CALL TO ORDER

The November 13, 2013 regularly scheduled meeting of the Yorba Linda Planning Commission was called to order at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California with Commissioner Nebel presiding.

No new items will be considered after 11:00 p.m. unless unanimously agreed upon by the Commission.

PLEDGE OF ALLEGIANCE – Commissioner Lyons

ROLL CALL

Planning Commissioners:

PRESENT: Wohlt, Watson, Lyons, Nebel, Equitz (arrived late due to city business)

ABSENT: None

APPROVAL OF THE MINUTES

1. APPROVAL OF OCTOBER 9, 2013 PLANNING COMMISSION MEETING MINUTES

A motion was made by Commissioner Lyons, second Commissioner Nebel to approve the October 9, 2013 Planning Commission meeting minutes, as presented. The motion carried (4-0) with the following roll call vote:

AYES: Lyons, Nebel, Wohlt, Watson

NOES: None

ABSENT: Equitz

PUBLIC COMMENTS

Chairman Wohlt opened the public comments period for items not on the agenda. There was no response and Chairman Wohlt closed the Public Comments portion of the meeting.

WAIVE READING IN FULL OF ALL RESOLUTIONS ON THE AGENDA
A motion was made by Commissioner Watson, second Commissioner Lyons to waive reading in full all resolutions on the agenda. The motion carried (4-0) with the following roll call vote:

AYES: Wohlt, Watson, Lyons, Nebel  
NOES: None  
ABSENT: Equitz

Chair Wohlt asked that the new business items be moved forward to be heard first.

A motion was made by Commissioner Watson, second Commissioner Lyons to move new business items number 8, 9, and 10 to the beginning of the meeting. The motion carried (4-0) with the following roll call vote:

AYES: Wohlt, Watson, Lyons, Nebel  
NOES: None  
ABSENT: Equitz

The New Business portion, items 8, 9, and 10, of the agenda was heard at this juncture.

PUBLIC HEARINGS

2. PUBLIC HEARING RE: CONDITIONAL USE PERMIT 2011-12 & DESIGN REVIEW 2011-04 AT&T MOBILITY: A request to re-approve the construction and expansion of an existing wireless telecommunications transceiver facility operated by AT&T Mobility, which includes adding two (2) additional cellular panel antennas to the existing antennas located on the north, south, and west elevations of the existing commercial condominium building, hidden behind screen walls, for the property addressed as 4676 Lakeview Avenue, located along the east side of Lakeview Avenue north of Lemon Drive, within the CO (Commercial Office) zone. APN: 323-231-23

CEQA STATUS: Categorical Exemption (Class 1), Existing Facilities  
MEASURE B APPLICABILITY: a) Vote – No; b) Public Notice – No  
TRAFFIC COMMISSION REVIEW: No  
RECOMMENDATION: To adopt a resolution approving the project.

Commissioner Watson asked to recuse herself from items number 2 and 3 as she and her husband work for a company that does work for AT&T.

Greg Rehmer, Senior Planner presented the application to extend an existing cell tower. Mr. Rehmer stated that this item was previously approved in February 2012, however the applicant did not obtain their building permits in time and therefore, the application expired. Mr. Rehmer noted that the current application is identical to the previous application approved in 2012, and as such, staff supports the approval of the project.

Tim Miller, the applicant representing AT&T, was available to answer any questions, and agrees with all conditions of approval.
Chair Wohlt opened for public comments.

Seeing none, Chair Wohlt closed public comments.

A motion was made by Commissioner Nebel, second Commissioner Equitz to re-approve the construction and expansion of an existing wireless telecommunications transceiver facility operated by AT&T Mobility. The motion carried (4-0) with the following roll call vote:

AYES: Equitz, Lyons, Nebel, Wohlt
NOES: None
ABSENT: None
RECUSE: Watson

Steve Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.

