



# Placentia Planning Commission Agenda

Regular Meeting

March 10, 2020

City Council Chambers

401 E. Chapman Avenue, Placentia, CA 92870

**Christine J. Schaefer**  
Chair

**Frank Perez**  
Vice Chair

**Claudia Keller**  
Commissioner

**Dennis Lee**  
Commissioner

**Nick Polichetti**  
Commissioner

**Matthew Roche**  
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](http://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](http://www.placentia.org)**

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

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**CALL TO ORDER:**

**ROLL CALL:** Commissioner Keller  
Commissioner Lee  
Commissioner Polichetti  
Commissioner Rocke  
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.

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**CONSENT CALENDAR:**

1. **Planning Commission Meeting Minutes – December 13, 2016**  
**Recommended Actions:** Approve
2. **Planning Commission Meeting Minutes – May 9, 2017**  
**Recommended Actions:** Approve
3. **Planning Commission Meeting Minutes – June 13, 2017**  
**Recommended Actions:** Approve
4. **Planning Commission Meeting Minutes – July 11, 2017**  
**Recommended Actions:** Approve
5. **Planning Commission Meeting Minutes – February 11, 2020**  
**Recommended Actions:** Approve

**REGULAR AGENDA:**

1. **Introduction of new Fire Chief Van Gieson**

**PUBLIC HEARINGS:**

1. **Applicant:** Pie Squared LLC  
**Project Location:** 1474 N. Kraemer Blvd., Suite A2

**Use Permit (UP) 2020-02:** A request to permit the onsite sale, dispensing and consumption of beer and wine (ABC Type 41 License) at a proposed 2,203 square foot, 64 seat, Pizza Rev restaurant, located at 1474 N. Kraemer Boulevard within the T-C (Town Center) Zoning District. All alcohol sales, dispensing, and consumption activities will be confined within the interior of the restaurant.

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

1. Open the public hearing concerning UP 2020-02; and
2. Receive the Staff Report, consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2020-07, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit 2020-02 and making findings to permit the onsite sale, dispensing, and consumption of alcoholic beverages (ABC Type 41 License – beer and wine sales) within a proposed 2,203 square-foot, 64 seat, bona fide restaurant located at 1474 N. Kraemer Boulevard. Suite A2, in the T-C (Town Center) Zoning 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.

2. **Applicant:** Mark Raber representing Del Taco, LLC

**Project Location:** 1851 E. Orangethorpe Ave.

**Use Permit Modification (MOD) 87-15 and Variance (VAR) 2020-01:** A request for approval of a Use Permit Modification and Variance to allow for an exterior façade upgrade and interior remodel of the existing restaurant located at 1851 E. Orangethorpe Avenue (Del Taco), and as part of the façade upgrade, a variance request to permit a zero lot line easterly side yard setback in lieu of the required ten foot side yard setback to enclose a 345 square foot portion of the restaurant building creating a hallway corridor which will allow for ADA compliant bathrooms.

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

1. Open the public hearing concerning Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the Public Hearing; and

4. Adopt Resolution PC-2020-03, a resolution of the Planning Commission of the City of Placentia, approving Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01 and making findings to permit an exterior and interior remodel of an existing 1,875 square foot, drive-through restaurant (Del Taco) and to permit a zero lot line easterly side yard setback in lieu of the required ten foot setback to enclose a 345 square foot portion of the restaurant building to create a hallway corridor, located at 1851 E. Orangethorpe Avenue, in the Neighborhood Commercial (C-1) zoning district; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15305 (Class 5 – Minor Alterations in Land Use Limitations) and the City of Placentia Environmental Guidelines.

**OLD BUSINESS:**

**NEW 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.

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**ADJOURNMENT**

The Planning Commissioners CLOSE to the regular Planning Commission meeting on April 14, 2020 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 March 10, 2020 Regular Meeting of the Planning Commission of the City of Placentia was posted on March 5, 2020.

  
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Joseph M. Lambert, Secretary

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

December 13, 2016

The regular meeting of the Placentia Planning Commission of December 13, 2016 was called to order at 6:33 p.m. in the Front Community Meeting Room, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

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

ABSENT: Lee

OTHERS PRESENT: Carrie Raven, Assistant City Attorney  
Joseph M. Lambert, Director of Development Services  
Charles Rangel, Contract Senior Planner  
Elsa Villagrana, Senior Administrative Assistant

PLEDGE OF ALLEGIANCE: Vice Chair Perez

**ORAL COMMUNICATIONS:**

**CONSENT CALENDAR:**

**1. Planning Commission Meeting Minutes – November 9, 2016**

**Recommended Actions:** Approve

**Motion by Perez, second by Tomazic carried on a (5-0-1-0) vote to approve the recommended actions with minor revisions.**

Ayes: Francine, Schenck, Tomazic, Perez, Schaefer

Noes: None

Absent: Lee

Abstain: None

**REGULAR AGENDA:**

**PUBLIC HEARINGS:**

**1. Applicant: Galaxy Oil**

**Project Location: 480 S. Placentia Avenue**

**Use Permit (UP) 2016-13:** To permit the operation of a self-service, unmanned gas station which is proposed to operate on a 24-hour, seven-day per week basis on a vacant 0.37 acre (16,503 square feet) site located at 480 S. Placentia Avenue located at the northeast corner of Placentia Avenue and Crowther Street. The station will dispense regular unleaded, premium and diesel fuel.

**Recommended Actions:** It is recommended that the Planning Commission take

the following actions:

1. Open the public hearing concerning Use Permit 2016-13; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2016-25, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2016-13 and Making Findings to permit the operation of a self-service, unmanned gas station which is proposed to operate on a 24-hour, 7-day per week basis in the C-M (Commercial Manufacturing) Zone; and finding that the proposed use is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15332 and City Environmental Guidelines.

Chair Schaefer opened the Public Hearing.

Senior Planner Charles Rangel presented the staff report and provided an overview of the proposed project to the Commission.

Mr. Rangel provided the Commissioners with a summary of the proposed business, including zoning information, landscaping, architecture, exterior features, signage and parking requirements.

Mr. Rangel clarified for Commissioner Tomazic that there will not be a service attendant present at the gas station, it is self-serve with no employee present. Mr. Rangel also noted that the City owns this parcel and has an exclusive licensing agreement with the applicant. Mr. Rangel continued by stating that as part of the Conditions of Approval, the applicant must enter into an indemnification agreement with the City.

Mr. Rangel responded to Chair Schaefer's questions regarding environmental implications by stating that the applicant conducted a Phase 1 Site Assessment of the parcel and determined it was a clean site, meaning this development is feasible. Staff is not aware of any known toxins on the site.

In response to the Commissioners' questions, Director of Development Services Joseph Lambert stated that if the applicant violates any of the Conditions of Approval, the City can enforce the conditions via Code Enforcement.

Mr. Rangel responded to the Commissioners questions by clarifying points addressed in draft Conditions 9, 10 and 14. Mr. Rangel also answered questions regarding parking requirements and the electric vehicle charging feature.

The Applicant, Jim Caiopoulos, CEO of Galaxy Oil, 125 Plumeria, Irvine, CA addressed the Commissioners' questions by describing the proposed business operations, pricing, automation, property maintenance plan and safety monitoring.

In response to questions from Chair Schaefer, the Applicant stated his understanding and

acceptance of the Conditions of Approval for the Use Permit.

Chair Schaefer closed the Public Hearing.

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

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

2. **Applicant:** Mercy Housing California
3. **Project Location:** 1924 Orangeview Avenue (APNs: 346-241-02 & 346-331-19)

**General Plan Amendment (GPA) 2016-01, Zone Change (ZC) 2016-01, Variance (VAR) 2016-02, Development Plan Review (DPR) 2016-01:** To request a General Plan Amendment from Industrial and Commercial Manufacturing to High Density Residential, a Zone Change from Manufacturing (M) and Commercial Manufacturing (C-M) to High Density Residential (R-3), a Variance from the Parking Standards which would allow 52 parking spaces instead of the normally required 115 and allow for no covered parking or carports for the required 25 covered parking spaces, approval of Development Plan Review and approval of a Development Agreement to develop and operate a 50 unit apartment complex to provide low cost housing to military veterans who are homeless or disabled and/or demonstrate economic hardships. Additionally, Mercy Housing will facilitate the provision of Veterans Administration (VA) benefits for its residents. The 3.65 gross acre site/2.78 net acres (minus the flood control channel facility) is situated at the end of the cul-de-sac at 1924 Orangeview Avenue in the C-M District.

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

1. Open the public hearing concerning General Plan Amendment (GPA) No. 2016-01, Zone Change, No. 2016-01, Variance 2016-02 and Development Plan Review (DPR) No. 2016-01; and
2. Receive the Staff Report, consider all public testimony, ask any question of Staff; and
3. Close the public hearing; and
4. Recommend to the City Council adoption of a Mitigated Negative Declaration for the project in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000-21177) and pursuant to §15063 of Title 14 of the California Code of Regulations (CCR); and

5. Adopt Resolution No. PC-2016-22, a Resolution of the Planning Commission of the City of Placentia, California, recommending to the City Council of the City of Placentia, Adoption of Mitigated Negative Declaration No. 2016-01, Amending the General Plan Land Use Designation from Commercial Manufacturing and Industrial to High Density Residential which includes various Findings of consistency which justify approval of the amendment, changing the Official Zoning Map of the City by Changing the Zoning Designation of the subject site from “C-M” Commercial Manufacturing and “M” Manufacturing to the “R-3” High Density Residential District, and approval of a Variance which would allow only 52 parking spaces instead of the required 115 and allow for no covered parking or carports for the required 25 covered parking spaces and approval of the Development Plan Review; and
  
6. Adopt Resolution No. PC-2016-23, a Resolution of the Planning Commission of the City of Placentia, California, recommending to the City Council approval of the Development Agreement subject to the Conditions of Approval and Standard Development Requirements.

Chair Schaefer opened the Public Hearing.

Senior Planner Charles Rangel provided the staff report and an overview of the proposed project. Mr. Rangel provided a site plan, described surrounding uses and discussed the proposed parking Variance. Mr. Rangel also noted that the proposed project will provide affordable housing specifically to military veterans.

Director of Development Services Joseph Lambert responded to the Commissioners' questions regarding the proposed architectural elements.

Mr. Rangel answered the Commissioners' questions regarding the proposed floor plan, size of each unit, and transportation service available to the residents.

Per Chair Schaefer's request, Staff will amend the Conditions of Approval to require that the applicant provides the City with a report of operations one year after the issuance of the Certificate of Compliance.

Staff answered questions from the Commissioners and clarified points regarding the easement and parking requirements.

Representatives from Mercy Housing California presented an overview of the proposed project and answered questions from the Commission regarding building architecture, site layout, occupancy standards, safety and operational questions.

Director Lambert answered the Commissioners' questions regarding CEQA, the Zone Change and General Plan Amendment components of the project. Mr. Lambert also answered questions regarding the proposed Parking Variance.

Chair Schaefer closed the Public Hearing.

**Motion by Schaefer, second by Tomazic carried on a (5-0-1-0) vote to approve the**

**recommended actions.**

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

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

**DIRECTOR'S REPORT:**

Director of Development Services Joseph Lambert informed the Commission of the departure of Contract Senior Planner Charles Rangel from the City of Placentia, effective the end of December 2016.

**PLANNING COMMISSION REQUESTS:**

**ADJOURNMENT:**

Chair Schaefer closed the Planning Commission Regular Meeting at 8:48 p.m. to the regular meeting of Tuesday, January 10, 2017 at 6:30 p.m. in the Front Community Meeting Room at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,  
Secretary to the Planning Commission

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

May 9, 2017

The regular meeting of the Placentia Planning Commission of May 9, 2017 was called to order at 6:32 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

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

ABSENT: None

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney  
Joseph M. Lambert, Director of Development Services  
Elsa Villagrana, Senior Administrative Assistant

**PLEDGE OF ALLEGIANCE:** Commissioner Lee

**ORAL COMMUNICATIONS:**

**CONSENT CALENDAR:**

**1. Planning Commission Meeting Minutes – March 14, 2017**

**Recommended Actions:** Approve

**Motion by Perez, second by Keller carried on a (7-0-0-0) vote to approve the recommended actions.**

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

**REGULAR AGENDA:**

**PUBLIC HEARINGS:**

**1. Applicant: Maximus & Lasanthi Kurera, dba Towne and Country Earl  
Early Education Center**

**Project Location: 201 E. Madison Avenue**

**Use Permit (UP) 1969-05 Modification – Continued from the February 14, 2017, Planning Commission Meeting:** Requesting modifications to the approved operating conditions set forth by Use Permit (UP) 1969-05 (MOD) for the establishment of child care and preschool facility located at 201 E. Madison Avenue within the R-1 zoning district. The requested modifications will increase the total enrollment capacity from 48 to 68 students, and alter the approved

operating hours from 7:00 AM to 6:00 PM, Monday through Friday, to 6:30 AM to 6:30 PM, Monday through Friday.

