscaped medians and improvements to infrastructure that produce safe walkability with destination points and there are very few included with this proposal. Mr. Gonzales highlighted additional General Plan inconsistencies which include the Land Use Element, Safety Element, Economic Development Element, and Health, Wellness, & Environmental Justice Element. General concerns include inadequate infrastructure for pedestrians and alternative transportation in proximity to major thoroughfares, leading to potential safety concerns, increased demand and effects of funding of essential services such as public safety, infrastructure, and parks and recreation. The current parking plan is insufficient and the overall project conflicts with goals of land use compatibility, sustainable revenue, public health and multimodal transportation. Director Lambert included that this project is also inconsistent with the Housing Element adopted by City Council and certified by the State.

Questions from Commissioners included if there were discussions about proposed commercial developments prior to, or in the future, separate from this proposal. Planning Manager Gonzales commented that at the ICSC Conference in Las Vegas and California each year, there are many investors and developers who are interested in this property for the proximity and the ability to capture the potential revenue generating potential of CSUF, OC Vibe Project and Disney Forward, and consider it a viable hotel site. They comment that the price point of this property is over-valued because value is now speculated based on potential zoning, not the actual zoning. Commissioner Rocke asked if City Council declined to rezone this property during this Housing Element process and Director Lambert stated they declined at that time and the City has long seen this property as a revenue generating site. Commissioner Rocke also asked about the city losing services. Director Lambert stated that certain projects have been dialed back due to budgetary concerns this fiscal year. Commissioner Navarro agreed that there is a lack of vision-planning with this project in terms of streetscape, walkability, multi-modal traffic flow, the lack of onsite parking and the impact to surrounding streets. He also would have liked to have seen some connectivity to the proposed Metrolink Station, which is .91 miles away. He asked if the city would be in favor of a housing project of this magnitude if it was rezoned via the Master Plan as part of the Transit Oriented District (TOD). Director Lambert stated that each of the TOD projects are vetted for sustainability, future General Plan updates and sustainability at an early stage of planning and this involves an analysis of Development Impact Fees concurrent with the Master Capital Improvement Plan (CIP), which are used to fund street improvements, landscaping, street furniture, signals, crosswalks and maintenance costs to the City. Any similar type of project must be master planned. Navarro also stated that parking would be impacted and there would be jaywalking going on as people crossed major streets to find parking. Director Lambert reiterated that the lack of vision planning is a concern.

Transportation Manager Kyra Tao stated that she has many concerns about the project including insufficient parking, the main access location which is on Placentia Avenue, and the placement of the driveway near a major intersection, with freeway access very close. A huge

safety concern from a traffic standpoint. Transportation Manager Tao does not support the project as designed.

Fire Chief Jason Dobine commented that he also has concerns in that his staff is limited, the fire truck is single axle and wouldn't be able to easily access the building, and that the City of Fullerton would have to be called to respond to incidents at this project. He is concerned that the Fire Department would not be able to meet the needs of the residents of this development.

Applicant representative Ryan Leaderman from the law firm of Holland and Knight in Los Angeles stated that the applicant has been working with the city for the last four years. He also noted that this parcel is unutilized and is disappointed with the conclusion that staff has reached today and would request that City Council hears the recommendation of staff.

Commissioner Navarro asked the applicant about vehicles entering the main driveway of the project and where they might navigate a turnaround without a specific turnaround space provided. Mr. Leaderman stated that the project meets all City Code standards.

Commissioner Ingalls asked about the City Fire Department's recommendations and whether it was the City Fire Department that stamped the plans approved and Mr. Leaderman stated that the City Fire Department approved the plans and provided recommendations.

Commissioner Evans asked if the applicant has seen the findings previously, or are they just being seen tonight. (Mr. Leaderman stated that they saw them right before the July 4th holiday) and if there are any changes envisioned to comply with the inconsistencies that the City pointed out. Mr. Leaderman stated that the applicant does not believe there are inconsistencies and would like to move on to City Council.

First public comment was from Chase Preciado, 1939 Harrison Street, Suite 150, Oakland, CA from the Law Firm Lozeau Drury LLC, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) who recommends denial of the project based on MMD deficiency and he maintains that an Environmental Impact Report (EIR) is required due to possible unmitigated environmental impacts.

Second public comment was from resident and former Mayor Craig Green, 650 Nenno Avenue who recommends denial of the project based on zoning, traffic, personal safety, public safety burdens, parking deficits and the limiting of City revenue.

Chair Perez closed the public hearing at 8:15 p.m.

Motion by Navarro to adopt Resolution PC-2024-09 recommending that the City Council deny GPA 2022-01, SPA 2021-01 and DPR 2021-02 with amendment to change all references of a 7-level parking structure to a 6-level parking structure proposed by staff, second by Ingalls and carried on a (5-0-0-2) vote.

Ayes: Evans, Ingalls, Navarro, Rocke, Perez
Noes: None
Abstain: None
Absent: Silvestri, Polichetti

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Director Lambert reported that Ace Hardware celebrates a Grand Opening this Thursday. Spitz Restaurant is now open. Hudson is constructing the final phase of townhomes. Chick-Fil-A is in building Plan Check.

DIRECTOR'S REPORT:

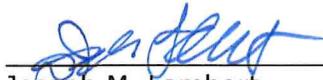
Director Lambert stated that according to our Municipal Code, the reorganizing of Chair and Vice Chair is to be scheduled as close to July as possible and that this reorganization will take place at the September 10th meeting of the Planning Commission, and we will likely go dark in August.

PLANNING COMMISSION REQUESTS: None

ADJOURNMENT:

Chair Perez closed the regular meeting of the Planning Commission at 8:30 p.m. to the regular meeting of Tuesday, August 13, 2024, 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