3. PUBLIC HEARING RE: CONDITIONAL USE PERMIT 2013-21 & DESIGN REVIEW 2013-15 AT&T MOBILITY: A request to operate and maintain a wireless telecommunications transceiver facility, consisting of a three-sector antenna array with four antennas per sector, the facility employing the principal of “stealth design” in that the proposed antennas would be located within two existing tower elements on the building and behind radio frequency (RF) transparent screening parapets to eliminate the antennas from view, and including associated ground mounted equipment cabinets, for the property identified as the Mercado Del Rio Shopping Center addressed as 22200 La Palma Avenue, within CG (Commercial General) zone. APN: 32-121-08

CEQA STATUS: Categorical Exemption (Class 3)
OCFA Service Request: Yes
MEASURE B APPLICABILITY: a) Vote – No; b) Public Notice – No
TRAFFIC COMMISSION REVIEW: No
RECOMMENDATION: To adopt a resolution approving the project.

Greg Rehmer, Senior Planner presented the application for a new rooftop facility, which includes four panel sector arrays at three rooftop locations. Mr. Rehmer stated that two of the arrays would locate within two existing tower elements located along the front elevation of the building, which would require a four foot extension to tower height. Mr. Rehmer noted that the third sector array would be mounted behind an RF transparent screen wall, facing the backside River Channel. Staff believes that the facility meets the intent of a stealth design and was supportive of the applicant’s request.

Shannon Nichols, representing Smart Link, noted agreement with all conditions of approval and no questions, comments, or concerns.

Chair Wohlt opened for public comments.

Seeing none, Chair Wohlt closed public comments.
A motion was made by Commissioner Lyons, second by Commissioner Nebel to adopt the resolution approving Conditional Use Permit 2013-21, a wireless telecommunications transceiver facility on the top of the Mercado Del Rio Shopping Center, with the conditions attached. The motion carried (4-0) with the following roll call vote:

AYES: Equitz, Lyons, Nebel, Wohlt
NOES: None
ABSENT: None
RECUSE: Watson

A motion was made by Commissioner Lyons, second by Commissioner Nebel to approve the design review 2013-15 AT&T Mobility, with the conditions attached. The motion carried (4-0) with the following roll call vote:

AYES: Equitz, Lyons, Nebel, Wohlt
NOES: None
ABSENT: None
RECUSE: Watson

Steve Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.

4. PUBLIC HEARING RE: CONDITIONAL USE PERMIT 2013-40 RODRIGUEZ: A request to construct estate fencing (i.e., higher than 3-feet tall) within the front yard setback, for the property addressed as 5270 Brentwood Place, located on the southeast corner of Brentwood Place and Mission Hills Lane, within the RE (Residential Estate) zone. APN: 352-093-01

CEQA STATUS: Categorical Exemption (Class 3)
MEASURE B APPLICABILITY: a) Vote – No; b) Public Notice – No
TRAFFIC COMMISSION REVIEW: No
RECOMMENDATION: To adopt a resolution approving the project.

Greg Rehmer, Senior Planner presented the application regarding the conditional use permit that would construct estate fencing that is higher than 3-feet tall. Photographs of the property were displayed, noting that staff believes that the fencing is attractive and constructed of combination of block and wrought iron with decorative stone veneer. Mr. Rehmer noted that the City Traffic Engineer found no issues with view angles or setbacks.

Raul Rodriguez, applicant and resident at 5270 Brentwood Place, noted agreement with all conditions of approval.

Chair Wohlt opened for public comments.

Lisa Almond, resident at 22255 Mission Hills Lane, approached the dais and shared a diagram with Chair Wohlt. Mrs. Almond stated that having a solid stucco wall facing her property sound would bounce of the wall and towards her home; she stated that the sound impact from the new wall was her greatest concerns, as discussed through the
picture presented. Mrs. Almond requested that vegetation be added, to muffle any noise that would bounce off the wall. Mrs. Almond noted further concerns about the noise from the proposed driveway gate.

Raul Rodriguez, applicant, approached the podium to address Ms. Almond’s concerns about noise, explaining that the property has over 100 trees and a high amount of vegetation about 30 feet from the curb.

Commissioner Nebel noted concern regarding the gate and additional noise that it can cause, explaining that a hinged gate would be less disruptive.

Seeing no further comments, Chair Wohlt closed public comments.