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

1. Re-open the continued public hearing concerning Use Permit No. 1969-05 Modification; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2017-03, a resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 1969-05 Modification and making findings to permit an existing child care and preschool facility to (a) increase the total enrollment capacity from 48 to 68 students and (b) alter the existing operating hours within the R-1 (Single Family Residential) zoning district on property located at 201 E. Madison Avenue; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Chair Schaefer opened the Public Hearing.

Director of Development Services Joseph Lambert presented the staff report and addressed public testimony comments from the February 14, 2017 meeting. Mr. Lambert discussed the topics of traffic, parking, noise, odor and dust control. Mr. Lambert also noted the site improvements that have been made to address the residents' concerns.

Mr. Lambert stated that 19 letters have been received from residents, supporting the project. No letters opposing the project have been received.

Mr. Lambert provided an overview of the proposed project, a site plan, zoning standards and recent site photographs. Mr. Lambert also noted the hours of operation.

Mr. Lambert responded to the Commissioners' questions regarding the number of child care facilities in the City, parking requirements and the school's enrollment capacity.

The Applicant, Lasanthi Kurera, 895 E. Yorba Linda Blvd., Suite #201, Placentia CA stated that addressing the concerns of the neighboring residents was a top priority, noting the improvements that have been made since the previous meeting. Mr. Kurera also stated that the school's enrollment capacity is in compliance with the State.

The Applicant's representative detailed the improvements made to the site and noted that school staff requirements are in compliance with applicable regulations.

Lee Sherman of Callahan Thompson Sherman & Caudill LLP, Irvine, CA responded to the Commissioners' questions by stating that the preschool facility was licensed in 1994 to accommodate up to 68 students. Mr. Sherman also noted that site improvements meet

the State requirements and ADA compliance requirements.

Various members of the public provided testimony in support of the proposed project.

In response to questions from Chair Schaefer, the Applicant stated his understanding and acceptance of the Conditions of Approval for the Use Permit.

Chair Schaefer closed the Public Hearing.

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

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

2. **Applicant: Gloria Hale dba Glorious Motor Cars**

**Project Location: 1930 Estelle Lane**

**Use Permit (UP) 2017-03:** Requesting to establish and operate a “concierge” auto sales and auto broker business for new and used vehicles in an existing 216-square foot office space area within a 9,951-square foot industrial building located at 1930 Estelle Lane within the M (Manufacturing) and O (Oil Combining Districts) zoning districts. The requested Use Permit (UP) will allow for an auto sales and auto broker business to operate as an additional occupant to an existing window manufacturing business, which occupies the remaining area of the industrial building.

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

1. Open the public hearing concerning Use Permit 2017-03; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2017-09, a resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2017-03 and making findings to permit the establishment and operation of both auto sales and auto broker services within an existing industrial building within the M (Manufacturing) and O (Oil Combining Districts) zoning districts on property located at 1930 Estelle Lane; 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.

Chair Schaefer opened the Public Hearing.

Director of Development Services Joseph Lambert provided the staff report and an overview of the proposed project.

Mr. Lambert provided a floor plan, parking requirements and site photographs. Mr. Lambert noted that this establishment is within an established industrial district and will not impact surrounding uses.

The Applicant, Gloria Hale dba Glorious Motor Cars, 1930 Estelle Lane, Placentia, CA discussed the business operations and her prior business experience.

In response to questions from Chair Schaefer, the Applicant stated her understanding and acceptance of the Conditions of Approval for the Use Permit.

Chair Schaefer closed the Public Hearing.

**Motion by Keller, second by Schenck carried on a (7-0-0-0) vote to approve the recommended actions.**

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

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

**DIRECTOR'S REPORT:**

Director of Development Services Joseph Lambert provided updates regarding the TOD Zoning Code amendment, Old Town Zoning Code amendment and the Metrolink parking structure.

Mr. Lambert informed the Commission that the City is in the process of hiring a Planning Technician.

**PLANNING COMMISSION REQUESTS:**

**ADJOURNMENT:**

Chair Schaefer closed the Planning Commission Regular Meeting at 8:40 p.m. to the regular meeting of Tuesday, June 13, 2017 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,

Secretary to the Planning Commission

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

June 13, 2017

The regular meeting of the Placentia Planning Commission of June 13, 2017 was called to order at 6:31 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

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

ABSENT: Commissioner Schenck

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney  
Joseph M. Lambert, Director of Development Services  
Luis Estevez, Director of Public Works  
Elsa Villagrana, Senior Administrative Assistant

**PLEDGE OF ALLEGIANCE:** Commissioner Keller

**ORAL COMMUNICATIONS:**

**CONSENT CALENDAR:**

**REGULAR AGENDA:**

1. **Applicant:** City of Placentia  
**Project Location:** Citywide  
**General Plan Conformance Finding for Fiscal Year 2017-18 and 2019-2024**  
**Seven Year Capital Improvement Program**

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

1. Adopt Resolution No. PC-2017-10, A Resolution of the Planning Commission of the City of Placentia, California finding that the Fiscal Year 2017-18 and 2019-24 Capital Improvement Program (CIP) conforms to the adopted General Plan and recommending the City Council approve the Capital Improvement Program.

Director of Public Works Luis Estevez presented the staff report and provided highlights for this year's proposed CIP budget.

Mr. Estevez described funded and unfunded capital improvement projects. Mr. Estevez also provided the Commission with a capital project matrix.

Mr. Estevez responded to the Commissioners' questions regarding playground renovation projects and how they relate to the various General Plan Elements. Mr.

Estevez also clarified how projects are funded and how funds are allocated for each capital project.

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

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

#### **PUBLIC HEARINGS:**

1. **Applicant:** City of Placentia  
**Project Location:** The Old Town Placentia Revitalization Plan and Development Project applies to an L-shaped Planning Area that is located in the southwestern portion of the City of Placentia. The Planning Area is centered along Bradford Avenue south of Chapman Avenue and Santa Fe Avenue from Murray Street on the west to Alta Street on the east. The portion of the Planning Area centered on Bradford Avenue extends east to Alta Street and west to Main Street south of Chapman Avenue. The portion of the Planning Area centered on Santa Fe Avenue extends from Murray Street on the west, Aguirre Lane (and extension of Aguirre Lane) on the north, the Burlington Northern-Santa Fe (BNSF) railroad tracks to the south, and east to Alta Street. The Planning Area is just over 32 acres in size and is located north of the Burlington Northern-Santa Fe (BNSF) railroad tracks and south of Chapman Avenue in the City of Placentia.

**General Plan Amendment (GPA) 2017-02 and Zone Change (ZC) 2017-02:** Review of the Old Town Revitalization Project which includes the adoption of the Old Town Revitalization Plan, the Old Town Streetscape Master Plan, General Plan Amendment 2017-02 and Zone Change 2017-02 to establish the Old Town Zoning District and New Development Standards.

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

1. Open the Public Hearing concerning the Old Town Revitalization Plan, the Old Town Streetscape Master Plan, the Initial Study and Negative Declaration, Zoning Code Amendment 2017-02 and General Plan Amendment 2017-02; and
2. Receive the Staff Report and consider all public testimony; and

3. Close the public hearing; and
4. Adopt Resolution PC-2017-11, A Resolution of the Planning Commission of the City of Placentia, recommending that City Council approve General Plan Amendment 2017-02 to change the current land use designation from Commercial, Medium Density Residential and High Density Residential to the new Old Town designation for the project area; and, to approve Zone Change 2017-02, changing the existing zoning from SF-C, C-1, C-2, and R-2 and creating a new zoning district "Old Town" and development standards for the "Old Town Placentia" district for the project area; recommending adoption of the Old Town Streetscape Master Plan; recommending adoption of the Old Town Placentia Revitalization Plan; and recommending the adoption of a Negative Declaration pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15074 and the City of Placentia Environmental Guidelines.

Chair Schaefer opened the public hearing.

Director of Development Services Joseph Lambert presented the staff report and provided an overview of the proposed project.

Mr. Lambert described the various public meetings held, data collected and input received regarding the proposed project, noting that the Development Ad Hoc Committee of the City Council supports this project.

Mr. Lambert provided the Commissioners with photos of the existing conditions, noting the surrounding uses and historical buildings in Old Town. Mr. Lambert also discussed the proposed development standards and parking standards.

Director of Public Works Luis Estevez discussed the public realm standards and modes of transportation in and out of Old Town. Mr. Estevez described the streetscape and landscape elements, proposed signage, traffic circulation and street improvements.

Mr. Lambert continued to discuss wayfinding signage, community events, potential revenue to the City and grant funding sources.

Mr. Lambert responded to the Commissioners' questions regarding Metrolink parking, street improvements, infrastructure, maintenance fees and amortization standards.

Residents and local business owners provided testimony in support of the project and also expressed concerns regarding parking.

Mr. Lambert and Mr. Estevez addressed public comments and clarified points regarding parking standards, in lieu fees and traffic flow.

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

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

Absent: Schenck  
Abstain: None

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

Director of Development Services Joseph Lambert informed the Commissioners that Integral Communities has applied for the first entitlement application in the new TOD zone.

**DIRECTOR'S REPORT:**

Director of Development Services Joseph Lambert informed the Commission regarding groundbreaking ceremonies for the Habitat for Humanity project on Oak Street and for the Lakeview Avenue grade separation.

**PLANNING COMMISSION REQUESTS:**

**ADJOURNMENT:**

Chair Schaefer closed the Planning Commission Regular Meeting at 7:26 p.m. to the regular meeting of Tuesday, July 11, 2017 at 6:30 p.m. in the Front Community Meeting Room at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,  
Secretary to the Planning Commission

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

July 11, 2017

The regular meeting of the Placentia Planning Commission of July 11, 2017 was called to order at 6:34 p.m. in the Front Community Meeting Room, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

PRESENT: Commissioners Francine, Tomazic, Perez, Schaefer

ABSENT: Commissioner Lee, Schenck, Keller

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney  
Joseph M. Lambert, Director of Development Services  
Andrew Gonzales, Senior Planner  
Elsa Villagrana, Senior Administrative Assistant

PLEDGE OF ALLEGIANCE: Commissioner Perez

ORAL COMMUNICATIONS:

CONSENT CALENDAR:

PUBLIC HEARINGS:

1. **Applicant:** Douglas Fenn – Tait Associates, Inc.  
**Project Location:** 818 W. Orangethorpe Avenue  
**Use Permit (UP) 2017-04:** A request to permit the development, establishment, and operation of an approximately 2,081-square foot, 24-hour convenience market building and gas station, including the onsite sale of beer and wine for offsite consumption on property within the C-1 (Neighborhood Commercial) zoning district. Staff is recommending adoption of a Categorical Exemption pursuant to Title 14 CCR § 15332 (class 32 – Infill Development Projects) and the City of Placentia Environmental Guidelines as part of the project.

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

1. Open the public hearing concerning Use Permit 2017-04; and
2. Continue Use Permit 2017-04 to the August 8, 2017, Planning Commission meeting.

The Public Hearing was opened by Chair Schaefer.

Senior Planner Andrew Gonzales presented the Staff Report.

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

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

**REGULAR AGENDA:**

1. **Applicant:** City of Placentia

**GENERAL PLAN CONFORMITY FINDING FOR THE INSTALLATION OF ONE (1) FREEWAY-ORIENTED ENTRY SIGN WITH DIGITAL/STATIC DISPLAY CAPABILITIES**

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

1. Adopt Resolution No. PC-2017-13, A Resolution of the Planning Commission of the City of Placentia finding that the Installation of one (1) freeway-oriented entry sign with digital/static display capabilities, generally located at the south side of the 300 block of West La Jolla Street, just east of the 57 Freeway, Placentia, CA, 92870, is consistent with the City of Placentia General Plan Pursuant to California Government Code § 65402.

Director of Development Services Joseph Lambert presented the staff report and provided an overview of the agenda item.

Mr. Lambert answered Commission questions regarding the projected annual revenues that the new billboard is expected to generate.

Mr. Lambert clarified for Commissioner Tomazic that the Commission is being asked to find that the proposed project conforms with the City's General Plan.

Mr. Lambert responded to Commissioner Tomazic's question regarding advertisement limitations.

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

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

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

**DIRECTOR'S REPORT:**

Director of Development Services Joseph Lambert gave a brief update regarding ongoing development occurring in the City.

**PLANNING COMMISSION REQUESTS:**

**ADJOURNMENT:**

Chair Schaefer closed the Planning Commission Regular Meeting at 8:42 p.m. to the regular meeting of Tuesday, August 8, 2017 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,  
Secretary to the Planning Commission

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

February 11, 2020

The regular meeting of the Placentia Planning Commission of February 11, 2020 was called to order at 6:32 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

PRESENT: Commissioners Keller, Lee, Polichetti, Rocke, Perez, Schaefer

ABSENT: None

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

**PLEDGE OF ALLEGIANCE:** Commissioner Lee

**ORAL COMMUNICATIONS:**

**CONSENT CALENDAR:**

1. **Planning Commission Meeting Minutes – August 9, 2016**  
**Recommended Actions:** Approve
2. **Planning Commission Meeting Minutes – September 13, 2016**  
**Recommended Actions:** Approve
3. **Planning Commission Meeting Minutes – September 10, 2019**  
**Recommended Actions:** Approve
4. **Planning Commission Meeting Minutes – January 14, 2020**  
**Recommended Actions:** Approve

**Motion by Rocke, second by Lee carried on a (6-0-0-0) vote to approve the recommended actions.**

Ayes: Keller, Lee, Polichetti, Rocke, Perez, Schaefer  
Noes: None  
Absent: None  
Abstain: None

**REGULAR AGENDA:**

## **PUBLIC HEARINGS:**

1. **Applicant:** Leandra Smith, representing P&L Smith Group, LLC  
**Project Location:** 1521 N. Placentia Avenue, Unit B,C,D

**Use Permit (UP) 2019-10:** A request to permit the establishment and operation of a fitness studio with the name of “Substance Fitness” that will offer weight management plans and exercise classes at an existing 2,584 square foot retail space located at 1521 N. Placentia Avenue, Unit B,C,D, in the Neighborhood Commercial (“C-1”) Zoning District.

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

1. Open the public hearing concerning Use Permit 2019-10; and
2. Receive the Staff Report and consider all public testimony, ask any questions of Staff; and
3. Close the public hearing; and
4. Adopt Resolution PC-2020-06, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2019-10 to permit the establishment and operation of a fitness studio that will offer weight management plans and exercise classes at an existing 2,584 square foot retail space located at 1521 N. Placentia Avenue, Unit B,C,D, in the Neighborhood Commercial (“C-1”) Zoning 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.

Chair Schaefer opened the Public Hearing.

Assistant Planner Arlen Beck presented the staff report and an overview of the proposed project.

Mr. Beck provided a description of surrounding uses, a site plan, the proposed floor plan and hours of operation.

The Applicant, Leandra Smith representing P&L Smith Group, LLC, 1521 N. Placentia, Avenue, Unit B,C,D, Placentia, CA provided an overview of the business operations and discussed prior business experience.

Ms. Smith and representatives from Substance Fitness answered the Commissioners’ questions regarding noise levels, sound proofing, programs for clients with special needs and proposed hours of operation.

Julie Toledo, 605 Macadamia Lane, Placentia, CA expressed concerns regarding noise and parking.

Maria Vahidi, 609 Macadamia Lane, Placentia, CA expressed concerns regarding noise, outdoor smoking and parking.

Representatives from Substance Fitness addressed residents' concerns regarding noise, noting that studio music will be played at levels that will not impact surrounding residents.

In response to questions from Chair Schaefer, the Applicant stated her understanding and acceptance of the Conditions of Approval for the Use Permit.

Chair Schaefer opened the Public Hearing.

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

Ayes: Keller, Lee, Polichetti, Rocke, Perez, Schaefer

Noes: None

Absent: None

Abstain: None

2. **Applicant:** Francisco Vazquez

**Project Location:** 954 Vista Avenue

**Use Permit (UP) 2019-09 (continued from the meeting of January 14, 2020):**

A request to remove and rebuild an existing 938 square foot home, with a 97 square foot porch, and 34 square foot patio, on an approximately 2,764 square foot parcel, in order to correct structural problems with the residence. The existing home is a two-bedroom, two-bathroom, single-story single-family residence. There is no garage on site, and one will not be constructed in conjunction as a part of this request as the applicant would like to maintain the existing building footprint. The lack of a garage is a legal, non-conforming situation. There are two tandem parking spaces in the driveway. The home is within the (R-2) Low-Medium Density Multiple-Family Zoning District, at the site address 954 Vista Avenue. The requested rebuild will result in demolishing and rebuilding more than fifty percent of the home. Pursuant to Placentia Municipal Code (PMC) Section 23.84.030(b-1), "a legal nonconforming building damaged by fire, explosion, earthquake or other act to an extent of more than fifty (50) percent of the appraised value thereof, according to the Assessor's records, may be restored to a total floor area not exceeding that of the former building, if a Use Permit is obtained." Therefore, the applicant requests a Use Permit, pursuant to the PMC.

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

1. Open the public hearing concerning UP 2019-09; 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-2020-05, a Resolution of the Planning Commission of the City of Placentia, California approving Use Permit (UP) No. 2019-09 to permit the rebuild of an existing, legal nonconforming, 938 square foot house on the same building footprint, located within the R-2 Low-Medium Density Multiple-Family Zoning District at the site address 954 Vista Avenue (Assessor's Parcel Number 344-141-04), and to make findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15302 (Class 2 – Replacement and Reconstruction) and the City of Placentia Environmental Guidelines.

Chair Schaefer opened the Public Hearing.

Assistant Planner Arlen Beck provided the staff report and an overview of the proposed project, noting that the building footprint of the proposed residence will remain the same as the existing house.

Mr. Beck provided the Commissioners with parking standards, a site plan, the proposed floor plan and photos of the existing structure.

Mr. Beck responded to the Commissioners' questions regarding the tree that is currently on the property and answered questions related to parking. Director of Development Services added that Staff provided other building or addition options to the applicant, however, the applicant's decision was to keep the same footprint and rebuild the house.

The Applicant, Francisco Vazquez, 954 Vista Avenue, Placentia, CA stated that he would like to rehabilitate the structure and make it safe, as he intends to live in the home. Mr. Vazquez also stated that he would like to keep the large tree that is on the property, but can have it trimmed or removed if necessary.

The Commission suggested to the Applicant that he may want to have an arborist inspect the tree, if desired.

In response to questions from Chair Schaefer, the Applicant stated his understanding and acceptance of the Conditions of Approval for the Use Permit.

Chair Schaefer opened the Public Hearing.

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

Ayes: Keller, Lee, Polichetti, Rocke, Perez, Schaefer  
Noes: None  
Absent: None  
Abstain: None

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

Director of Development Services Joseph Lambert informed the Commission that the Navigation Center is scheduled to open by the end of March, which will allow the City to enforce its anti-camping ordinance. Mr. Lambert also discussed opportunities for the Commissioners to tour the facility.

Mr. Lambert provided updates regarding the Audi Dealership, Village Plaza Phase 2, SC Development and other projects currently under construction or in plan check.

Mr. Lambert responded to Commissioner Rocke's question regarding electric vehicle charging station requirements for new construction.

**DIRECTOR'S REPORT:****PLANNING COMMISSION REQUESTS:****ADJOURNMENT:**

Chair Schaefer closed the Planning Commission Regular Meeting at 7:29 p.m. to the regular meeting of Tuesday, March 10, 2020 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,  
Secretary to the Planning Commission



# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: KATHRINE KUO, PLANNING INTERN

DATE: MARCH 10, 2020

SUBJECT: **USE PERMIT (UP) NO. 2020-02 TO PERMIT THE ONSITE SALE, DISPENSING, AND CONSUMPTION OF ALCOHOLIC BEVEREAGES WITHIN A PROPOSED 2,203-SQUARE FOOT, 64 SEAT, BONA FIDE RESTAURANT LOCATED AT THE SOUTHEAST CORNER OF KRAEMER BOULEVARD AND YORBA LINDA BOULEVARD WITHIN THE TOWN CENTER (T-C) ZONING DISITRICT (PIZZA REV)**

### **RECOMMENDATION:**

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

1. Open the public hearing concerning Use Permit (UP) No. 2020-02;
2. Receive the staff report and consider all public testimony;
3. Close the public hearing;
4. Adopt Resolution PC-2020-07, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit 2020-02 and making findings to permit the onsite sale, dispensing, and consumption of alcoholic beverages (ABC Type 41 License – beer and wine sales) within a proposed 2,203 square-foot, 64 seat, bona fide restaurant located at 1474 N. Kraemer Boulevard. Suite A2, in the T-C (Town Center) Zoning 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, Pie Squared LLC, is requesting to permit the onsite sale, dispensing and consumption of beer and wine (ABC Type 41 License) at a proposed 2,203 square foot, 64 seat, Pizza Rev restaurant, located at 1474 N. Kraemer Boulevard within the T-C (Town Center) Zoning District. All alcohol sales, dispensing, and consumption activities will be confined within the interior of the restaurant.

**PROJECT BACKGROUND AND DESCRIPTION:**

The subject property is located within an existing shopping center (Village Plaza) at 1474 N. Kraemer Boulevard. The proposed restaurant, Pizza Rev, will be the final tenant to occupy the new multi-tenant commercial pad building at the southeast corner of Kraemer and Yorba Linda Boulevard. Pizza Rev is a fast-casual pizza restaurant serving good quality food at an affordable price point. There are 12 licensed Pizza Rev locations throughout California and approximately 30 locations throughout the US and Mexico. This proposed location will employ approximately ten employees on the premises at any given shift. The restaurant’s hours of operation will be from 10:00 A.M. to 10:00 P.M. daily, with the hours of beer and wine sales to occur only during operating hours. Per PMC 23.27.040, Planning Commission approval, as well as Alcoholic Beverage Control (ABC) approval is necessary for the sale of alcoholic beverages.

An ABC Type 41 License permits the onsite sale, dispensing, and consumption of a limited range of alcoholic beverages, which is limited to beer and wine. The ability to offer items as wine and beer, is important to the Pizza Rev business model. Alcohol will only be served inside the restaurant, and not allowed within the adjacent outdoor seating area. Pizza Rev does not provide an on-premise bar area designated primarily for the service of alcoholic beverages. All alcoholic beverages are to be served with food. According to the Statement of Use, alcoholic beverages represent a small percentage of gross receipts. With incorporation of the attached Conditions of Approval, onsite beer and wine sales are not anticipated to pose any significant safety or security risks.

**Applicable Code Section – Placentia Municipal Code**

The subject property is currently zoned Town Center (T-C). The project will be required to comply with the development standards and use requirements set forth in the Placentia Municipal Code (PMC 23.27, “T-C” – Town Center District) for projects within the T-C Zoning District. Pursuant to PMC Section 23.27.040(3), any establishment selling alcoholic beverages including on-sale and off-sale shall require a UP to be reviewed and approved at a noticed public hearing before the Planning Commission.

**Subject Site and Surrounding Land Uses**

The proposed restaurant is located within an existing shopping center and located in a new multi-tenant commercial pad building, at the corner of N. Kraemer Boulevard and Yorba Linda Boulevard. The following chart shows surrounding existing land uses, zoning designations, and General Plan Land Use Designations:

**Surrounding Land Uses:**

<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Element General Plan Designation</b>	<b>Zoning Map Designation</b>
<b>Subject Site</b>	“Village Plaza” (Commercial Shopping Center)	Commercial	T-C (Town Center)

<b>North (across Yorba Linda Boulevard)</b>	U.S. Bank  Detached, Single-Family Residences	Commercial  Low Density Residential	T-C  Single Family Residential (R-1)
<b>South</b>	United States Postal Service	Commercial	T-C
<b>East (across N. Angelina Drive)</b>	Dental Office  Detached, Single-Family Residences	Commercial  Low Density Residential	T-C  R-1
<b>West (across Kraemer Boulevard)</b>	"Placentia Town Center" (Commercial Shopping Center)	Commercial	T-C

**ZONING COMPLIANCE ANALYSIS**

**Site Development Standards**

The project is located within the T-C 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 are three other business, located within the existing shopping center (Maki Yaki, LA Kung Fu, and Meat Up BBQ), that are licensed to sell beer and wine for on-site consumption (Type 41 ABC License). 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.

<b>Business</b>	<b>Address</b>	<b>License Type</b>
Maki Yaki	1490 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Saigon Noodle House	1486 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Salt & Ash	1390 N. Kraemer Blvd	47, On-Sale General for Bona Fide Public Eating Place
China Bistro	3250 Yorba Linda Blvd, Fullerton	47, On-Sale General for Bona Fide Public Eating Place
Ralphs 67	3330 Yorba Linda Blvd, Fullerton	21, Off-Sale General
AM PM Minimart	102 E. Yorba Linda Blvd	20, Off-Sale Beer & Wine
The Whole Enchilada	106 E. Yorba Linda Blvd	47, On-Sale General for Bona Fide Public Eating Place

Mr. D's Diner, Bakery & Bar (formerly Marie Calendar's)	126 E. Yorba Linda Blvd	48, On-Sale General for Public Premises
Rubio's Coastal Grill	126 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Craftsman Wood Fired Pizza	148 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
CVS	150 E. Yorba Linda Blvd	21, Off-Sale General
Walgreens	191 E. Yorba Linda Blvd	20, Off-Sale Beer & Wine
Philly's Best	198 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
LA Kung Fu 9	1448 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Meat Up BBQ	1450 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place

### **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 with 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 alcohol at a forthcoming Pizza Rev 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 T-C Zoning District. The proposed request, with incorporation of the recommended conditions of approval, will meet or exceed the provisions of the T-C 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 serve, dispense a full range of alcoholic beverages 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 alcohol (ABC Type 41 License) at a proposed Pizza Rev 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 10:00 PM and 10:00 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 10:00 PM.