**A motion was made by Commissioner Lyons, second Commissioner Watson** to adopt a resolution approving the conditional use permit 2013-40 Rodriguez, subject to the attached conditions. The motion carried (5-0) with the following roll call vote:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AYES:</td>
<td>Equitz, Lyons, Nebel, Wohlt, Watson</td>
</tr>
<tr>
<td>NOES:</td>
<td>None</td>
</tr>
<tr>
<td>ABSENT:</td>
<td>None</td>
</tr>
<tr>
<td>ABSTAIN:</td>
<td>None</td>
</tr>
</tbody>
</table>

Commissioner Nebel noted that he is sensitive to the noise concerns and hopes that Mr. Rodriguez will seek to mitigate any noise problems with the gate.

Steve Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.

5. **PUBLIC HEARING RE: CONDITIONAL USE PERMIT 2013-45 - YORBA LINDA VINEYARD, INC**: A request to establish and operate a 294-seat religious worship facility, including outreach programs such as a free medical clinic and food pantry, within an existing 15,000 square foot commercial building formerly occupied by ACE Hardware, for property addressed as 5091 Richfield Road, located on the west side of Richfield Road just south of Yorba Linda Boulevard, within the CG (Commercial General) zone. APN: 341-241-58

| CEQA STATUS: | Categorical Exemption (Class 1) |
| MEASURE B APPLICABILITY: | a) Vote – No; b) Public Notice – No |
| TRAFFIC COMMISSION REVIEW: | No |
| RECOMMENDATION: | To adopt a resolution approving the project |

Greg Rehmer, Senior Planner presented the application regarding the conditional use permit that would establish a 294-seat religious worship facility within a vacant commercial space. Mr. Rehmer stated that the church is currently in operation within an industrial building on Prospect Avenue, as approved under conditional use permit 2011-06. Mr. Rehmer noted that here is also a food pantry and free medical clinic component with the existing church use on Prospect, and that the City has received no complaints regarding the existing church facility. Mr. Rehmer stated that the church would like to move and has chosen to occupy the vacant site that was once an ACE
Hardware. No modifications to the exterior have been requested, and the applicants are requesting to utilize the maximum number of parking stalls on the site.

Aerial photographs of the ACE Hardware site were displayed, showing the parking configuration and building layout.

Christy Wimber, applicant, noted agreement with all conditions of approval, but would like to address condition #22. Ms. Wimber stated that she would like to extend the hours to 10pm as she does not want to hurry people off the property at 9pm as stated in the condition, she noted that night meetings never extend past 10pm. Ms. Wimber explained that the medical clinic would only be open on select Saturdays and by appointment only, and would still be operating under the required 20 hours per week max.

Chair Wohlt opened for public comments.

Steven Sealy, a resident on Marshburn Circle, discussed the 294 parking spots and expressed concern over parking issues for the other residents and shoppers, especially as it brings no revenue for the City.

Nancy Stevens, a resident on Rose Drive, spoke on traffic concerns on Richfield Drive, as it is already heavily congested. There is also the loss of tax dollars, as the City cannot gain revenue from this type of establishment.

Diane Whitenbock, Yorba Linda resident, expressed concerns over both traffic and parking on Richfield.

Senior Planner Rehmer commented on parking formulas and how it differs between commercial and religious facilities, based on hours of operation and specific needs of each establishment.

Rebecca Allen noted that north of Imperial is an industrial area, without residential concerns, but that this food pantry is too small for the amount of people it is serving. She wanted to know where people were coming from, in order to access the free clinic and what kind of people are coming.

Denise Stafford, 20 year resident, noted that she is not opposed to medical services and a food pantry, however noise and music at 10pm is a concern and disturbance. Additionally, the traffic is not conducive to the neighborhood.

Frank Gruder noted concerns about the food pantry and increased traffic congestion, without it generating any tax revenue for the City.

Tom Lynch spoke on the developers imposing their designs on the City, without any notice being received. Also, he wanted to know about sales tax revenue that is generated by a church.

Pat Nelson, resident, asked for clarification regarding food deliveries and the system in which the pantry receives their food. Entrances and exits will become a problem with any sort of expansion. Additionally, there will be tax revenue lost if the church expands.
Dave Hunsaker, representing the owner of the center, commented on the vacant building. The owner is in full support of this project and is not concerned over traffic and parking because the church would be operating on Sunday mornings, when the other retail stores and establishments are not open.

Kathy Satchell, a 37 year resident of Yorba Linda, noted concern over the up-keep of the property, including weeds growing and vegetation not being cared for. Regarding the free food and medical, she asked, “What type of people need free food and medical?” She noted that, “I don’t want them next to my home.” She clarified her statement after a question from Commissioner Equitz regarding “needy” people and stated that she meant people who were unemployed.