## **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 2020-02 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 February 27, 2020. Notices were sent to property owners of record within a 300-foot radius of the subject property, posted at the Civic Center, and on the City website on February 27, 2020. As of March 5, 2020, 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, distribution and consumption of alcoholic beverages at a proposed restaurant located at 1474 N. Kraemer Boulevard, Suite A2 (Village Plaza) within the T-C Zoning District will be

compatible with adjacent land uses and will not result in any adverse impacts onto the surrounding area.

**RECOMMENDATION:**

Staff recommends that the Planning Commission of the City of Placentia adopt the Resolution PC-2020-07 recommending approval of UP 2020-02.

**Review and approved by:**

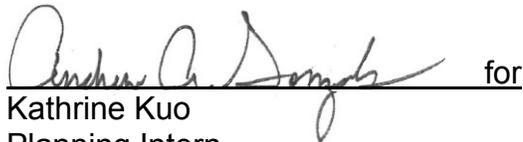


Andrew A. Gonzales  
Senior Planner



Joseph M. Lambert  
Director of Development Services

**Prepared and submitted by:**

 for

Kathrine Kuo  
Planning Intern

**Attachments:**

1. Resolution No. 2020-07 with attached Conditions of Approval
2. Vicinity Map
3. Project Plans Dated and Received October 16, 2019
4. Statement of Use Submitted by the Applicant Dated and Received December 11, 2019

## RESOLUTION NO. PC-2020-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2020-02 AND MAKING FINDINGS TO PERMIT THE ONSITE SALE AND CONSUMPTION OF GENERAL ALCOHOL (ABC TYPE 41 LICENSE) AT A PROPOSED 2,203 SQUARE FOOT, 64 SEAT, PIZZA REV RESTAURANT, LOCATED AT 1474 N. KRAEMER BOULEVARD, SUITE A2, WITHIN THE T-C (TOWN CENTER) ZONING DISTRICT.**

### **A. Recitals.**

**WHEREAS**, Pie Squared LLC (“Applicant” hereinafter), located at 1474 N. Kraemer Boulevard., Suite A2, filed an application for approval of Use Permit (UP) No. 2020-02, 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 March 10, 2020, 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 2020-02; 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 2020-02 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 general alcohol 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 T-C zoning district and (3) it is not anticipated that the proposed Pizza Rev 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 general alcohol 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 general alcohol 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 alcohol at a proposed restaurant is a conditionally permitted use in the T-C Zoning District in the City of Placentia. Approval of the Use Permit for the proposed request for the onsite sale and consumption of alcohol (beer and wine sale) 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 2020-02 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 2020-02 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 2020-02, 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 2020-02.

**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 10<sup>TH</sup> DAY OF MARCH, 2020

\_\_\_\_\_  
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 10<sup>th</sup> day of March, 2020, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of March, 2020, 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:      Conditions of Approval for Use Permit No. 2020-02**

**Attachment A**  
**Special Conditions of Approval and Standard Development Requirements for**  
**Use Permit 2020-02**  
**1474 N. Kraemer Boulevard, Suite A2**

**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) 2020-02 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) 2020-02 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) 2020-02 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. There shall be no additional modifications to the approved plans with approval from the Director of Development Services or his/her designee. Any additional changes to the approved plans, which has the effect of expanding or intensifying the present use, shall require a new Use Permit.
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 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. Alcoholic beverages may not be sold between the hours of 10:00 PM and 10:00 AM.

13. Alcoholic beverages may not be consumed on outdoor patio.

14. All patrons who appear under the age of 30 shall be required to show some form of identification or they will not be served an alcoholic beverage. All forms of out-of-state identification shall be checked by the authorized representative of the owner of the licensed premises in the Driver's License Guide. Upon presentment to the authorized representative of the owner of the licensed premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a closer visual inspection. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. Only the following forms of identification will be acceptable:

- a. Valid driver's license
- b. Valid State identification card
- c. Valid passport
- d. Current military identification
- e. U.S. Government immigrant identification card

14. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.

15. Persons serving alcoholic beverages are to attend a Responsible Beverage Service course such as the ABC LEADS or similar program and be able to provide certification of attendance when asked by the Placentia Police Department.

16. 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: 10:00 AM to 10:00 PM

- 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.

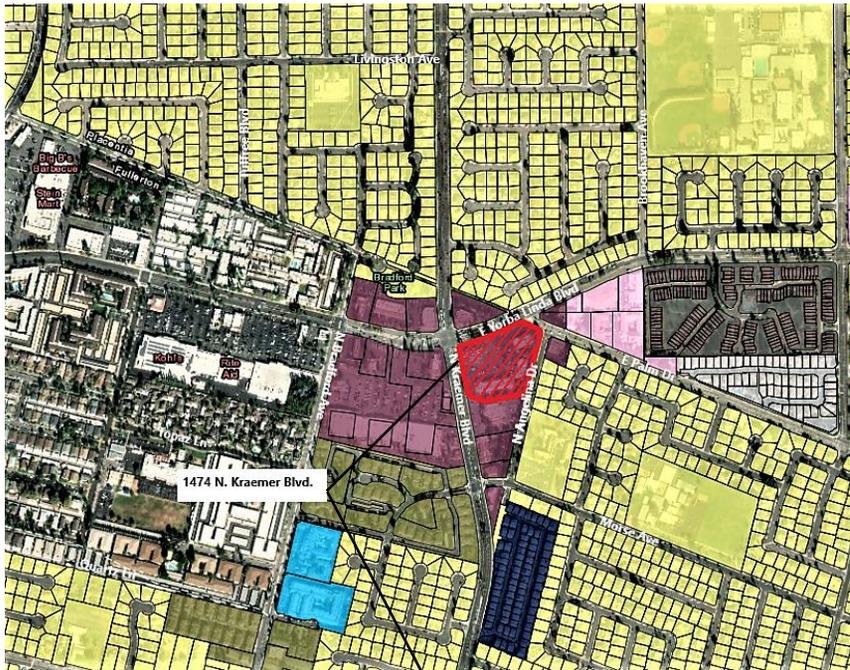
**FIRE AUTHORITY/ CITY OF PLACENTIA LIFE AND SAFETY DEPARTMENT:**

15. Prior to issuance of any building or grading permit, submit plans and obtain approvals to the satisfaction of the appropriate fire authority to either the Orange County Fire Authority or the City of Placentia Fire and Life Safety.



# ATTACHMENT B. VICINITY ZONING MAP

## UP 2020-02; 1474 N. KRAEMER BLVD., SUITE A2



Aerial A.

Zoning Code	
<span style="color: red;">■</span> C-1	<span style="color: lightgreen;">■</span> R-3
<span style="color: red;">■</span> C-1 (O)	<span style="color: lightgreen;">■</span> R-3 (O-1)
<span style="color: red;">■</span> C-1 (O-1)	<span style="color: yellowgreen;">■</span> R-A
<span style="color: red;">■</span> C-2	<span style="color: olivegreen;">■</span> R-G
<span style="color: pink;">■</span> C-2-H65	<span style="color: olivegreen;">■</span> R-G (O)
<span style="color: pink;">■</span> C-M	<span style="color: olivegreen;">■</span> R-G(O) & C-1 (O)
<span style="color: pink;">■</span> C-O	<span style="color: darkgreen;">■</span> RPC (O)
<span style="color: purple;">■</span> M	<span style="color: lightblue;">■</span> SP-1
<span style="color: purple;">■</span> M (O)	<span style="color: lightblue;">■</span> SP-2
<span style="color: purple;">■</span> M (PMD)	<span style="color: lightblue;">■</span> SP-3
<span style="color: grey;">■</span> PUD-1	<span style="color: lightblue;">■</span> SP-4
<span style="color: grey;">■</span> PUD-2	<span style="color: lightblue;">■</span> SP-5
<span style="color: grey;">■</span> PUD-2 (O)	<span style="color: blue;">■</span> SP-6 (O)
<span style="color: grey;">■</span> PUD-3	<span style="color: blue;">■</span> SP-7
<span style="color: grey;">■</span> PUD-3 (O)	<span style="color: blue;">■</span> SP-8
<span style="color: grey;">■</span> PUD-4	<span style="color: blue;">■</span> SP-9
<span style="color: yellow;">■</span> R-1	<span style="color: blue;">■</span> SP-10
<span style="color: yellow;">■</span> R-1 (MHP)	<span style="color: purple;">■</span> T-C
<span style="color: yellow;">■</span> R-1 (O)	<span style="color: olivegreen;">■</span> Old Town
<span style="color: orange;">■</span> R-2	<span style="color: orange;">■</span> TOD
<span style="color: orange;">■</span> R-2 (MHP)	<span style="color: grey;">■</span> N/A



Aerial B.

## **STATEMENT OF USE**

**APPLICANT:**           **PIE SQUARED, LLC**  
                                  **DBA: PIZZA REV**

**LOCATION:**             **1474 N. KRAEMER BLVD., SUITE A2**  
                                  **PLACENTIA, CA 92870**

**REQUEST:**            **USE PERMIT TO ALLOW THE SALE OF BEER AND WINE FOR**  
                                  **ON-SITE CONSUMPTION IN CONJUNCTION WITH A NEW PIZZA REV**  
                                  **RESTAURANT**

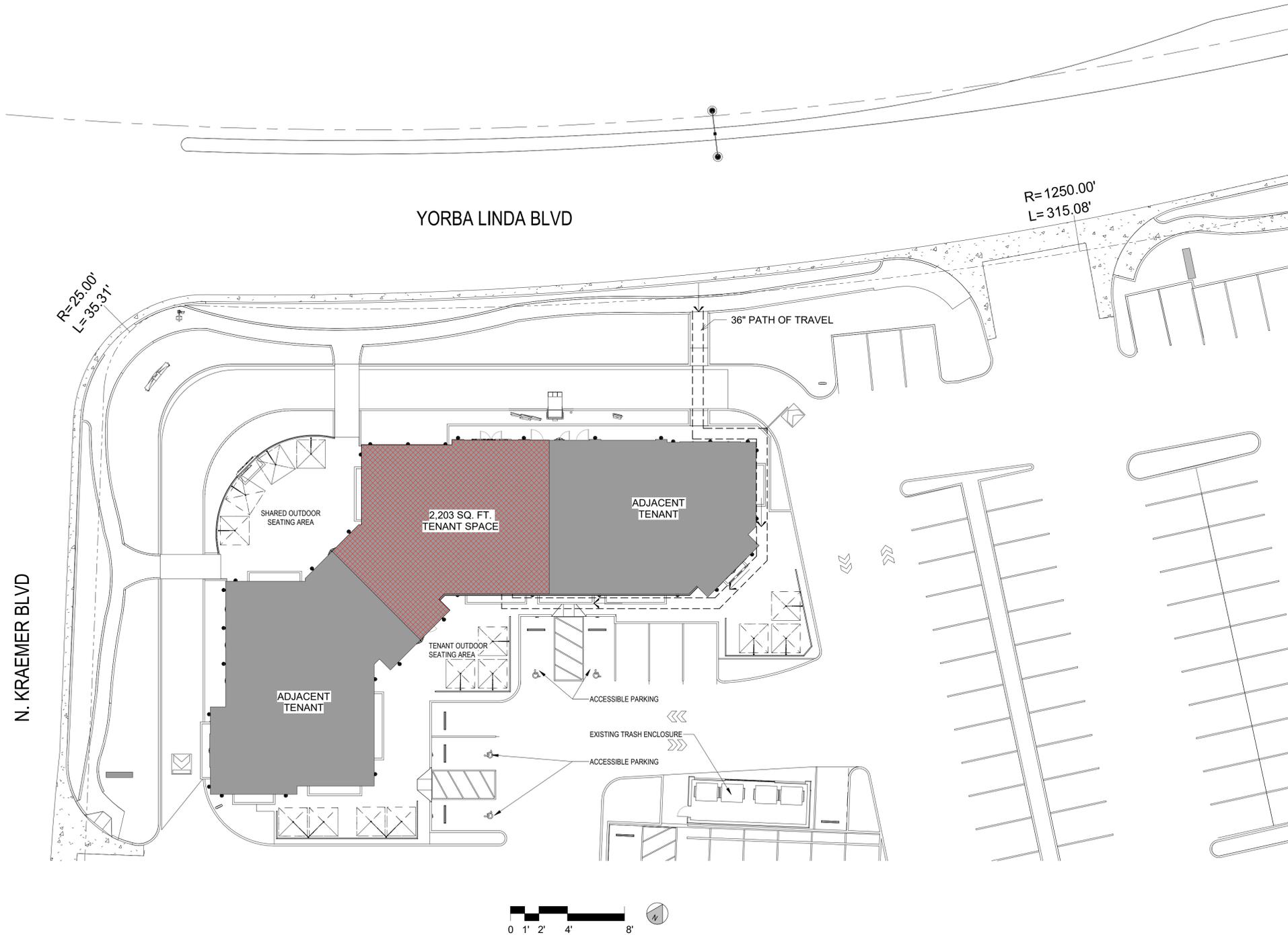
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The Applicant Pie Squared, LLC is requesting a Use Permit to allow the sale and service of beer and wine for on-site consumption at its new Pizza Rev restaurant to be located at 1474 N. Kraemer Blvd., Placentia, CA 92870. It is part of the Placentia Village Plaza, and is surrounded by a variety of other restaurant and retail uses. The restaurant will occupy an 2,203 s.f. interior tenant space, with 40 patron seats. There will be an additional 24 seats on an adjacent patio which is located entirely within the parcel. As with all Pizza Rev restaurants, the menu will include the sale of beer & wine. On-site consumption will be available within the interior seating area, however no beer & wine consumption is proposed in the patio areas. On-site beer and wine offered will be offered in standard single serving sizes, no off-site consumption ("to go") sales are proposed. Beer wine will be available in both bottled selections, as well as via tap. Pizza Rev's requested hours of operation are 10am to 10pm daily, with hours of beer and wine sales being the same. The Applicant believes the requested hours are reasonable, and that they are consistent with the variety of commercial uses in the area. The total number of employees to be hired for this location will be up to 35, with approx 10 employees on the premises during any given shift.