Rosemarie Sauer, resident, read the email that she sent to the Planning Commission and that her concerns continue to be issues of traffic, establishment of a food pantry and free medical services. She noted people who “loiter, sleep, and go to the bathroom,” saying that the church does not belong in close proximity to a residential area. She felt that the people that need to be served “are not in this area

Claudia Lynch, resident, noted concern over the traffic strains put on Richfield, as well as a general lack of finalized, precise plans. She also raised concern over the “tax base” and wants Vineyard Church to “stay where they are,” as they “do not belong there.”

Carol Hugh, resident, noted concern regarding people using Vineyard Church services and that they may have “mental health issues, sex offenders” and added concern over property values dropping.

Ed Rakochy, 23 year resident, commented on the traffic and the strain this establishment would put on pulling out of his driveway.

Patty Myers, a 26 year resident, noted that the owner has had difficulty in leasing out the property and is naturally in favor of renting it out to the church. However, the center is falling into disrepair and this type of usage would only cause it to further deteriorate.

Henry Collosie, a resident in the condos at Sierra Vista, spoke on the increased traffic and that adding anything more would make it nearly impossible to avoid accidents.

Sandie Gilbert, resident, voiced concern over trucks coming and going during the early hours, as well as the parking and increased noise.

Carol Hugh, resident, discussed the type of food pantry that will be running, and whether or not they will be providing canned goods or perishables, which could create a rodent infestation.

Kim Holmes noted that the Ciero Verde town home complex is going to be most impacted and the concern is the traffic, as well as property values falling. She stated that this church is “going to grow,” but that this is not the right location. She has concern regarding “homeless population, mental health issues, sex offenders, and the
proximity to Lamppost Pizza and children. She stated concern regarding the church facility and that it would encourage loitering and crime.

Jack Debrechy, resident, complained about the increased traffic and the increased homeless people that would be filling the area. He stated that it would be better suited to an “industrial area” and that this area should be “rented to someone good for the City, not this project.”

Chair Wohlt called for a recess at 8:26, with the Commission reconvening at 8:42 with all members present.

Jim Satchell, 37 year resident, noted that the owner of the property does not keep up the property. Regarding individuals using the services, he asked, “What type of people are they?” and expressed concerns that the services would be attracting homeless to the area.

Christy Wimber, applicant and resident of Yorba Linda, addressed all concerns of the establishment and gave a full detail of the food bank and precisely how it operates. Ms. Wimber stated that every food product they provide and pay for is non-perishable and the medical component has been running for two years without any complaint.

Commissioner Nebel commented on the look of the property, the number of accidents that could possibly happen, and the concerns regarding noise.

Christy Wimber responded that the upkeep of the property is on their list of things to accomplish and also that she is a resident and cares about mitigating any noise or traffic concerns. They would fully support placing a traffic operator on Sunday mornings to alleviate neighbor concerns.

Commissioner Watson commented on the criterion for remodel and the possibility of building more toilets to accommodate the seating in the facility.

Christy Wimber noted that there are currently no plans to remodel the site, however they would like to address it in the future.

Steve Sealy asked for answers regarding the purpose of the move into the ACE Hardware location.

Frank Grier noted that he would like to hear the difference between a food bank and a food pantry, and how the difference would affect the City.

Christy Wimber, applicant, addressed concerns over the label of food “pantry.”

Mr. Nelson voiced concern over where the individuals go once they leave the center.

Dee Dee Friedrich noted that Vineyard on La Palma is a beautiful place and urged the Commission to not pass this, encouraging Commissioners to listen to the people who hired the Commissioners.
Commissioner Nebel noted that this issue should also be taken to the Traffic Commission.

Chair Wohlt provided input on the Traffic Commission, as well as discussing the cleanliness of the property and the need to clean it up. Requirements could be built in to necessitate landscape maintenance and upkeep.

Commissioner Equitz commented on the traffic concerns and concerns raised by the neighbors.

Seeing no further comments, Chair Wohlt closed public comments.