Pizza Rev opened its first location in Los Angeles in 2012, and has been rapidly expanding its brand. There are now almost 30 Pizza Rev restaurants throughout the US and Mexico. The applicant describes their business as "Fast Casual." Fresh ingredients and quick preparation times, allow patrons to have a quality meal within a standard lunch break. In terms of their request for the Use Permit to allow the service of beer and wine, these items are typically a very small portion of the restaurant's gross sales. The applicant's ability to offer these items to its patrons is nonetheless an important part of a very successful business model. The Applicant will operate with an ABC Type #41 License; Bona fide eating establishment with beer & wine service. The Applicant's desire for the requested Use Permit is because its experience at its other locations is that its customers appreciate having the ability to enjoy beer and wine with their meals. Pizza Rev has 12 operating Dept of ABC licenses within California alone, and have an excellent record of compliance with both the Dept of ABC and the corresponding cities in which they are located. That same responsible approach to the operation of their restaurants will be followed at this new location as well.

The Applicant believes that its request for a Use Permit to allow service of beer and wine for on-site consumption along with meals at its new restaurant is warranted based on the company's excellent record of compliance with the California Dept of Alcoholic Beverage Control ("ABC"), the appropriateness of the location for the requested use, and the Applicant's reputation as a well established and responsible company which can be trusted to manage alcohol service appropriately. With this in mind, the applicant would appreciate your support of the subject application and look forward to becoming part of the Placentia community.

10/16/2019 12:44:10 PM Y:\Shared\Clients\PizzaRev\Design\Placentia\_CAVA1\_Working\_files\BIM\_Models\Architecture\Ben1994-03 PIZZA REV PLACENTIA\_v20 dk.rvt



1 SITEPLAN - FOR REFERENCE ONLY  
1/16" = 1'-0"



KEY PLAN

REVISIONS			
REV	DATE	DESCRIPTION	BY
	10/16/19	ISSUED FOR PERMIT	JFH

SEAL

CERTIFICATION

PREPARED FOR

**PIZZAREV**

PROJECT LOCATION

**1474 North Kraemer Boulevard Placentia, CA 92870**

SHEET TITLE

**ARCHITECTURAL SITE PLAN**

SHEET MANAGEMENT

PROJECT NO: 1994-03  
DATE ISSUE: 10/16/19  
DRAWN BY: BM/HB  
REVIEWED BY: JH/JD

SHEET NUMBER

**SP-1.0**

REVISIONS	
REV	DESCRIPTION
BY	JFH
DATE	10/16/19
ISSUED FOR PERMIT	

SEAL

CERTIFICATION

PREPARED FOR

**PIZZAREV**



PROJECT LOCATION

**1474 North Kraemer Boulevard  
Placentia, CA 92870**

SHEET TITLE

**LIFE SAFETY PLAN**

SHEET MANAGEMENT

PROJECT NO: 1994-03  
DATE ISSUE: 10/16/19  
DRAWN BY: BMM/B  
REVIEWED BY: JH/JD

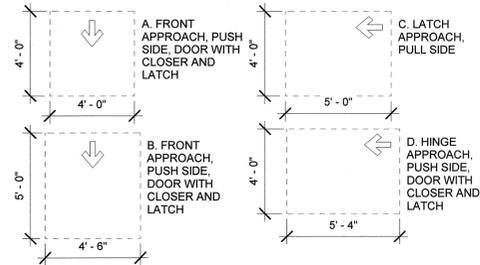
SHEET NUMBER

**LS-1**

**LIFE SAFETY KEYNOTES**

1. DOORS EXIT DIRECTLY TO EXTERIOR AT GRADE LEVEL

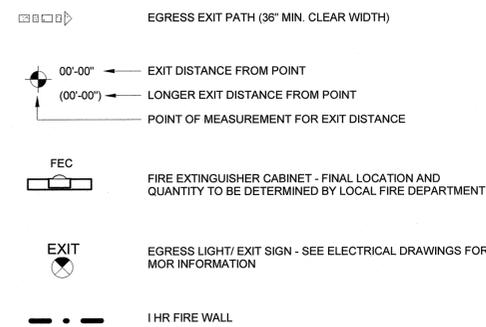
**ACCESSIBILITY CLEARANCE DESCRIPTIONS**



**LIFE SAFETY GENERAL NOTES**

- A. DESIGN AND CONSTRUCTION SHALL CONFORM TO THE CURRENTLY ADOPTED ACCESSIBILITY CODE, FIRE PREVENTION CODE, AND LIFE SAFETY CODES AS LISTED ON SHEET CV-1.
- B. ALL EXIT DOORS SHALL BE EQUIPPED WITH TACTILE EXIT SIGNAGE THAT COMPLIES WITH ANSI 117.1
- C. ANY AND ALL PENETRATIONS THROUGH FIRE BARRIERS SHALL BE PROTECTED WITH AN APPROVED FIRESTOPPING SYSTEM OR DEVICE.
- D. IF APPLICABLE, ANY AUTOMATIC SPRINKLERS OR OTHER FIRE PROTECTIVE SYSTEMS REQUIRE DEACTIVATION FOR A PERIOD GREATER THAN 4 HOURS IN ANY 24 HOUR PERIOD SHALL REQUIRE AN APPROVED FIREWATCH.
- E. THERE SHALL BE IN EFFECT AN APPROVED AND WRITTEN PLAN AVAILABLE FOR EMPLOYEE TRAINING FOR THE EMERGENCY EGRESS AND THE RELOCATION OF OCCUPANTS.
- F. ALL EMPLOYEES SHALL BE PERIODICALLY INSTRUCTED AND DRILLED WITH RESPECT TO THEIR DUTIES DURING AN EMERGENCY.
- G. ALL EMPLOYEES SHALL BE PERIODICALLY INSTRUCTED IN THE USE OF PORTABLE FIRE EXTINGUISHERS.
- H. LOCAL FIRE DEPARTMENT JURISDICTION WILL DETERMINE FINAL LOCATION AND QUANTITY OF FIRE EXTINGUISHER CABINETS.

**EGRESS LEGEND**



**CODE EGRESS SUMMARY**

**OCCUPANCY LOAD CALCULATIONS:**

Assembly A-2 -

Unconcentrated: (15 Net)	= 665 SF	= 32 PERSONS
Standing: (5 Net)	= 216 SF	= 38 PERSONS
Fixed Seating - Bench Seating: (18" per occupant)	= 48 LIN.FT.	= 32 PERSONS
Booth Seating: (24" per occupant)	= 15 LIN.FT.	= 7 PERSONS
Fixed Tables: (7 Net)	= 73 SF	= 11 PERSONS
Kitchen/Service: (200 Gross)	= 1,076 SF	= 6 PERSONS
Total = 137 PERSONS (DOES NOT INCLUDE EXTERIOR SEATING)		

**EXIT CAPACITY:**  
Needed: 0.15 x 137 = 21" (32" MIN Required)  
Provided: 108"

**TRAVEL DISTANCE:**  
250' Maximum

**DOOR WIDTH:**  
32" Clear Width

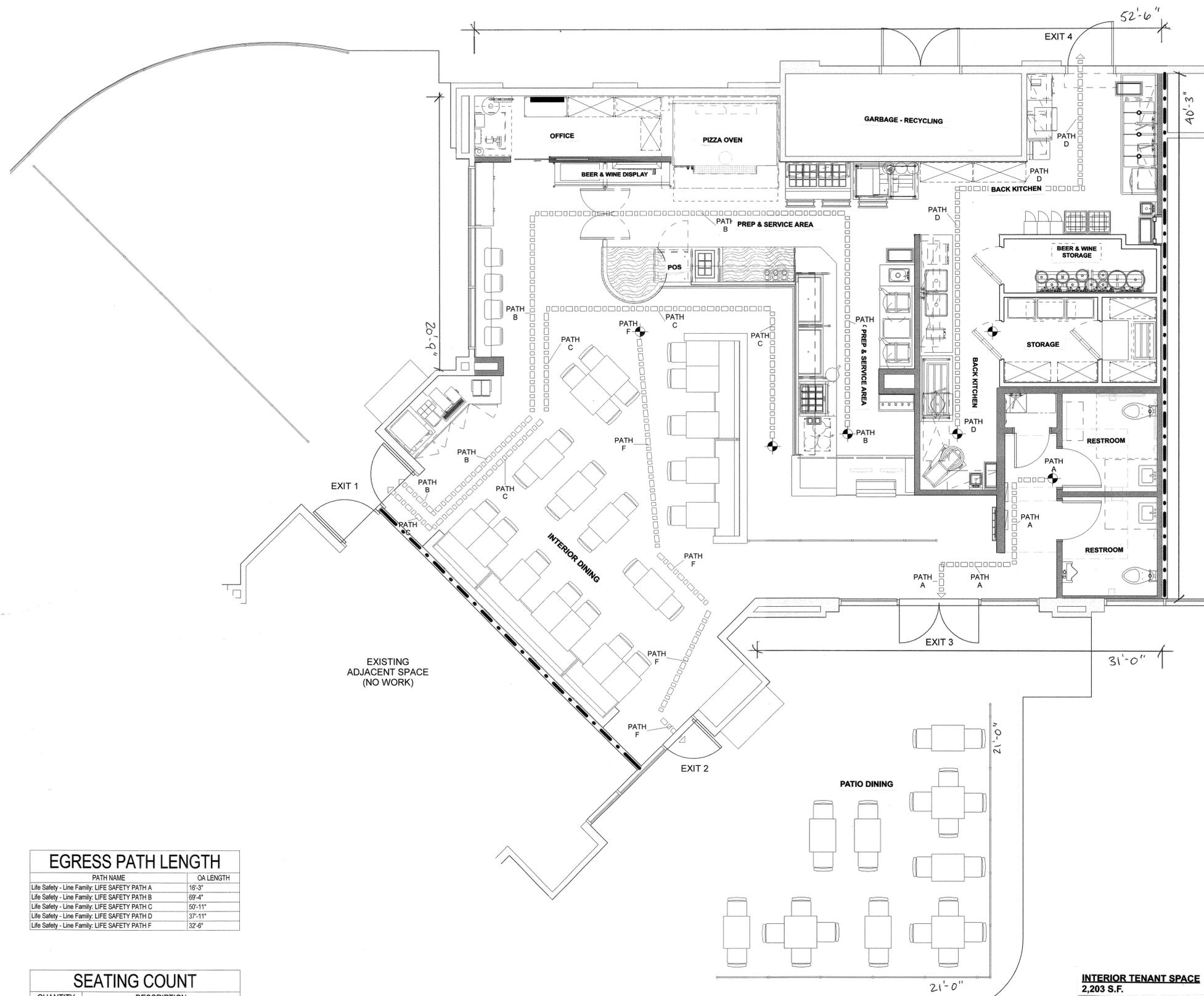
**EGRESS PATH LENGTH**

PATH NAME	QA LENGTH
Life Safety - Line Family: LIFE SAFETY PATH A	16'-3"
Life Safety - Line Family: LIFE SAFETY PATH B	89'-4"
Life Safety - Line Family: LIFE SAFETY PATH C	50'-11"
Life Safety - Line Family: LIFE SAFETY PATH D	37'-11"
Life Safety - Line Family: LIFE SAFETY PATH F	32'-6"

**SEATING COUNT**

QUANTITY	DESCRIPTION
11	ACCENT DINING CHAIR
4	BAR STOOLS
62	OUTDOOR DINING CHAIR
Grand total: 77	

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**1 LIFE SAFETY PLAN**  
1/4" = 1'-0"





# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: ARLEN BECK, ASSISTANT PLANNER

DATE: MARCH 10, 2020

SUBJECT: **USE PERMIT MODIFICATION (MOD) 87-15 TO PERMIT AN EXTERIOR AND INTERIOR REMODEL OF AN EXISTING 1,875 SQUARE FOOT, DRIVE-THROUGH RESTAURANT (DEL TACO) AND VARIANCE (VAR) 2020-01 TO PERMIT A ZERO LOT LINE EASTERLY SIDE YARD SETBACK IN LIEU OF THE REQUIRED TEN FOOT SETBACK TO ENCLOSE A 345 SQUARE FOOT PORTION OF THE RESTAURANT BUILDING TO CREATE A HALLWAY CORRIDOR, LOCATED AT 1851 E. ORANGETHORPE AVENUE, IN THE NEIGHBORHOOD COMMERCIAL (C-1) ZONING DISTRICT.**

### **RECOMMENDATION:**

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

1. Open the public hearing concerning Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2020-03, a resolution of the Planning Commission of the City of Placentia, approving Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01 and making findings to permit an exterior and interior remodel of an existing 1,875 square foot, drive-through restaurant (Del Taco) and to permit a zero lot line easterly side yard setback in lieu of the required ten foot setback to enclose a 345 square foot portion of the restaurant building to create a hallway corridor, located at 1851 E. Orangethorpe Avenue, in the Neighborhood Commercial (C-1) zoning district; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15305 (Class 5 – Minor Alterations in Land Use Limitations) and the City of Placentia Environmental Guidelines.