A motion was made by Commissioner Lyons, second Commissioner Watson to adopt a resolution approving the conditional use permit 2013-35 Yorba Linda Vineyard, Inc, subject to the attached conditions with the addition of condition #22 extend the hours to 10pm and the addition of the condition that the project be reviewed by the Traffic Commission, as well as the condition requiring a one year review, or sooner, in the event of complaints. It would also include condition 18 to change the language to add in Saturday.

A substitute motion was made by Chair Wohlt, second Commissioner Nebel to have this item reviewed by the Traffic Commission in January before the Planning Commission takes further action. The motion failed (2-3) with the following roll call vote:

AYES: Nebel, Wohlt
NOES: Equitz, Lyons, Watson
ABSENT: None
ABSTAIN: None

Chair Wohlt called to vote on the original motion, but discussion carried, regarding extending the hours of operation to 10pm versus 9pm.

A motion was made by Commissioner Lyons, second Commissioner Watson to adopt a resolution approving the conditional use permit 2013-35 Yorba Linda Vineyard, Inc, subject to the attached conditions with the addition of condition #22 extend the hours to 10pm and the addition of the condition that the project be reviewed by the Traffic Commission, as well as the condition requiring a one year review, or sooner, in the event of complaints. It would also include condition 18 to change the language to add in Saturday. The motion carries (3-2) with amended conditions and the following roll call vote:

AYES: Equitz, Lyons, Watson
NOES: Nebel, Wohlt
ABSENT: None
ABSTAIN: None

Steve Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.
6. PUBLIC HEARING RE: VESTING TENTATIVE TRACT MAP 17617, CONDITIONAL USE PERMIT 2013-13 AND DESIGN REVIEW 2013-08 – PROSPECT PLACE, LLC – A request to subdivide and develop 4.08 acres of developed property (formerly St. Jude Heritage Medical Group Offices) into a single lot for multi-family residential (condominium) purposes to accommodate a proposed eight-two (82) unit, three-story “for-sale” town home residential community, with associated recreational/common areas, parking lots and landscape amenities. The project land use application includes, in addition to the vesting tentative subdivision map, a design review for the architectural design and site planning of the community; and a conditional use permit for the construction of 1) second floor decks, and 2) three-story homes within seventy feet (70') of adjacent single-family homes. The subject property is located at the northeast corner of Prospect Avenue and Yorba Linda Boulevard, on property addressed as 4900 Prospect Avenue and 17021 Yorba Linda Boulevard, in the RM-30 (Residential Multiple Family – 30 du/ac) zone. APNs: 334-273-40 and 41.

CEQA Status: Addendum to Previously Certified Program Environmental Impact Report.

MEASURE B APPLICABILITY: a) Vote – No; B) Public Notice - No
TRAFFIC COMMISSION REVIEW: No
RECOMMENDATION: Staff recommends that the Planning Commission take public testimony and provide further direction to the aforementioned design-related concerns.

Steve Harris gave a brief report on the item, explaining the need for a conditional use permit and the history of the property, deferring to David Brantley for a presentation.

David Brantley, Principal Planner, provided a thorough presentation and detailed report on the proposed project.

Bill Ihrke, Assistant City Attorney, commented on Measures H and I, and how the Planning Commission’s job is to review the application and make sure that it meets all requirements.

David Brantley discussed the issues that residents have raised, regarding parking and traffic, noting that it is a concern of staff as well. The consultant conducted a study and parking standards are of the utmost importance. There are ongoing concerns of residents, with many emails and letters having been submitted, and Mr. Brantley displayed pictures of the site. The applicant has been reluctant to modify the design, as well as adjusting the plan to accommodate parking options.

Commissioner Lyons raised concerns over whether or not the Addendum complies with the previous Program Environmental Impact Report (EIR). The Addendum was prepared by LSA Associates and it found that the environmental impacts are equal to, or less than, the impacts found in the Housing Element EIR.

Tim Ramm, representing the applicant, Prospect Place, LLC, provided a history of their ownership and a description of the property. While some neighbors have been overwhelmingly outspoken against the project, he would like to address their concerns and meet with them. Photographs and images of the proposed plans were displayed,
as well as signage and adjacent roads. To meet the concerns raised by the neighbors, only 82 units have been proposed with 44% lot coverage and no low-income units were created or included.