### **REQUEST:**

The applicant, Mark Raber, representing Del Taco, LLC, requests approval of a Use Permit Modification and Variance to allow for an exterior façade upgrade and interior remodel of the existing restaurant located at 1851 E. Orangethorpe Avenue (Del Taco), and as part of the façade upgrade requests a variance to permit a zero lot line easterly side yard setback in lieu of the

required ten foot side yard setback to enclose a 345 square foot portion of the restaurant building creating a hallway corridor which will allow for ADA compliant bathrooms.

**PROJECT BACKGROUND AND DESCRIPTION:**

For more than 50 years, Del Taco has been serving freshly prepared, craveable food at an unbeatable value. This rare combination is one of the many reasons that Del Taco is one of the leading brands in the fast-growing Mexican quick-service restaurant (QSR) category. Del Taco has 580 locations in 14 states, has an incredibly loyal fan base, and a strong presence across the western United States. Del Taco's menu includes tacos and burritos as well as burgers and fries, including breakfast to dinner to late night and everything in between.

The existing restaurant was originally built in 1988 along with the construction of the existing shopping center in which it is located, and the exterior façade has not been upgraded since the time of construction. Del Taco, LLC has occupied the building since the time of construction. The exterior façade remodel will include a new two-sided parapet/tower element, stonework around the base of the building, removing the existing mansard roof, and constructing a stucco parapet wall on the roof.

Currently there is an eight-foot setback along the easterly side of the building. The expansion of the building to the east is proposed to enclose this space and create an approximate 345 square foot corridor which will create an enclosed path of travel to the restrooms, which will bring the building into compliance with the latest ADA regulations. The newly created corridor is not considered habitable space but solely to act as a path of travel to the bathrooms which are currently only accessible from outside the building. As seen in Figure 1, the building will be repainted with new colors that are part of Del Taco's brand identity. The existing asphalt will be repaired, and the existing parking stalls will be restriped. Two new channel letters signs will also be installed as part of the façade remodel, in compliance with the Placentia Municipal Code (PMC).



Figure 1: West Elevation of proposed Façade remodel.

**Applicable Code Sections – Placentia Municipal Code Chapter(s) 23.33 (C-1 – Neighborhood Commercial), 23.93 (Variances)**

Chapter 23.93, Variances, includes the required Variance findings that states, “Where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of this title may result from the strict application of certain provisions thereof, Variance may be granted as provided in this section, provided this procedure may not be used to change the use of land.”

Due to the unique circumstances of the existing building and the property, the strict application of the provisions of the zoning ordinance deprives the property owner of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. This Variance will not result in the granting of a special privilege inconsistent with the limitations on other properties in the vicinity and under identical zoning classifications in that other properties under the same zoning classification are allowed a zero lot line setback, unless they are adjacent to a residential district or public right-of-way. Conditions necessary to ensure the purposes of Chapter 23.93, including guarantees and evidence of compliance with conditions, will be made part of the Variance approval. Staff finds that the request is consistent with the intent of Chapter 23.93 and provides justification to grant a Variance herein and in the attached Resolution. This Variance request does not allow any land use which is not in conformity with the use regulations specified in PMC Chapter 23.33 (C-1 – Neighborhood Commercial), in which the subject property is located.

**Subject Site and Surrounding Land Uses**

The table below illustrates the site and surrounding existing land uses, General Plan Land Use designation and zoning:

	<b>Existing Land Use</b>	<b>Land Use Element General Plan Designation</b>	<b>Zoning Map Designation</b>
<b>Existing</b>	Drive Through Restaurant (Del Taco)	Commercial	C-1 (Neighborhood Commercial)
<b>North</b>	Detached Single-Family Residences	Medium Density Residential	PUD-3 (O) (Planned Unit Development – Oil Combining Districts)
<b>South (across E. Orangethorpe Ave.)</b>	Self-Storage Facility	Industrial	M(O) (Manufacturing – Oil Combining Districts)
<b>West (across Richfield Rd.)</b>	Detached Single Family Residences	Specific Plan	SP-6 (O) (Specific Plan 6 – Oil Combining Districts)

<b>East</b>	Vacant, except for an existing oil extraction facility	Medium Density Residential	PUD-3 (O) (Planned Unit Development – Oil Combining Districts)
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**ZONING COMPLIANCE ANALYSIS**

**Site Development Standards**

The project is located within the C-1 Zoning District. The Variance request would not change the commercial character of the property. The stability and commercial character of the existing shopping center would not change; thus, the integrity of the C-1 Zoning District would remain intact. The proposal would not change the size or use of the lot and would meet the purpose and permitted uses of the C-1 Neighborhood Commercial District. In addition, a 10’ tall block wall will provide adequate separation between the building and the east property line.

**Other Departments Concerns and Requirements**

The Divisions of Planning and Building, the Public Works Department, as well as the Orange County Fire Authority have reviewed the application and submitted comments but had no concerns with the proposal. All applicable code requirements and conditions of approval from the aforementioned departments have been incorporated into a draft resolution for consideration and approval by the Planning Commission.

**ISSUES ANALYSIS:**

**General Plan Consistency**

The General Plan includes goals and polices that promote quality design and distinctive character for all commercial developments. More specifically, the General Plan advocates for the continuation of existing uses and diversity of retail and service commercial uses that are oriented to the needs of local residents. Revitalizing an existing restaurant that will prolong a high demand fast-casual restaurant chain and will promote more patronage to the existing shopping center. Additionally, the modernization of the existing restaurant building will stimulate reinvestment and strengthen the economic vitality of both the shopping center and City as a whole.

**PMC Consistency**

With exception of the Variance request, his project is consistent with the majority of the development requirements of C-1 Neighborhood Commercial District (PMC 23.33), regarding site criteria, height limits, off-street parking, and front setbacks. The Variance requested is to relieve the project of the side yard setbacks requirements when a commercial property is adjacent to a residential zoning district. It should be noted that the findings required to justify the requested variance can be satisfied.

## **Land Use Compatibility**

The proposed Use Permit Modification and Variance does not allow any land use which is not in conformity with the use regulations specified for the district in which the land is located. The project will be compatible with the land uses within the shopping center and the surrounding area, as the proposed corridor is within an established commercial district and contains complementary commercial uses. The nature of the use will not have adverse impacts on adjacent homes or businesses, as there are no significant noise or safety concerns. The existing block wall along the easterly property line helps to mitigate any potential noise, lighting, and/or property concerns.

## **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 (MOD) 87-15 and VAR 2020-01 is exempt from CEQA pursuant to State CEQA Guidelines § 15305 Class 5 – Minor Alterations in Land Use Limitations as the project will not result in any changes in land use or density and the side yard setback variance will not result in the creation of any new parcel.

## **PUBLIC NOTIFICATION:**

Legal notice was published in the Placentia News Times on February 27, 2020, and legal notices were sent to property owners of record within a 300-foot radius of the subject property, posted at the Civic Center, and on the City Website, on February 27, 2020. As of March 5, 2020, staff has received no comments in support or in opposition of the request.

## **CONCLUSION:**

The Use Permit modification meets all the following findings in the affirmative: (1) the proposed use will not be: (A) detrimental to the general health, safety, or general welfare of the persons residing or working within the neighborhood of the proposed development or within the city, or (B) injurious to the property or improvements within the neighborhood or the City; and (2) the proposed use will be consistent with the latest adopted General Plan; and (3) conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions, are made part of the Use Permit Modification approval.

The proposed Variance meets all the following findings in the affirmative: (1) the strict application of the provisions of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any Variance shall be conditioned, if necessary, to prevent the granting of a special privilege inconsistent with the limitations on other property in the vicinity and under identical zoning classifications; and (2) the proposed Variance will be consistent with the latest adopted General Plan; and (3) the proposed Variance does not allow any land use which is not in conformity with the use regulations specified for the district in

which the land is located; and (4) conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions, are made part of the Variance approval. Refer to the findings contained in Resolution PC-2020-03 for specific language regarding the findings.

**RECOMMENDATION:**

Staff recommends that the Planning Commission of the City of Placentia adopt Resolution PC-2020-03 recommending approval of UP (MOD) 87-15 and VAR 2020-01.

**Prepared and submitted by:**

  
\_\_\_\_\_  
Arlen Beck  
Assistant Planner

**Review and approved by:**

  
\_\_\_\_\_  
Joseph M. Lambert  
Director of Development Services

**Attachments:**

1. Resolution No. 2020-03 with attached Conditions of Approval
2. Vicinity Map
3. Statement of Use
4. Color Elevations

**RESOLUTION NO. PC-2020-03**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT MODIFICATION (MOD) NO. 87-15 AND VARIANCE (VAR) NO. 2020-01 AND MAKING FINDINGS TO PERMIT AN EXTERIOR AND INTERIOR REMODEL OF AN EXISTING 1,875 SQUARE FOOT, DRIVE-THROUGH RESTAURANT (DEL TACO) AND TO PERMIT A ZERO LOT LINE EASTERLY SIDE YARD SETBACK IN LIEU OF THE REQUIRED TEN FOOT SETBACK TO ENCLOSE A 345 SQUARE FOOT PORTION OF THE RESTAURANT BUILDING TO CREATE A HALLWAY CORRIDOR, LOCATED AT 1851 E. ORANGETHORPE AVENUE, IN THE NEIGHBORHOOD COMMERCIAL (C-1) ZONING DISTRICT.**

**A. Recitals.**

**WHEREAS**, Mark Raber, representing Del Taco, LLC (“Applicant” hereinafter), located at 1851 E. Orangethorpe Avenue, filed two applications for approval of Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit Modification and Variance requests are referred to as the “Applications”;

**WHEREAS**, on March 10, 2020, the Planning Commission conducted a duly noticed public hearing, as required by law, and received a staff report and other relevant information from City staff and members of the public regarding the application for Use Permit Modification and Variance applications; and

**WHEREAS**, after careful consideration of all pertinent testimony and the staff report offered in the case, the Planning Commission voted to approve the “Applications”; 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:** Variance. 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:

Neighborhood Commercial Zoning District will not be: (1) detrimental to the health, safety or general welfare of the persons residing and/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 the city. Subject to compliance with the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), this use complies with all other applicable code requirements and development standards of the C-1 zoning district and (3) it is not anticipated that the project will generate any negative impacts on adjacent properties.

b. The strict application of the provisions of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification. This variance request shall be conditioned to prevent the granting of a special privilege inconsistent with the limitations on other property in the vicinity and under identical zoning classifications, in that other properties under a C-1 zoning classification may have a zero lot line side yard setback when not adjacent to a residential district or public right-of-way. The property adjacent to the subject site does not contain any sensitive land use receptors as it is an unimproved vacant parcel, except for an existing oil extraction facility.

c. The proposed variance is consistent with the City of Placentia's latest adopted General Plan. The General Plan Land Use designation for the subject site is commercial, and the variance requested use does not involve any change in the land use of the subject site.

d. The proposed variance for the residence, located at 1851 E. Orangethorpe Avenue, subject to the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), does not allow any land use which is not in conformity with the use regulations specified in PMC Chapter 23.33 (C-1 – Neighborhood Commercial), in which the land is located, with the exception of the setback allowed herein.

e. Conditions necessary to secure the purposes of PMC Chapter 23.93, including guarantees and evidence of compliance with conditions are made part of the variance approval. Attachment "A" contains Conditions of Approval and Standard Development Requirements specific to VAR 2020-01 to ensure compliance with the Placentia Municipal Code (PMC).

**SECTION NO. 2:** Use Permit Modification. Based upon substantial evidence presented to this Commission during the public hearing conducted with regard to the Applications, including written staff reports, verbal testimony, and development plans, in accordance with PMC Chapter 23.87 (Use Permits), the Planning Commission finds as follows:

a. The proposed use will not be: (A) detrimental to the general health, safety or general welfare of the persons residing or working within the neighborhood of the

proposed development or within the city, or (B) injurious to the property or improvements within the neighborhood or within the city; and

- b. The proposed use will be consistent with the latest adopted general plan; and
- c. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions, are made part of the Use Permit Modification approval.

**SECTION NO. 3:** Based upon the environmental review of the project, the Planning Commission finds that UP (MOD) 87-15 and VAR 2020-01 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 § 15305 (Class 5 – Minor Alterations in Land Use Limitations) as the project will not result in any changes in land use or density and the side yard setback variance will not result in the creation of any new parcel.

**SECTION NO. 4:** The Planning Commission hereby directs that, upon approval of UP (MOD) 87-15 and VAR 2020-01, 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 (MOD) 87-15 and VAR 2020-01.

**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 to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 10<sup>th</sup> day of March, 2020

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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 10<sup>th</sup> day of March 2020, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of March, 2020, 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

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TOM DUARTE  
ASSISTANT CITY ATTORNEY

Attachment A: Conditions of Approval for Use Permit Modification No. UP (MOD) 87-15  
and Variance (VAR) No. 2020-01

**Attachment "A"**  
**Special Conditions of Approval and Standard Development Requirements for Use**  
**Permit Modification (MOD) No. 87-15 & Variance (VAR) 2020-01**  
**1851 E. Orangethorpe Ave.**

**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 THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT MODIFICATION AND VARIANCE TO CONTINUE IN GOOD STANDING.**

**DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:**

1. Use Permit Modification (MOD) No. 87-15 and Variance (VAR) 2020-01 is valid for a period of twelve (12) months from the date of final determination, unless extended pursuant to Placentia Municipal Code (PMC) Sections 23.75.080 and 23.87.080. If the development of the site and/or use approved by this action is not established by obtaining Building Permits 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. Use Permit Modification (MOD) 87-15 and Variance (VAR) 2020-01 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 project 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 the 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 issue 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. The site plan, floor plans, and elevations, including all associated architectural, landscape, and civil drawings, received and dated February 13, 2020, shall be the conceptually approved design.
6. Any significant modifications to the approved site plan, floor plans, and elevation plans, including any modifications which will change, expand or intensify the use shall be subject to review and approval by the Director of Development Services. The Director of Development Services or his or her designee may determine if such modifications require approval by the City of Placentia Planning Commission or may be approved administratively by City staff.
7. All applicable provisions of the Placentia Municipal Code (PMC) shall be met prior to issuance of Building Permits and shall be adhered to at all times.
8. Prior to issuance of building permits, except as otherwise noted, the project plans shall be submitted for the review and certification for inclusion into the entitlement file by the Director of Development Services and shall include the following information:
  - a. All Special Conditions of Approval and Standard Development Requirements of Use Permit Modification (MOD) No. 87-15 and Variance (VAR) No. 2020-01. Include any project revisions on the applicable sheets of the project plans. Additionally, include separate sheets with approved Special Conditions of Approval and Standard Development Requirements to be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
  - b. Typical cross section views and details through the property and across each property line as directed by the Director of Development Services.
  - c. Location of transformers, meters and other aboveground appurtenances.
  - d. The developer shall submit for City approval a construction staging plan that indicates how safe vehicular and pedestrian access to the site will be maintained for the duration of the construction period. At the discretion of the Director of Development Services or his/her designee, the construction stage plan shall include measures such as, but not limited to the following:
    - i. A telephone number and a name of a contact person for registering complaints or comments shall be posted in a clearly visible manner along the perimeter of the site.

- ii. A flag person shall be employed to direct traffic when construction vehicles access the project site and the construction staging area.
  - iii. Alternate pedestrian routes to the site shall be clearly delineated with safe access to and from the site.
  - iv. If any sidewalk is blocked during construction, alternate routes for pedestrians and bicycles shall be clearly marked with signs approved by the City.
  - v. All access points shall be clearly marked during construction, and if an access point is blocked during construction, a detour sign to an alternate access point shall be clearly posted.
  - vi. A detailed timeline outlining the course of drilling, grading/construction work that will take place on the property.
9. All commercial trash and waste bins shall be kept inside decorative trash enclosures. The dimensions and access gates of all trash enclosures shall comply with City standard and refuse company standard requirements at the time building permits are issued. All trash and waste enclosure gates shall remain closed at all times, except during disposal and pick-up. Trash pick-up shall be done on a regular basis.
10. Removal of any trees shall be replaced at a ratio of 2:1 with a specimen size and location subject to the satisfaction of the Director of Development Services. Tree(s) that may impede the placement of any of the proposed improvements may be petitioned in writing to the Director of Development Services. Said petition shall clearly explain the basis for the proposed removal and solicit a recommendation for mitigating the loss of the tree(s).
11. Prior to any modification of the floor plans that would affect parking as stipulated in the zoning code, the applicant shall obtain written approval from the Director of Development Services or his/her designee.
12. All mechanical equipment shall be screened from public view to the satisfaction of the Development Services Director.
13. The applicant, business owner(s), and property owner(s) shall be responsible for maintaining the respective 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(s) within 72 hours of defacement and/or upon notification by the City.
14. At the request of the Director of Development Services, applicant and/or property owner will provide a Parking Management Plan at their own expense to be reviewed by the Director of Development Services to remedy any parking concerns that may arise with

the project. The staff review of the parking management plan will be at the expense of the property owner/property management company.

15. Developer shall pay all applicable DIF's prior to issuance of the first building permit, including but not limited to:
  - a. Developer shall pay in full to the City of Placentia, all applicable citywide Development Impact Fees adopted by and set forth in City Council Ordinance O-2017-10 prior to issuance of the first building permit.
16. Developer and/or property owner agrees to approve the incorporation of the project into the Community Facilities District No. CFD 2014-01 (Public Services) pursuant to the provisions of California Government Code Section 53311, et seq. Said annexation into CFD No. 2014-01 shall be fully completed in accordance with California law prior to issuance of any Certificate of Occupancy for the project.
17. Developer and/or property owner agrees to approve the incorporation of the project into the Street Lighting District No. SLD 1981-01 pursuant to the provisions of California Streets and Highways Code Section 22500, et seq. Said annexation into SLD No. 1981-01 shall be fully completed in accordance with California law prior to issuance of any Certificate of Occupancy for the project.
18. Developer and/or property owner agrees that the City may, at its sole election, require that, instead annexing into SLD 1981-01 and/or LMD 1992-1, the project shall be incorporated into a Community Facilities District to be created by the City pursuant to the provision of California Government Code Section 53311, et seq; the purpose of which, and the initial amount of the taxes and assessments thereunder, will be substantially the same, in whole or in part, as SLD 1981-1 and/or LMD 1992-1. Developer and/or property owner agrees to approve the incorporation of the project into said Community Facilities District.
19. The City Administrator, Director of Development Services, or his/her designee reserves the right to make final decisions on any final design changes and/or requests.
20. Use Permit Modification (MOD) 87-15 and Variance (VAR) 2020-01 may be reviewed at the discretion of the Director of Development Services in order to determine if the project is built in compliance with all required Special Conditions of Approval and Standard Development Requirements.

**DEVELOPMENT SERVICES DEPARTMENT – BUILDING DIVISION:**

21. Applicant shall submit two sets of complete plans based on 2019 California Building Standards (2019 Editions of CBC, CEC, CMC, CPC, CalGreen, CFC, & California Energy Code) for Plan Checking and Permit Issuance prior to any operation.

The following requirements for fire ratings are based on assumption that the building is not equipped with fire sprinkler system throughout:

22. The proposed corridor shall be one-hour fire resistive construction. The walls shall be one-hour fire resistance with protected openings. The roof ceiling assembly of the corridor shall be one-hour fire resistance too.
23. The doors opening into the rated corridor shall be one-hour fire-resistance with self-closure and smoke seals.
24. The existing block wall shall be checked structurally to comply with 2019 CBC and ASCE 7-16 seismic requirements.
25. The corridor shall not have dead end in excess of 20' from any door opening into the corridor.
26. The exiting from corridor shall have path of access to accessible parking stalls and public ways.
27. The working areas, dining room, and patio area shall be accessible. Accessible seating shall be provided for the patio area too.
28. Shall address accessible parking stalls with minimum one accessible parking stall.
29. Shall address accessible path of travel from public sidewalk and accessible parking stalls landing to building entry.
30. All interior and exterior doors shall be accessible.

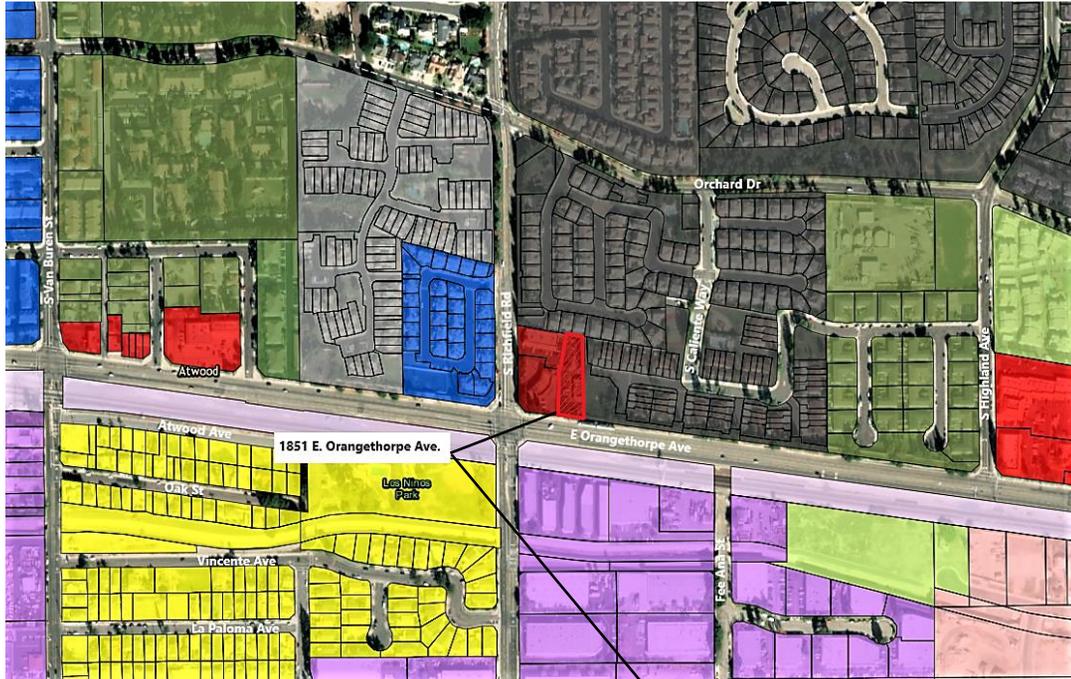
### **FIRE AUTHORITY**

31. Prior to issuance of a building permit applicant shall submit an architectural plan review (PR200-PR-285) to the Orange County Fire Authority.
32. Prior to concealing interior construction applicant shall submit the following:
  - A fire sprinkler system plan (PR430-PR455) to the Orange County Fire Authority if the existing sprinkler system requires modification.
  - A sprinkler monitoring system (service code PR500) if modified.
  - Hood and duct extinguishing system (service code PR335) if modified.



# ATTACHMENT B. VICINITY ZONING MAP

## UP (MOD) 87-15; VAR 2020-01; 1851 E. ORANGETHORPE AVE.



Aerial A.

Zoning Code	
<span style="color: red;">■</span> C-1	<span style="color: lightgreen;">■</span> R-3
<span style="color: red;">■</span> C-1 (O)	<span style="color: lightgreen;">■</span> R-3 (O-1)
<span style="color: red;">■</span> C-1 (O-1)	<span style="color: yellowgreen;">■</span> R-A
<span style="color: pink;">■</span> C-2	<span style="color: olivegreen;">■</span> R-G
<span style="color: pink;">■</span> C-2-H65	<span style="color: olivegreen;">■</span> R-G (O)
<span style="color: pink;">■</span> C-M	<span style="color: olivegreen;">■</span> R-G(O) & C-1 (O)
<span style="color: pink;">■</span> C-O	<span style="color: darkgreen;">■</span> RPC (O)
<span style="color: purple;">■</span> M	<span style="color: lightblue;">■</span> SP-1
<span style="color: purple;">■</span> M (O)	<span style="color: lightblue;">■</span> SP-2
<span style="color: purple;">■</span> M (PMD)	<span style="color: cyan;">■</span> SP-3
<span style="color: grey;">■</span> PUD-1	<span style="color: cyan;">■</span> SP-4
<span style="color: grey;">■</span> PUD-2	<span style="color: cyan;">■</span> SP-5
<span style="color: grey;">■</span> PUD-2 (O)	<span style="color: blue;">■</span> SP-6 (O)
<span style="color: grey;">■</span> PUD-3	<span style="color: blue;">■</span> SP-7
<span style="color: grey;">■</span> PUD-3 (O)	<span style="color: blue;">■</span> SP-8
<span style="color: grey;">■</span> PUD-4	<span style="color: blue;">■</span> SP-9
<span style="color: yellow;">■</span> R-1	<span style="color: darkblue;">■</span> SP-10
<span style="color: yellow;">■</span> R-1 (MHP)	<span style="color: purple;">■</span> T-C
<span style="color: yellow;">■</span> R-1 (O)	<span style="color: olivegreen;">■</span> Old Town
<span style="color: orange;">■</span> R-2	<span style="color: orange;">■</span> TOD
<span style="color: orange;">■</span> R-2 (MHP)	<span style="color: grey;">■</span> N/A



Aerial B.