Keith Labus, representing KTGY, provided a background on the company, which was established in 1991 and is located in Irvine. He supplied a presentation on the proposed architectural design.

Mark Schattinger, Principal Planner with a Newport Beach design firm, reviewed the design and landscaping, noting that it will be installed along the side yard to comply with conditions. He also discussed community amenities, including evergreen trees to provide privacy and the patching and repair of an existing wall.

Commissioner Nebel commented on the trees and how tall they can grow, outlining what the shrubbery along the sides will look like.

Chair Wohlt asked how much HOA dues would be and the applicant answered that they would be under $200 a month, but could possibly be double if a pool was added. It was also asked if the Traffic Commission should review this matter.

**Chair Wohlt called for a recess at 10:43, with the Commission reconvening at 10:58 with all members present.**

Chair Wohlt opened for the public hearing.

Pat Nelson commented that the City’s job is to get the best project for the residents, noting that the Traffic Commission should be reviewing these projects. The intent of Measure B was discussed, and this plan potentially exceeds the density defined in Measure B. She also noted the desperate need for an ingress and egress on Yorba Linda Boulevard.

Richard de Bruijn, a 33-year Yorba Linda resident, commented on Measures I (passed in 2012) and H, as well as Measure B. The Housing Element should require this project to be put on hold.

Tom Lynch, a resident, noted that the City is in a high density pickle, but the City will hopefully eliminate the developer’s rights to pursue this unwanted development. This opportunity does not give the developer any right to waive standards or guidelines.

Ed Rakochy, a resident, commented that the developer stated they have the right to develop but the voters gave them that right and can take it away

Julia Scholtz, a resident, reiterated building heights and the poor attitudes of the developers.

Susan Decker, a 26 year resident, commented on low-income housing, asking the Planning Commission to do the best for Yorba Linda.
Toni Villavicencio, a 16 year resident, commented on the height of the buildings, as well as the barbeques being too close to her backyard. She noted that she will be most affected and there is a huge need for an ingress and egress on Yorba Linda Boulevard.

Flo Spangenberg, a resident, noted that she is most bothered by the poor air quality, exhaust fumes, and running motors, and also commented on the issue of trash cans, with the possibility of having the driveway moved.

Chair Wohlt asked if the entrance is gated, and it was answered that it will not be gated.

Jim Hayden, a resident on Jefferson, lives across the street and is very unhappy with this structure.

Lee Day noted that nothing has changed, despite former Councilman Duvall promising low-density housing. This issue is not going away and it will be interesting to see where all of these cars will be parking.

Nancy Stevens, a resident, does not live near the proposed project but resents the developers for their lack of respect regarding current Yorba Linda residents.

Jack Tafreshi commented on the proposed project, noting that this project is not what is best for this particular neighborhood. One driveway simply will not work.

Carla Downey, a resident on Foley Street, has attended all meetings regarding this project, and commented on Measure B, as well as Measures H and I. The existing wall is old and crumbling and needs to be rebuilt, according to code.

Chair Wohlt noted that this public hearing will continue to the next regularly scheduled Planning Commission meeting, on December 11th, and will be the first item addressed.

OLD BUSINESS

7. GPAC UPDATE STATUS REPORT

Greg Rehmer is the liaison for this item but was no longer present at this meeting.

NEW BUSINESS

8. GOVERNMENT CODE SECTION FINDING NO. 65402 FINDING RE: THE DISPOSITION OF REAL PROPERTY LOCATED AT 4082 VALLEY VIEW AVE: East side of Valley View Avenue, north of Imperial Highway and south of Lakeview Avenue, within the RU (Residential Urban) zone.

David Brantley, Principal Planner, explained the property and the acquisition history. The City has attempted to sell it, and while there have been interested parties in the past, it has never been sold. With renewed interest having been expressed by prospective purchasers, the City is considering sale of the property. As the Planning Commission is aware, it must make a finding prior to disposal of City-owned property that the sale is in accordance with the current General Plan.
Chair Wohlt opened for public comments.

Tom Lynch, longtime Yorba Linda resident, asked for clarification of the size of the lot and whether or not it can be offered to both public and private sectors for sale.

William Ihrke, City Attorney, noted that the size does not affect the transfer of the property. The lot is estimated to be 17,000 square feet.