25521 COMMERCENTRE DRIVE  
LAKE FOREST, CA 92630  
949/462-9300

February 13, 2020

Joseph Lambert  
Director of Development Services  
City of Placentia Community Development Department  
401 East Chapman Ave.  
Placentia, CA 928870  
(714) 993-8234

**RE: Use Modification and Variance Application Letter of Intent for Del Taco Unit #228 – 1851 E. Orangethorpe Ave., Placentia, CA 92870**

Dear Mr. Lambert,

Del Taco respectfully submits this Letter of Intent/Project Description as an addendum to the Use Modification and Variance Applications. Based on the outline below, we are requesting that we be allowed to construct one 2-sided tower element, enclose the east and extend to an existing CMU block of the easterly overhang to create a corridor. We also propose stone work, repaint, install new exterior artwork, install a new signage, remodel the dining area, remodel restrooms for compliance, and remodel kitchen areas. The scope is as follows:

**EXISTING BUILDING INFO:**

Site: Del Taco Unit #228 – 1851 E. Orangethorpe  
Occupancy: A-2 (*existing*)  
Square footage: 1,875 sq. ft. (*existing*)  
Building Type: V-B (*existing*)  
Sprinklered: Yes (*existing*)

Proposed is an exterior and interior remodel of an existing Del Taco Unit #228 located at 1851 E. Orangethorpe Ave. Del Taco LLC, is in process of a Re-Image program. The program seeks to a more uniform look of existing Del Tacos to be more in line with our new corporate look. The proposed tower, overhang enclosure and colors are part of the Del Taco brand in which we wish to utilize so as to bring a new fresh look for our customers and an invitation for new customers to come into our stores for a whole new dining experience.

For this Re-Image, we propose a new two-sided parapet/tower element, stonework around the base of the building, remove the existing mansard roof and construct a stucco parapet. We also propose to remove the patio dining table along the east elevation and enclose this area by adding a wall from the existing overhang to the existing CMU block wall, down to the finish floor creating an enclosed path of travel to our restrooms. Finally, we propose new paint colors, new artwork panels along the side of the drive thru. We are also proposing adding a new wall signage. We will improve the site by repairing the existing asphalt and restripe the existing parking stalls. The site improvements will also add an accessible path of travel from the public-right-of-way onto our site. The existing landscaping is to remain but will be rehabilitated as needed.

The proposed colors features earth tone colors such as "Modern Gray", "Tan" and "Java" which are consistent with the overall look of the shopping center while utilizing our distinct brand color of green which will provide better visibility for this location. During initial visits to this area, it was noted that other business in the immediate are also use colors similar to what we have currently repainted this building.

Our new exterior artwork is similar to what is existing. These panels are a central part of our new look utilizing panels featuring ingredients that our used in our food. These images do not depict our logo nor does it feature specific menu items. The artwork is there as a means to express our commitment to freshness in food and therefore, should not be considered signage but rather artwork. These pieces of art will be illuminated with attractive LED gooseneck style lighting

We are also proposing a change out of the existing signs. We now propose three (2) new channel letter signs. Two are to be located on the south and east sections of the tower. Our wall signs have a total approximate square footage of 65 square feet.

This Re-Image does not propose any change to the square footage or footprint of the existing building. We only seek to enclose the existing path of travel leading to our existing restrooms. This enclosure is only to be used as a path of travel to the side entrance door and to our restrooms. It is not and should not be considered habitable/commercial space. The existing CMU wall for this enclosure will attach to the existing roof overhang so it will adhere to its existing footprint which was approved in the original use permit. Therefore, it will still adhere to the original setback requirements at the time this permit as approved. Furthermore, while the adjacent property located along the west is zoned residential, it is currently being used as an oil extraction facility where no one inhabits. Any foot traffic or noise generated will be screened and mitigated by enclosing this area. Enclosing this area will actually better achieve the mitigation measures that such a setback requirement is intended for.

This project does not proposed any change to the layout of the parking lot. The only changes will be to add accessible paths of travel to comply with current laws and to rehabilitate any damaged or dying landscaping. This Re-Image will not change the use and operation therefore, it is consistent with any existing CUP or Entitlements for this restaurant. This Re-mage will not pose any objectionable change to the operational characteristics, noise, traffic and conditions of the area.

Corporate re-images are now common trend during these economic times that allows business the opportunity to enhance and freshen-up existing locations while at the same time provide a balance to the costs associated with remodels. Much time has been spent on creating a new brand look and we feel that these colors will enhance the existing building. The proposed changes are consistent with the look of the area and such changes will not affect the health, safety and welfare of residents in Placentia.

I can be reached at (949) 462-7467 or via e-mail at [mraber@deltaco.com](mailto:mraber@deltaco.com) . In advance I thank you for your consideration in this matter.

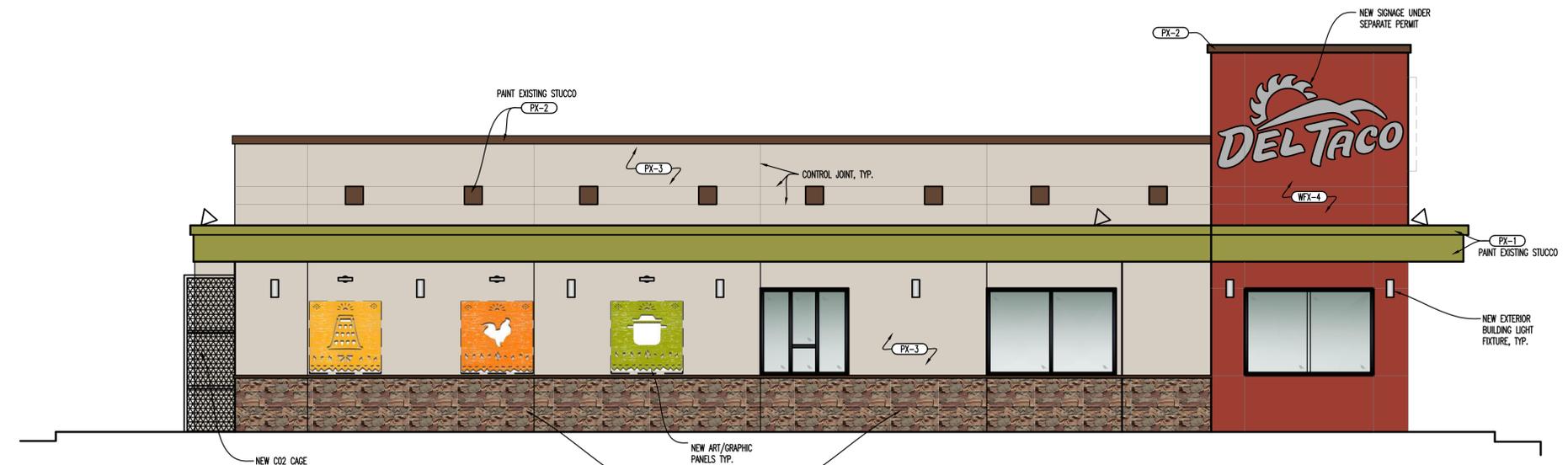
Sincerely,



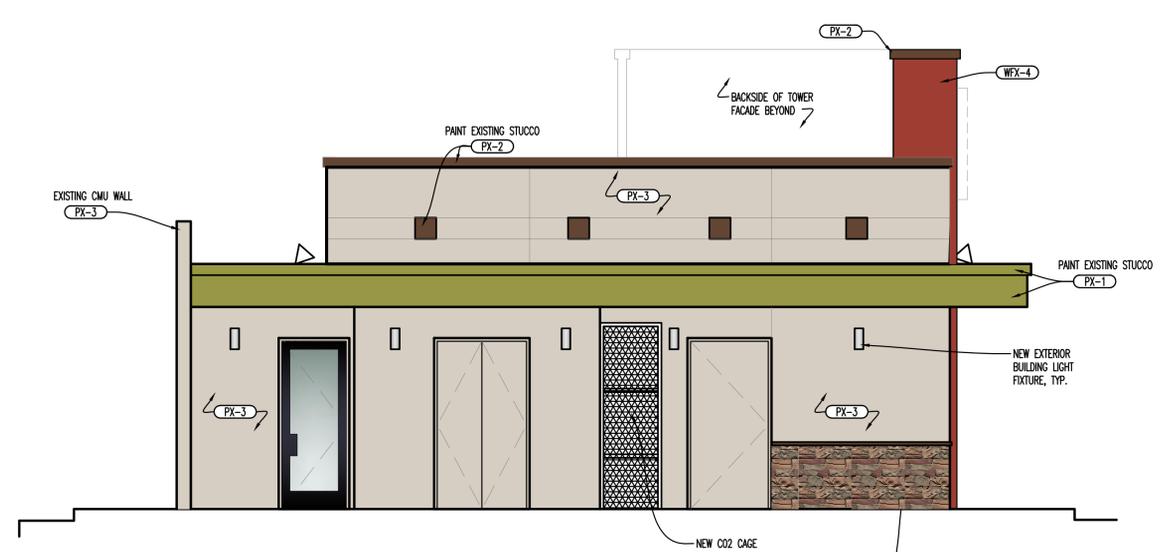
Mark Raber  
Facilities Special Project Manager  
Del Taco, LLC  
Facilities Department  
(949) 462-7467



PRINTED BY: JOSEPH  
 DRAWING NAME: ASDI\_EXTERIOR ELEVATIONS-2019-04-7\_DELTACO  
 LAYOUT: ASDI  
 SHEETS ATTACHED



03 WEST ELEVATION (D/T WINDOW)  
 1/4"=1'-0"



04 NORTH ELEVATION (B.O.H.)  
 1/4"=1'-0"

- GENERAL NOTES**
- REFER TO ARCHITECTURAL FLOOR PLAN FOR ADDITIONAL DIMENSIONS.
  - ALL HEIGHT REFERENCES ARE TAKEN FROM DATUM-TOP OF SLAB FOR AREA INDICATED.
  - REFER TO WINDOW SCHEDULE FOR WINDOW FINISHES AND WINDOW TYPES, SHEET A601.
  - REFER TO DOOR SCHEDULE FOR DOOR FINISHES AND DOOR TYPES, SHEET A601.
  - BUILDING SIGNAGE UNDER SEPARATE PERMIT AND SUBMITTAL.
  - ALL SIGNS AND LOGOS BY SIGN VENDOR.
  - LIGHTING FIXTURES PER ELECTRICAL LIGHTING SCHEDULE.

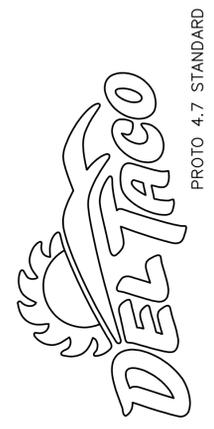
**EXT. MATERIAL/FINISH SCHEDULE**

SEE SHEET 0001g FOR VENDOR LIST AND CONTACT INFORMATION

FINISH	DESCRIPTION
MX	MISC
MX-1	NOT USED
MX-2	MANUFACTURER: PRODUCT/FINISH: METAL FLASHING / TRIM COLOR: TO MATCH PX-2
PX	PAINT & STAIN
PX-1	MANUFACTURER: PPG PITTSBURGH PAINTS PRODUCT/FINISH: PSX700 GLOSS EPOXY PAINT COLOR: TO MATCH SW# 6712 LIMA GREEN - GLOSS CONTACT: 800-441-9695, www.ppgpittsburghpaints.com NOTES: EPOXY FINISH TO BE APPLIED TO METAL ROOF (15 YEAR FILM COATING & 5 YEAR FADE WARRANTY MIN)
PX-2	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #6090 - GLOSS COLOR: JAWA
PX-3	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #7632 - SATIN COLOR: MODERN GRAY
PX-4	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #0057 - SATIN COLOR: CHINESE RED
WFX	WALL FINISHES
WFX-1	MANUFACTURER: CORONADO STONE PRODUCT/FINISH: OLD COUNTRY LEDGE COLOR: CHARLIS GROUT: LATICRETE #43 CHOCOLATE TRUFFLE; MINIMIZE GROUT LINES
WFX-4	MANUFACTURER: PRODUCT/FINISH: STUCCO W/ MONTEREY FINISH COLOR: PAINTED PX-4 NOTES: AT SOUTHEAST LOCATIONS REPLACE STUCCO WITH EIFS

**FINISH LEGEND**

(P-1) WALL FINISH, REFER TO FINISH SCHEDULE.



DO NOT SCALE DRAWINGS  
 CONTRACTOR TO VERIFY  
 ALL EXISTING CONDITIONS AND  
 DIMENSIONS-NOTIFY ARCHITECT  
 OF ANY DISCREPANCIES PRIOR  
 TO BEGINNING CONSTRUCTION

NO REVISION  
 REMODEL  
 2019

DEL TACO STORE #228  
 1851 E ORANGETHORPE AVE.  
 PLACENTIA, CA 92870  
 ORANGE COUNTY  
 02-12-2020

PROJECT NUMBER  
 2019-R04  
 SHEET NAME  
 EXTERIOR  
 ELEVATIONS

SHEET NUMBER  
 A202

PROTO 4.7 STANDARD