Pat Nelson, resident, discussed the background of the lot and asked for clarification regarding the value of the land. If the value is high enough to be worth selling it, then it would be beneficial to the City, however a short sale would be detrimental to the City. If the City is going to lose money on it, the land could be turned into a dog park.

Seeing no further comments, Chair Wohlt closed public comments.

A motion was made by Commissioner Lyons, second Commissioner Watson to adopt the resolution regarding the disposition of real property located at 4082 Valley View Avenue. The motion carried (4-0) with the following roll call vote:

AYES: Wohlt, Lyons, Nebel, Watson
NOES: None
ABSENT: Equitz
ABSTAIN: None

Director Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.

9. GOVERNMENT CODE SECTION NO. 65402 FINDING RE: VACATION OF A PORTION OF MIRAGE STREET NORTH OF SAVI RANCH PARKWAY: A portion of the east boundary of Mirage Street, located north of Savi Ranch Parkway, within the Savi Ranch PD (Planned Development) zone.

Greg Rehmer, Senior Planner explained this item, and stated that this is a follow-up action item to facilitate the approval by the Planning Commission regarding Costco installing a gas station on the property. Mr. Rehmer stated that as part of the approval for the gas station the Costco Center site plan was modified to extend new parking stalls into Mirage Street to make up for displaced parking that the new fueling station would create. Mr. Rehmer stated that the City is obligated to vacate a portion of Mirage Street back to the adjoining property and it is not considered property to be sold.

Chair Wohlt opened for public comments.

Seeing none, Chair Wohlt closed public comments.

A motion was made by Commissioner Lyons, second Commissioner Watson to approve the resolution the finding regarding the vacation of a portion of Mirage Street, north of Savi Ranch Parkway. The motion carried (4-0) with the following roll call vote:

AYES: Wohlt, Lyons, Nebel, Watson
NOES: None
ABSENT: Equitz
ABSTAIN: None

Commissioner Equitz arrived to the meeting at 6:45 p.m.

10. SIGN REQUEST 2013-04 THE FRESH MARKET - A request to construct a new monument sign for subject site addressed as 18171 Imperial Highway (The Fresh Market), north of Imperial Highway, west of Plumosa Drive, in the CG (Commercial General) zone. (APN: 323-301-03 and 04)

CEQA STATUS: Categorical Exemption (Class 11)
MEASURE B APPLICABILITY: a) Vote – No; B) Public Notice - No
TRAFFIC COMMISSION REVIEW: No
RECOMMENDATION: To approve the project with conditions.

David Brantley, Principal Planner, presented a report on the item, displaying photographs outlining the sign request. The design of the monument sign was discussed, as it should be a high quality design, with good visibility and made of durable materials. The proposal meets all these requirements and staff believes the design is consistent with Planning Commission standards, and recommends approval.

Keith Weik, applicant, signed in and noted agreement with all conditions of approval. Item number 6 under standard conditions was discussed, and it was noted that it does not affect the current building permit.

Chair Wohlt opened for public comments.

Seeing none, Chair Wohlt closed public comments.

A motion was made by Commissioner Watson, second Commissioner Nebel to approve by minute motion the request to construct a new monument sign for the subject site addressed as 18171 Imperial Highway, the Fresh Market. The motion carried (5-0) with the following roll call vote:

AYES: Wohlt, Lyons, Nebel, Watson, Equitz
NOES: None
ABSENT: None
ABSTAIN: None

Director Harris noted that this decision is appealable to the City Council, through the City Clerk’s office, within 15 days of today’s decision.

DIRECTOR’S REPORT

Steve Harris, Community Development Director, provided a review of County projects, with public copies available at City Hall and the library. Additionally, at the City Council meeting, a list will be generated of items that will be referred to as mitigation measures and signed by the Mayor.

COMMISSIONER COMMENTS
Commissioner Equitz thanked the Commission for sending him to the Citizen of the Year meeting.

Commissioner Lyons noted they have continued negotiations with private property owners and a report will be available next week.

**CORRESPONDENCE RECEIVED** – None

**ADJOURNMENT**

There being no further business to come before the Planning Commission, Commissioner Nebel adjourned the meeting at 12:07 a.m. to the December 11, 2013 Planning Commission meeting beginning at 6:30 p.m.

__________________________
STEVEN K. HARRIS, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT