



Placentia Planning Commission
Agenda

Regular Meeting
June 12, 2012
6:30 p.m.

Michael Ebenhoch
Chairman

Vic Tomazic
Vice Chairman

Frank Perez
Commissioner

Floyd Farano
Commissioner

Christine Schaefer
Commissioner

John Scull
Commissioner

Thomas Solomonson
Commissioner

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8124
Fax: (714) 961-0283
Website: www.placentia.org

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 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
Community Room
401 E. Chapman Avenue
June 12, 2012**

**REGULAR MEETING
6:30 p.m. – Community Room**

MEETING CALLED TO ORDER

ROLL CALL: Chairman Ebenhoch
Vice Chairman Tomazic
Commissioner Farano
Commissioner Schaefer
Commissioner Scull
Commissioner Perez
Commissioner Solomonson

PLEDGE OF ALLEGIANCE

ORAL COMMUNICATIONS

At this time, the public is invited to address the Planning Commission concerning any items on the agenda, which are not public hearings, or other items under the jurisdiction of the Placentia Planning Commission

MINUTES

May 8, 2012

PUBLIC HEARINGS

1. **Applicant: Michael Rue**
Location: 715, 717 & 719 Dunn Way

Use Permit (UP) 2012-03:

To permit the sale of alcoholic beverages for on and off-site consumption (Type 23 Small Beer Manufacturer Alcoholic Beverage Control License) in conjunction with the operation and expansion of an existing small craft brewery (The Bruery) that manufactures specialty beers, conducts guided tours of their facility and offers beer and wine sampling within the tasting room, located in a +/- 9,850 square foot industrial tenant space at 715, 717 and 719 Dunn Way in the Manufacturing (M) District.

Recommended Actions:

Adopt Resolution No. PC-2012-07 approving Use Permit (UP) 2012-03, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

2. **Applicant:** Fancher Development Services: Bill Fancher
Location: 1882 N. Placentia Avenue

Use Permit (UP) 2012-05:

To permit the operation of a +/- 19,800 square foot health and fitness facility (Crunch Fitness) that specializes in fitness equipment use, group classes and personal training within a commercial retail tenant space located at 1882 N. Placentia Avenue in the Neighborhood Commercial (C-1) District.

Recommended Actions:

Adopt Resolution No. PC-2012-08 approving Use Permit (UP) 2012-05, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

3. **Applicant:** City of Placentia

Amendment 2012-01:

Amendment to Chapter 23.90 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding a new § 23.90.045 requiring specified signs utilizing non-Latin/Roman alphabet characters to provide a generic description of the business in English and requires applications for such signs to include a certified English translation thereof.

Recommended Actions:

Adopt Resolution No. PC-2012-08 making required findings; and recommend approval of Zoning Code Amendment 2012-01 to the City Council, and direct staff to prepare and transmit a report of the findings and recommendations of the Planning Commission to the City Council.

4. **Applicant:** City of Placentia

General Plan Conformance Finding for Fiscal Year 2012 to 2019 Seven Year Capital Improvement Program

Recommended Action:

That the Planning Commission adopts Resolution PC-2012-10, finding that the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program (CIP) conforms to the adopted General Plan and its related elements and recommending the CIP for consideration and approval to City Council.

NEW BUSINESS

None

DEVELOPMENT 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.

ADJOURNMENT

The Planning Commissioners ADJOURN to a Regular meeting on Tuesday, July 10, 2012 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

CERTIFICATION OF POSTING

I, Kenneth A. Domer, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the June 12, 2012 Regular meeting of the Planning Commission of the City of Placentia was posted on June 7, 2012.



Kenneth A. Domer

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

May 8, 2012

The regular meeting of the Placentia Planning Commission of April 10, 2012 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chairman Ebenhoch.

ROLL CALL: Present: Michael Ebenhoch, Chairman
Christine Schaefer, Commissioner
John Scull, Commissioner
Frank Perez, Commissioner

Absent: Vic Tomazic, Vice Chairman
Floyd Farano, Commissioner
Tom Solomonson, Commissioner

PLEDGE OF ALLEGIANCE: Led by Commissioner Perez

Others Present: Ken Domer, Assistant City Administrator
Andrew V. Arczynski, City Attorney
Sara Salazar, Administrative Assistant
Monique Schwartz, Associate Planner

ORAL COMMUNICATIONS: The Chair invited the public to make comments on matters not scheduled for public hearing but none were offered.

Motion by Commissioner Schaefer, seconded by Commissioner Scull to APPROVE THE MINUTES of April 10, 2012 with the correction that Commissioner Perez was Absent Excused. Passed by a 3-0-3-1 vote. Tomazic, Farano, Solomonson Absent. Perez Abstain.

Public Hearings:

1. **Applicant:** Alison Aicard and William Carpenter

Location: 310 E. Orangethorpe Avenue, Units G, H and J

Use Permit (UP) 2012-04:

To permit the operation of a social dance instruction studio (Allegro Ballroom) within +/- 5,400 square foot commercial- industrial space, located at 310 E. Orangethorpe Avenue, Suites G, H and J in the Commercial – Manufacturing (C-M) District.

Ms. Schwartz gave the staff report which was a continuation from the April 10, 2012 meeting.

Commissioner Schaefer asked about Special Condition #17 and expressed concern that this

item will prevent members of the public from attending public dances. Ms. Schwartz responded that public dances are a normal part of the business operation and not considered a special event, therefore members of the public are able to attend.

Commissioner Schaefer referenced Special Condition #19 and asked if there is an age limit for parent accompaniment. Ms. Schwartz stated that the condition does not specify an age limit.

Commissioner Schaefer referenced Special Condition #24 and asked who is responsible for lighting upgrades to the property. Ms. Schwartz deferred the question to the applicant.

Commissioner Schaefer referred to Placentia Municipal Code 6.52.22.0 and asked for clarification on whether it is unlawful for persons 20 years or older to attend a public dance for persons under 18. Mr. Domer responded that at dances advertised for persons 18 and under, a parent or guardian may attend, but members of the public will not be in attendance. However for public dances, persons under 18 must be accompanied by a parent or guardian. Commissioner Schaefer asked Mr. Domer if he thought there was any conflict with the language of the Municipal Code. Mr. Domer responded that no, he did not.

Chairman Ebenhoch asked Mr. Domer if he would be required to attend a dance with his own child who is under 18 years old. Mr. Domer responded that the code is designed to protect persons who attend a dance that is open to all ages. Mr. Domer added that the applicant will need to clarify if there will ever be a dance for persons 18 years and under.

Mr. Domer pointed out an error in the April 10, 2012 minutes, page 3, next to last paragraph, it indicates that Chairman Ebenhoch closed the public hearing. Mr. Domer recommended that the Commission re-vote on the minutes and continue the public hearing to the May 8, 2012 meeting.

Motion by Commissioner Schaefer, seconded by Chairman Ebenhoch to APPROVE THE MINUTES of April 10, 2012 with the correction that the public hearing is continued to the May 8, 2012 meeting. Passed by a 3-0-3-1 vote. Tomazic, Farano, Solomonson Absent. Perez Abstain.

Chairman Ebenhoch opened the public hearing.

The applicant, Mr. William Carpenter of 200 Chinook Circle, Placentia introduced himself to the Commission. He responded to an earlier question about lighting and stated that it has not yet been addressed with the property owner, however if the owner is not willing to make the improvements, the applicant is willing. In response to concerns about dances with age restrictions, he stated that he does not intend to hold any dances restricted to those 18 and under only.

Commissioner Schaefer asked the applicant if he was satisfied with the changes that staff has made. He responded that yes, he was satisfied.

Chairman Ebenhoch invited any questions or comments from the public however there were none.

Chairman Ebenhoch closed the public hearing.

Mr. Arczynski recommended that Commissioner Perez abstain from the voting as he was not present for the April 10, 2012 public hearing.

Motion by Commissioner Schaefer, seconded by Commissioner Scull TO ADOPT RESOLUTION NO. PC-2012-06 APPROVING USE PERMIT (UP) 2012-04, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 3-0-3-1 vote. Tomazic, Farano, Solomonson Absent. Perez Abstain.

DEVELOPMENT REPORT

Planning Commission Requests:

Mr. Domer advised the Commission that next months' meeting will include the Capital Improvement Program, a sign ordinance for non standard language, as well as a revision to the Use Permit for the Bruery.

Commissioner Schaefer expressed appreciation that the fencing around the Arco Gas Station at Yorba Linda Blvd. and Rose Drive has been removed and it appears the construction is almost complete.

ADJOURNMENT

Chairman Ebenhoch adjourned the Planning Commission meeting at 6:57 p.m. to the next regularly scheduled meeting on June 12, 2012 in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Ken Domer
Assistant City Administrator



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 1	DATE: June 12, 2012	PUBLIC HEARING: Yes
APPLICATION: Use Permit (UP) 2012-03		
DESCRIPTION: To permit the sale of alcoholic beverages for on and off site consumption (Type 23 Small Beer Manufacturer Alcoholic Beverage Control License) in conjunction with the operation and expansion of an existing small craft brewery that manufactures specialty beers, conducts guided tours of their facility and offers beer and wine sampling within their tasting room, located in a +/- 9,850 square foot industrial tenant space at 715, 717 and 719 Dunn Way in the Manufacturing (M) District.		
RELATED APPLICATIONS: None		
APPLICANT: Michael Rue		
PROPERTY OWNER: Frome Developments Omega, LLC: Stan Frome		
LOCATION: 715, 717 and 719 Dunn Way		
CEQA DETERMINATION: Categorically Exempt: Class 5, Section 15305		
ZONING: Manufacturing (M) District		APN(S): 339-112-02
GENERAL PLAN: Manufacturing	CITY COUNCIL ACTION REQUIRED: No	
PREPARED BY: Monique B. Schwartz, Associate Planner		
REVIEWED BY: Kenneth A. Domer, Assistant City Administrator		

REQUEST:

To permit the sale of alcoholic beverages for on and off site consumption (Type 23 Small Beer Manufacturer Alcoholic Beverage Control License) in conjunction with the operation and expansion of an existing small craft brewery that manufactures specialty beers, conducts guided tours of their facility and offers beer and wine sampling within the tasting room, located in a +/- 9,850 square foot industrial tenant space at 715, 717 and 719 Dunn Way in the Manufacturing (M) District.

BACKGROUND:

The Bruery is an existing family owned micro brewery business that has been operating in the City of Placentia since May of 2007. In 2007, the Development Services Department determined that a beer manufacturing and distributing facility, located within the Manufacturing (M) District conforms with the purpose of the "M" District and is a permitted use, pursuant to Section 23.47.020(7) and (8) of the Placentia Municipal Code, which allows for the treatment of, manufacturing, assembling, compounding, warehousing, storage and distribution of goods and materials. It was determined at that time that a Use Permit for the sale of alcohol was not required because the Placentia Municipal Code does not address alcohol sales within the Manufacturing District. In order to operate a micro brewery, the business owner; however, was required to obtain a Type 23 Small Beer Manufacturer (Brew Pub or Micro-brewery) license from the State Department of Alcoholic Beverage Control (ABC).

A year later on August 12, 2008, after establishing their beer production business, the owners of the Bruery received Planning Commission approval for a Use Permit application (Use Permit 08/09) in order to conduct beer tastings/samplings of their own manufactured products in a designated +/- 1,100 square foot area within their warehouse facility. In addition, because brewery tourism was a popular practice, similar to the popularity of visiting wineries and tasting the products that are produced on the premises, The Bruery also received approval to conduct guided tours. It was the intention of the business owner to give each tour guest a basic understanding as to how beer is manufactured and how different ingredients and processes affect beer flavor. This was an opportunity for the business owner to connect with customers on a personal level and increase product marketing and sales.

With the increasing demand in the sales of craft beer and the growing needs of the business, the necessity for an expansion of the production area became crucial for the Bruery business. In January 2012, The Bruery proposed an expansion of the existing business into two (2) adjacent industrial suites (Suites 717 and 719). The expansion included moving the existing tasting/sampling area into the front portion of suite 717, and adding a fermentation room in the rear portion of the same suite, thus allowing additional space for more production related equipment in Suite 715 and providing an air conditioned environment for the tasting/sampling room customers. Suite 719 was to be used as storage space for the business. Also proposed were changes to the hours of beer tasting/sampling, tours and retail sales. On January 19, 2012, the Development Services Department administratively approved the expansion and floor plan alteration along with the change in hours of operation because the relocation of the tasting room in terms of square footage and the changes in operating hours remained generally consistent with what was approved under Use Permit 08/09. As conditions of the Administrative approval, the public area of the new tasting room (1,152 square feet) is to remain consistent with the approved square footage as contained in Use Permit 08/09 and the maximum occupancy of the new tasting room is not to exceed 49 persons.

During the administrative review process, Staff had discussions with the applicant about a City omission regarding the necessity of a Use Permit in order to sell alcoholic beverages at the Bruery site location. Staff has determined that under Section 23.81.050 (6) General Regulations of the Placentia Municipal Code, there is language that specifies the requirement of a Use Permit for establishments that sell alcoholic beverages, including on-sale and off-sale and such a Use Permit should have been required when the business originally began operations in 2007. The omission seemingly occurred because the manufacturing of beer within a Manufacturing District in Placentia is allowed; however, the licensing through the State ABC which provides for the ability to manufacture beer also allows the ability to sell beer for on and off-site consumption. Under a Type 23 ABC license, which The Bruery has, they are allowed to operate within the same guidelines as a Type 01 Beer Manufacturer. This Type 01 ABC license authorizes the sale "to consumers for consumption on or off the manufacturer's licensed premises." In order to rectify the previous determination made by Staff in 2007, this item is being presented for Planning Commission consideration for a Type 23 Small Beer Manufacturer License for the sale of beer and wine for on and off-site consumption

within Suites 715, 717 and 719 Dunn Way. This is a City-initiated application based on the omission in 2007 and the business owner/applicant is in agreement.

RECOMMENDATION:

The City Planning Division is recommending the adoption of Resolution No. PC-2012-07, approving Use Permit (UP) 2012-03, subject to the attached Special Conditions of Approval and Standard Development Requirements.

DISCUSSION:

The Bruery is currently located within an industrial complex at the terminus of Dunn Way, which is located on the north side of Orangethorpe Avenue, west of Placentia Avenue and east of the 57 Freeway. Other uses within this industrial center include a an automobile machine shop, label printing shop, screen printing, wholesale automotive parts and distributing, dance instruction studio, precious metal refinishing, dental laboratory and the sale of motorcycle equipment.

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	Industrial/Manufacturing	Industrial	M
Proposed	Manufacturing beer, sampling/tasting of beers and tours of manufacturing facility	Industrial	M
North	Commercial	Specific Plan	SP-5
South	Industrial/Manufacturing	Industrial	M
East	57 Freeway	-----	-----
West	Industrial/Manufacturing	Industrial	M

OPERATIONAL CHARACTERISTICS:

The Bruery currently produces high quality craft beers for distribution to high-end grocery stores, restaurants and beer bars. The primary brewing work takes place in Suite 715 and in the rear portion of Suite 717, in the fermentation room. They operate a 1,152 square foot retail, tasting/sampling room in the front portion of Suite 717 under a Type 23 license where they sell bottled beer for on and off-site consumption and merchandise, including shirts, sweatshirts, caps and other promotional items. Suite 719 will be used for storage purposes. The tasting room provides the public the opportunity to become acquainted with The Bruery beers by ordering a tasting flight of five beer samples of two to three ounces each for on-premise consumption. Alternatively, customers can order a glass of beer. Only The Bruery beers and crackers are offered in the tasting room, although customers are permitted to bring their own food into the tasting room for consumption.

Bruery tours are conducted by the business owner or an associate Monday through Friday at 4:30 p.m. and on Saturdays and Sundays at 12:00 noon and 3:30 p.m. Each tour lasts approximately thirty (30) minutes. Tour groups will range between 7 and 15 guests, with a maximum of 15 people on a tour at any one time. Tours are offered free of charge; however there is a small fee for beer samples. Each tour ends at the tasting bar, where the guests are shown a short video and offered various samples of the beers that are manufactured at this facility.

The Bruery operates during the following hours:

Manufacturing Hours:

Monday – Friday: 8:00 a.m. to 5:00 p.m.
 Twice per week: 3:00 a.m. to 5:00 p.m.

Beer Tasting/Sampling Hours:

Fridays: 5:00 p.m. to 10:00 p.m. (Open at 2:00 p.m.)
 Saturdays and Sundays: 12:00 noon to 10:00 p.m.

Bruery Tours:

Monday - Friday: 4:30 p.m.
 Saturday and Sunday: 12:00 noon and 3:30 p.m.

Retail Sales:

Monday-Friday: 8:00 a.m. to 10:00 p.m.
 Saturday and Sunday: 12:00 noon to 10:00 p.m.

There are two (2) full-time employees, including the owner/applicant, Mr. Patrick Rue and two (2) part-time employees that will be running the daily operations of this facility.

Days and Hours of Operation of Businesses within the Dunn Way Industrial Complex:

Address	Name of Business	Days and Hours of Operation
702 Dunn Way	BPE Racing Heads	Monday – Friday: 9:00 a.m. to 6:00 p.m.
704,708 Dunn Way	Label Specialties, Inc.	Monday – Friday: 6:00 a.m. to 5:30 p.m.
712 Dunn Way	JDF Enterprises	Monday – Friday: 7:00 a.m. to 6:00 p.m.
715, 717, 719, 721, 723 Dunn Way	The Bruery	As stated.
725 Dunn Way	BG Petrospecs	Monday – Friday: 8:00 a.m. to 4:00 p.m.
727 Dunn Way	A & G Printing	Monday – Friday: 8:30 a.m. to 4:30 p.m.
729 Dunn Way	Vacant	---
731 & 733 Dunn Way	Atomic Ballroom	Monday: 8:30 a.m. to 9:00 p.m. Tuesday: 8:30 a.m. to 9:00 p.m. Wednesday: 8:30 a.m. to 1:00 a.m. Thursday: 8:30 a.m. to 9:00 p.m. Friday: 8:30 a.m. to 1:00 a.m. Saturday: 7:30 a.m. to 1:00 a.m. Sunday: 8:30 a.m. to 1:00 a.m.

735 Dunn Way	New Tech Metal Finishing	Monday – Friday: 8:00 a.m. to 6:00 p.m.
737 Dunn Way	Head Trip	No contact
739 Dunn Way	Melonsen, LLC	Not open to public
741 Dunn Way	Vacant	
743 Dunn Way	Machine Tune	Monday- Friday 10:00 a.m. to 5:00 p.m.
745 Dunn Way	3 Generation Auto Connect	No contact

Floor Plan:

The submittal floor plan indicates that the total tenant space (Suites 715, 717 and 719) is approximately 9,850 square feet. The main entrance to the Bruery is located on the south side of Suite 715. There is a reception area, one (1) office, a grain milling room, a large open production area that is devoted to beer manufacturing equipment and temporary storage of aged beer barrels and bottled beer product and two (2) rest room facilities located in this suite. Suite 717 is comprised of a +/- 1,152 square foot tasting/sampling area, two restroom facilities and an adjoining fermentation room that houses several holding tanks where the beer undergoes the fermentation process. There is an entrance to this suite on the south side of the tenant space. Suite 719 is used for cold and dry storage of beer related products.

Access/Parking:

The subject site can be accessed via an existing driveway approach off of Dunn Way. There is approximately 57,654 square feet of tenant space within this industrial complex. A total of 128 parking spaces are required to accommodate the uses within this industrial center and 128 spaces are provided. The revised floor plan, revised hours of operation, and relocation of the existing tasting room, is not considered an intensification of the existing use, which could potentially affect parking within this industrial center. Due to the tour and tasting/sampling room hours, which occur after typical businesses hours within this industrial complex, a 15 person maximum tour group limit, and a 49 person limit within the tasting room, it is not expected that The Bruery facility will impact the available parking at this site. The only other business that operates outside of normal operating hours within this industrial center is Atomic Ballroom which on most days closes at 9:00 p.m. except Wednesdays, Fridays, Saturdays and Sundays, when their closing time is 1:00 a.m. These businesses have been co-existing within this industrial center for the past few years and the City has not received any complaints concerning parking at this location.

Existing ABC Licenses Within One-Half (0.50) Mile Radius of the Subject Site:

The Alcoholic Beverage Control (ABC) license that was obtained by The Bruery in 2007 is a Type 23 Small Beer Manufacturer- (Brew Pub or Micro-brewery) license. A description of the basic privileges of a Type 23 ABC license was obtained from the State Department of Alcoholic Beverage Control website and reads as follows: "authorizes the same privileges and restrictions as a Type 01 License. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small scale brewery operation that

typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant." A Type 01 Beer Manufacturer (Large Brewery) license "authorizes the sale of beer to any person holding a license authorizing the sale of beer and to consumers for the consumption on or off the manufacturers licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturers licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises."

Listed below are other businesses within an approximate one-half mile radius of the subject site that are permitted to sell alcoholic beverages for on and off-site consumption.

BUSINESS	ADDRESS	LICENSE TYPE
Tom's Place	221 W. Orangethorpe Avenue	Type 41 On Sale Beer and Wine for Bona Fide Eating Place
Residence Inn By Marriott	700 W. Kimberly	Type "70" On-Sale General Restrictive Service
Gonzalez Market	235 W. La Jolla Street	Type "20" Off-Sale Beer and Wine
Pedro Urdiano	325 W. La Jolla Street	Type "20" Off-Sale Beer and Wine
Oscar Abreu	703 W. La Jolla Street	Type "20" Off-Sale Beer and Wine
Mr. K's Mini Mart	615 W. Chapman Avenue	Type "21" Off-Sale General
Mexico Super Market	134 W. Santa Fe Avenue	Type "20" Off-Sale Beer and Wine
El Taco Sabroso	214 W. Santa Fe Avenue	Type "41" On-Sale Beer and Wine for Bona Fide Public Eating Place
301 Cafe	301 W. Santa Fe Avenue	Type "41" On-Sale Beer and Wine for Bona Fide Public Eating Place
Mi Casita Restaurante	330 W. Santa Fe Avenue	Type "41" On-Sale Beer and Wine for Bona Fide Public Eating Place

The Police Department conducted an in house check of calls for service at the Bruery and determined that there was not a pattern involving intoxicated people or disturbing the peace type calls, such as bar fights, loud music or unruly patrons. They are in agreement with the issuance of the Use Permit 2012-03 for a Type 23 license, subject to compliance with all Special Conditions of Approval and Standard Development Requirements.

Environmental Review

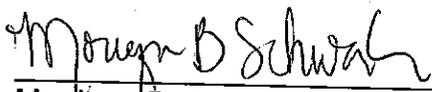
The proposed use is not expected to create a negative impact on the physical environment. It is City Staff's opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15305 and City Environmental Guidelines.

Section 15305 of the CEQA Guidelines exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

ACTION:

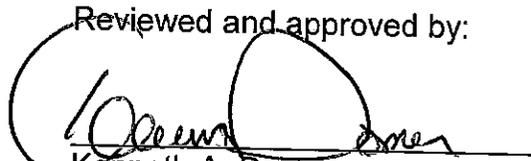
Adopt Resolution No. PC-2012-07 approving Use Permit (UP) 2012-03, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

Prepared and submitted by:



Monique B. Schwartz
Associate Planner, Development Services

Reviewed and approved by:



Kenneth A. Domer
Assistant City Administrator,
Development Services

Attachments:

- Attachment A: Resolution No. PC-2012-07
- Attachment B: Special Conditions of Approval and Standard Development Requirements for Use Permit (UP) 2012-03
- Attachment C: Police Department Standard Development Requirements
- Attachment D: Orange County Fire Authority (OCFA) Site Development Requirements

Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Site Plan
- Exhibit 3: Floor Plan
- Exhibit 4: Statement of Use

ATTACHMENT "A"

RESOLUTION NO. PC-2012-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2012-03 PERTAINING TO PROPERTY LOCATED AT 715, 717 and 719 DUNN WAY, AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Mr. Michael Rue, The Bruery and Mr. Stan Frome, owner of the property located at 715, 717 and 719 Dunn Way, ("Applicant" collectively hereinafter) heretofore filed an application for approval of Use Permit No. 2012-03, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the "Application".

(ii) On June 12, 2012 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) 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:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. 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:

a. The proposed use 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 Special Conditions of Approval and Standard Development Requirements (Attachments "B, C and D"), this use complies with all applicable code requirements and development standards of the

"M" Manufacturing District (3) Subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements, it is not anticipated that the sale of alcoholic beverages for on and off-site consumption within a 1,152 square foot tasting room area, and Bruery tours will generate any negative impacts on this industrial area and the adjacent neighborhood. All business operations shall be completed within this enclosed building, while maintaining an environment free from objectionable noise, odor or other nuisances.

b. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Industrial", and the proposed use does not involve any change in the land use of the subject site. The sale of alcoholic beverages and the manufacturing facility tours are permitted in the "M" Manufacturing District, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments B, C and D), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed use is a conditionally permitted use in the "M" Manufacturing District in the City of Placentia. Approval of the Use Permit for the sale of alcoholic beverages and tours of the Bruery manufacturing facility would be consistent with the zoning as the site can accommodate the proposed use, and since other similar uses have been conditionally permitted within the "M" Manufacturing District.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the Use Permit approval. Attachments "B, C and D" contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2012-03 to ensure compliance with the Placentia Municipal Code.

3. Section 15305 of the CEQA Guidelines exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including minor setback variances. The relevant area has an average slope of less than 20% which will not result in any changes in land use or density. The Planning Commission specifically finds that the Application is Categorically Exempt under the California Environmental Quality

Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15305) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2012-03, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2012-03 as modified herein, and specifically subject to the conditions set forth in Attachments "B, C and D" attached hereto and by this reference incorporated herein.

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 12th day of June, 2012.

Chairman

I, Kenneth A. Domer, 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 12th day of June, 2012, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 12th day of June, 2012, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

Secretary to the Planning Commission

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

Attachment "B"
**Special Conditions of Approval and Standard Development Requirements for
Use Permit (UP) 2012-03**

Project Applicant: Michael Rue
Project Address: 715, 717 and 719 Dunn Way

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 FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

CITY PLANNING DIVISION:

1. Use Permit (UP) 2012-03 is valid for a period of twelve (12) months from the date of final determination. If occupancy of the building for uses approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void.
2. Use Permit (UP) 2012-03 shall expire and be of no further force or effect if the sale of alcoholic beverages within the tasting/sampling room and Bruery tours are 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 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. Prior to any changes in the days and hours of operation of The Bruery, 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:

Manufacturing Hours:

Monday – Friday: 8:00 a.m. to 5:00 p.m.
Twice per week: 3:00 a.m. to 5:00 p.m.

Beer Tasting/Sampling Hours:

Fridays: 5:00 p.m. to 10:00 p.m. (Open at 2:00 p.m.)
Saturdays and Sundays: 12:00 noon to 10:00 p.m.

Bruery Tours:

Monday - Friday: 4:30 p.m.
Saturday and Sunday: 12:00 noon and 3:30 p.m.

Retail Sales:

Monday-Friday: 8:00 a.m. to 10:00 p.m.
Saturday and Sunday: 12:00 noon to 10:00 p.m.

6. Any modifications to the approved floor plan or changes to the business operation hours, which do not expand or intensify the present use shall be reviewed by the Director of Development Services and may be modified administratively. Modifications to the approved floor plan or changes to the business operation hours, which expand or intensify the present use may be brought to the Planning Commission for modification at the discretion of the Director of Development Services
7. Prior to any modification of the floor plan 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.
8. 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 and/or current business owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant and/or current business 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.
9. No outside storage or displays shall be permitted at any time.

10. Unless otherwise allowed by the Director of Development Services, there shall be no deliveries to or from the premises before 5:00 a.m. and after 10:00 p.m., seven days a week.
11. The rear exit doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
12. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
13. All trash bins shall be kept inside trash enclosures, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be done on a regular basis.
14. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.
15. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.

Prior to issuance of a building permit, the applicant shall submit a sign plan for the design of all proposed signage on the site for review and approval by the Director of Development Services or his/her designee. The sign plan shall comply with the criteria and requirements set forth in Chapter 23.90, Signs-Advertising Structures, of the Placentia Municipal Code.
16. This establishment shall be operated as a beer manufacturing facility and related office operations at all times, with the addition of tours and beer sampling/tastings. All activities shall be conducted within this enclosed tenant space, while maintaining an environment free from objectionable noise, odor, or other nuisances.
17. The applicant/business 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/business owner within 72 hours of defacement and/or upon notification by the City. The applicant/business owner is encouraged to contact the City's graffiti abatement contractor regarding graffiti eradication subscription programs.
18. The applicant/business owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business.
19. Consistent with the applicant's Statement of Use, there shall be no more than fifteen (15) individuals per tour group. There shall be no more than forty-nine (49) people, including employees occupying the tenant space at any given time.

20. The consumption of alcohol is only permitted within Suite 717, within the tasting/sampling area. Patrons of this establishment shall not consume alcoholic beverages within Suites 715 and 719.
21. Expansion of the tasting/sampling room area beyond the designated 1,152 square foot area depicted on the attached site plan requires a new Use Permit.

CITY BUILDING DIVISION:

22. All tenant improvements shall require City Building Division review and approval, prior to any construction.
23. Applicant/business owner shall obtain Orange County Fire Authority approval for Use Permit (UP) 2012-03.

POLICE DEPARTMENT:

24. The establishment shall remain in compliance with Placentia Police Department Standard Development Requirements for security (See Attachment C).
25. This use permit shall be reviewed one year from the date of approval and each year thereafter as necessary. The review shall be conducted jointly by the Development Services Director and Police Chief or designee. The purpose of this review shall be to identify uniquely adverse issues such as loitering, vandalism, criminal activity, noise, or nuisance resulting from the Use Permit. If such issues are identified, the Use Permit shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.
26. The activity level of the business shall be monitored by the Special Enforcement Detail to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive or unnecessary activity resulting in high use of police services, or that the applicant has failed to comply with enforcement or application of measures related to curfew and truancy, then this use permit shall be reviewed for consideration of further conditions, modifications or revocation.
27. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 5:00 p.m. through 10:00 p.m. Monday through Thursday, and 12:00 p.m. through 10:00 p.m. Friday through Sunday.
28. There shall be only the bar or lounge area upon the licensed premises maintained for the purpose of sale, service, or consumption of alcoholic beverages directly to patrons for consumption.

29. The subject alcoholic beverage license shall not be exchanged for another public premises type license, nor operated as a public premise
30. Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.
31. The sale of beer and wine for consumption off the premises is allowed.
32. No distilled spirits may be on the premises at any time.
33. Minors are not allowed to enter or remain on the premises at any time.
34. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
35. Signs shall be posted at all exits of the premises, which prohibit opened alcoholic beverages from leaving the confines of the premises.
36. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
37. There shall be no pool tables or coin operated games maintained upon the premises at any time.
38. There shall be no live entertainment (including karaoke), amplified music, or dancing permitted on the premises at any time.
39. The use of any amplifying system, outdoor sound system, loudspeakers, paging system or any other such device is prohibited on the licensed premises.
40. At no time shall there be a fee for entrance/admittance into the premises.
41. There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate.
42. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control,
43. Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery.
44. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Provide at least one foot-candle of light.

45. All employees of the petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. The applicant must provide the City of Placentia Police Department, Administrative Services Lieutenant a copy of completed Alcohol Management Program (AMP), and a certificate of completion from an ABC LEAD program within six months of the premises being licensed to sell alcohol.
46. The sale of alcoholic beverages shall be in compliance with all local, State and Federal laws, and all conditions of the Department of Alcoholic Beverage Control (ABC) for the issuance of a Type "23" (Small Beer Manufacturer) license. In addition, the sale of alcoholic beverages shall be in compliance with Title 4, Division 1, Section 53.5 California Code of Regulations.
47. The applicant shall comply with Chapter 8.34 of the Placentia Municipal Code regarding the posting of alcoholic beverage warning signs.
48. The premises shall be maintained as a Type 23 small beer manufacturing facility only.
49. 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.
50. Employees who sell alcoholic beverages shall be at least 21 years of age.

ORANGE COUNTY FIRE AUTHORITY:

51. Applicant shall comply with all site development requirements specified by the Orange County Fire Authority (OCFA) (See Attachment D):



Attachment "C"
Placentia Police Department Standard Development Requirements

PLACENTIA POLICE DEPARTMENT

APPLICATION: Use Permit 2012-03
APPLICANT: Michael Rue
LOCATION: 715, 717 and 719 Dunn Way

COMMERCIAL & INDUSTRIAL SECURITY STANDARD DEVELOPMENT REQUIREMENTS

The following standards shall be required for all commercial/industrial developments when applicable. No modifications shall be made without the approval of the Chief of Police.

EXTERIOR DOORS

Sliding Doors:

Sliding glass doors shall be of tempered glass with locking bolt that grips door and frame together and prevents the door from being pried in an upward direction. The strike area shall be reinforced to prevent prying and disengagement of the locking bolt. Anti-lift out device(s) shall be installed in the upper channel above the moving panel to prevent raising and removal from the tract while in the closed position.

Other Doors:

Wood doors and aluminum stile doors shall be used only as front entry doors. **ALL OTHER DOORS SHALL BE METAL.**

Wood doors shall be of solid core construction with the minimum thickness of one and three-fourths (1 ¾) inches. Wood panel doors with panels less than one (1) inch thick shall be covered on the inside with a minimum sixteen (16) U.S. gauge sheet steel, or its equivalent, which is to be attached with screws on minimum six (6) inch centers.

Metal doors shall be of a minimum sixteen (16) U.S. gauge and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed. Such reinforcement shall restrict collapsing of the door around any locking device. Metal jambs shall be used.

Doors with glass panels and/or glass within thirty-six (36) inches of locking mechanism shall be fully tempered glass or rated burglary resistant material.

Door stops on wooden jambs for in-swinging door shall be of one piece construction with the jamb. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

All swinging exterior wood and steel doors shall be equipped as follows:

Single doors: equipped with "single unit" containing door knob and single cylinder deadbolt. (Single turn of the knob also retracts the locked deadbolt.) Deadbolt must have one (1) inch throw and exterior case hardened, rotating steel cylinder guard.

Or:

(Exterior Doors, Continued...)

Equipped with single or double cylinder deadbolt in which no other device is located in the area where door hardware is installed. If double cylinder deadbolt is used, the inside key operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "opened."

In either case, a sign must also be displayed above the front door indicating that the front door is to remain "unlocked" during business hours. Letter size to be minimum one (1) inch in size on contrasting background.

Aluminum stile, single door: equipped with a double cylinder, minimum one and one-half (1½) inch upswing or one (1) inch slide deadbolt and exterior case hardened, rotating steel cylinder guard and minimum of five (5) pin tumblers. The inside key-operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "open." A sign must also be displayed above the door indicating that the door is to remain "unlocked" during business hours. Letter size to be minimum of one (1) inch in height on contrasting background.

The inactive leaf of all double door(s) shall be equipped with metal flush bolts having a minimum embedment of five-eighths (5/8) inch into the head and threshold of the door frame.

The strike plate for deadbolts on all wood framed doors shall be constructed of minimum sixteen (16) U.S. gauge steel, bronze, or brass and secured to the jamb by minimum of two screws, which must penetrate at least two (2) inches into solid backing beyond the surface to which the strike is attached.

Strike area for metal or aluminum framed doors must be constructed or protected to prevent violation of strike area.

Hinges for out-swinging doors shall be equipped with non-removable hinge pins or a mechanical interlock to prevent removal of the door from the exterior by removing the hinge pins.

Panic hardware, whenever required by the Uniform Building Code or Title 19, California Administrative Code, shall be installed as follows:

- (1) Panic hardware shall contain a minimum of two (2) locking points on each door; or
- (2) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom rails of the door frame. The door shall have an astragal constructed of steel .125 thick which shall be attached with non-removable bolts to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.
- (3) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door.

Deadbolt locks shall not be used on doors that are required to have panic hardware.

Overhead or sliding doors shall be secured on the inside by minimum one-half (1/2) inch slide bolt(s) protruding at least one (1) inch into the door frame at floor; or secured on outside by a case hardened or minimum ten (10) gauge steel construction slide bolt using a padlock having a hardened steel shackle locking both at heel and toe with a minimum five (5) pin tumbler operation. Locking bar or bolt to extend through the receiving guide minimum of one (1) inch.

Doors exceeding ten (10) feet in width shall have two locking points on opposite sides.

WINDOWS

No louvered windows shall be used.

Windows and/or transoms having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected in the following manner:

- (1) Fully tempered glass or burglary resistant material*; or
- (2) Inside or outside iron bars of at least one-half (1/2) inch round or one by one-quarter (1 x 1/4) inch flat steel material, spaced not more than five (5) inches apart and securely fastened with non-removable bolts; or
- (3) Inside or outside iron or steel grills of at least twelve (12) gauge material with not more than a two (2) inch mesh and securely fastened with non-removable bolt.

The protective bars or grills shall be able to be opened if such windows are required to be opened by the Uniform Building Code.

ROOF OPENINGS

Skylights shall be fully tempered glass or rated burglary resistant material*; or

- (1) Protected by iron bars at least one-half (1/2) inch round material spaced not more than five (5) inches apart; or
- (2) Steel grill at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted under the skylight.

Ventilator skylights with side openings exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected as in (1) or (2) above.

Air ducts or vents exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches on roof or exterior walls shall be covered by iron or steel bars of at least one-half (1/2) inch material spaced not more than five (5) inches apart; or steel grills of at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted.

HATCHWAYS

Hatchways on the roof, if not of metal construction, shall be covered on the inside with sixteen (16) gauge sheet metal, or its equivalent, and secured from the inside with a slide bar or slide bolt. Outside hinges shall be equipped with non-removable hinge pins.

LADDERS

Ladders leading to the roof shall do so from the interior of the building.

BURGLARY RESISTANT MATERIAL

- (1) Products intended for use shall be permanently labeled as such.
- (2) Materials used shall meet UL 972 Standards for Safety Burglary Resistant Glazing Materials.
- (3) Only materials approved by ICBO shall be used.

ADDRESS

The address number shall be mounted near the front entry of each building or other conspicuous location and be no less than six (6) inches high. They shall be mounted on a contrasting background and easily visible from the street or walkway. If rear-vehicular access, the same numbers, no less than six (6) inches high shall be displayed on the rear of the building.

Numerals of the street address shall be displayed on the uppermost roof, in luminous paint or other material capable of being read from the air. Minimum numeral size shall be twenty-four (24) inches. The building designation, if within a complex (such as "A" or "B" etc) shall accompany displayed street address.

EXTERIOR LIGHTING

Exterior lighting of an intensity of at least twenty-five hundredths (.25) foot-candles shall be provided adjacent to doors and windows. Exterior bulbs shall be protected by polycarbonate or other weather and vandal resistant globe or cover. Light(s) shall be operated during hours of darkness through either photovoltaic sensors or appropriate timers.

Parking lots for use by the general public and/or employees shall be provided with exterior lighting of an intensity of at least one (1) foot-candle of light on the parking surface and operated from dusk until at least one-half (1/2) hour after the termination of business.

SITE SPECIFIC REQUIREMENTS (IF APPLICABLE)

Attachment "D"
Orange County Fire Authority (OCFA) Special Conditions of Approval

(See attached letter from OCFA)



ORANGE COUNTY FIRE AUTHORITY

Fire Prevention Department

P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Planning and Development Services • www.ocfa.org • (714) 573-6100 / Fax (714) 368-8843

Date: April 6, 2012

To: City of Placentia Planning Division
Attention: Monique Schwartz, Planner

From: Lynne Pivaroff, Fire Prevention Analyst

Subject: **OCFA Service Request SR #156159, City Reference #UP 2012-03**
715, 717, 719 Dunn Way, Placentia
Service Code: PR105 Site Development Review/CUP

The OCFA has reviewed the proposed project and there do not appear to be any significant issues associated with this proposal that would prevent further submittals to the OCFA should the city approve the CUP. Please provide the conditions listed below on the resolution issued to the applicant.

CONDITIONS OF APPROVAL

Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit:

- Architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form" (attached).

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.



ORANGE COUNTY FIRE AUTHORITY
Plan Submittal Criteria for COMMERCIAL projects, MULTIFAMILY
RESIDENTIAL projects and RESIDENTIAL TRACT developments

COM

INSTRUCTIONS: Fill in the project/business address and provide a brief description of the scope of work and type of operation that will take place. Answer questions 1 through 10, read and initial items 11 and 12, then complete and sign the certification section. If you answer "YES" to questions 1 through 10, submit the type of plan indicated in italics to the OCFA (see www.ocfa.org for submittal information and locations). In some cases, other plan types not indicated herein may also be necessary depending on specific conditions or business operations. If you need help completing this form or have questions regarding requirements for review, please contact the OCFA at 714-573-6108 or visit us at 1 Fire Authority Road in Irvine for assistance.

Address (street number/name, suite, city): _____

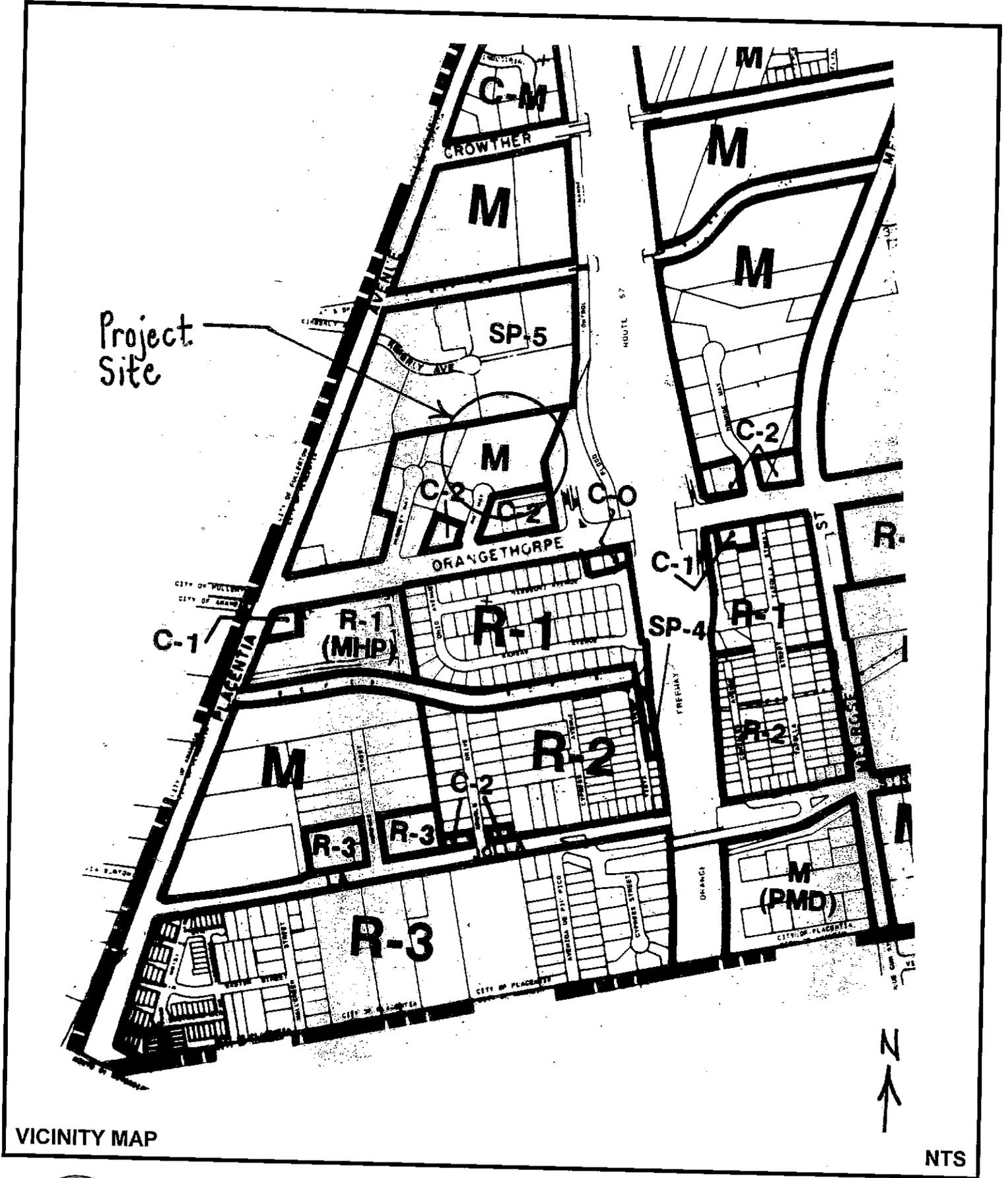
Project Scope/Business Description: _____

- | | YES | NO | Are the following applicable to the proposed project or business? |
|-----|--------------------------|--------------------------|---|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | Construction of a new building, a new story, or increase the footprint of an existing building? Changes to roadways, curbs, or parking lots? Addition, relocation, or modification of fire hydrants or fences/gates? Construction within 300 feet of an active or proposed oil well? <i>Fire Master Plan</i> |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | Property is adjacent to a wildland area or non-irrigated native vegetation? <i>Fire Master Plan; a Fuel Modification Plan may also be required.</i> |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | Located in or <100' from a Division of Oil, Gas, and Geothermal Resources (DOGGR) field boundary, <300' from an oil/gas seep, or <1000' from a landfill? <i>Methane Work Plan.</i> |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | Installation/modification/repair of underground piping, backflow preventers, or fire department connections serving private fire hydrant/sprinkler/standpipe systems? <i>Underground Plan.</i> |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | Drinking/dining/recreation/religious functions or other gatherings in a room >750 sq.ft. or >49 people? Healthcare/outpatient services for >5 people who may be incapable of immediate evacuation without assistance? Daycare/education for children? Adult daycare? 24-hour care/supervision? Incarceration or restraint? Hotel/apartment/residential facility with 3+ units? Congregate housing/dormitories with 17+ people? A high-rise structure (55 feet)? <i>Architectural Plan</i> |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | Installation or modification of electromechanical locks delaying/preventing egress from a room or building? <i>Architectural, Sprinkler, and Alarm Plan.</i> |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | Installation/modification/use of spray booths; dust collection; dry cleaning; industrial ovens/drying equipment; industrial/commercial refrigeration systems; compressed gasses; tanks for cryogenic or flammable/combustible liquids; vapor recovery; smoke control; battery back-up or charging systems; welding/brazing/soldering, open flame torches, cutting/grinding or other similar operations? <i>Special Equipment Plan</i> |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | Storage, equipment, processes, or research involving flammable/combustible liquids or other chemicals? Motor vehicle or aircraft maintenance/repair facility? Cabinetry, woodworking, or finishing facility? <i>Architectural Plan and Chemical Classification; Special Equipment Plans may also be necessary.</i> |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | Storage or merchandizing areas in excess of 500 sq. ft. where items are located higher than 12' (6' for high-hazard commodities, plastic, rubber, foam, etc.)? <i>High-piled Storage Plan</i> |
| 10. | <input type="checkbox"/> | <input type="checkbox"/> | Cooking under a Type I commercial hood; installation or modification of a fire extinguishing system located in a commercial cooking hood? <i>Hood & Duct Extinguishing System, not just the hood mechanical plan.</i> |

- Initial each of the following two items indicating that you have read and understand the statement:**
- *Sprinkler/Alarm Requirements: Consult California Building and Fire Codes and local ordinances to determine sprinkler or alarm system requirements; if a system is required, plans shall be submitted to the OCFA. Existing buildings undergoing remodel must be evaluated by a licensed contractor to determine if modification is needed; if so, the licensed contractor shall submit plans for approval prior to any changes taking place. (Initial here: _____)
 - Fire Hazard Severity Zone: Consult the maps available at the building department or on the OCFA website to determine if your site is located in a FHSZ. Buildings in a FHSZ may be subject to special construction requirements detailed in CBC Chapter 7A—the building department will determine specific requirements. (Initial here: _____)

I certify under penalty of perjury under the laws of the State of California that the above is true:
 Print name: _____ Signature: _____
 Phone Number: _____ Date: _____

Building Department: If all of the questions have been answered "NO" and the project does not otherwise require OCFA review of sprinkler or alarm plans, then you may accept this signed form as a written release that OCFA review is not required. Should you still require that the applicant have plans approved by the OCFA please initial here _____ or attach an OCFA referral form and have the applicant submit the form along with the appropriate plans and fees for OCFA review.*

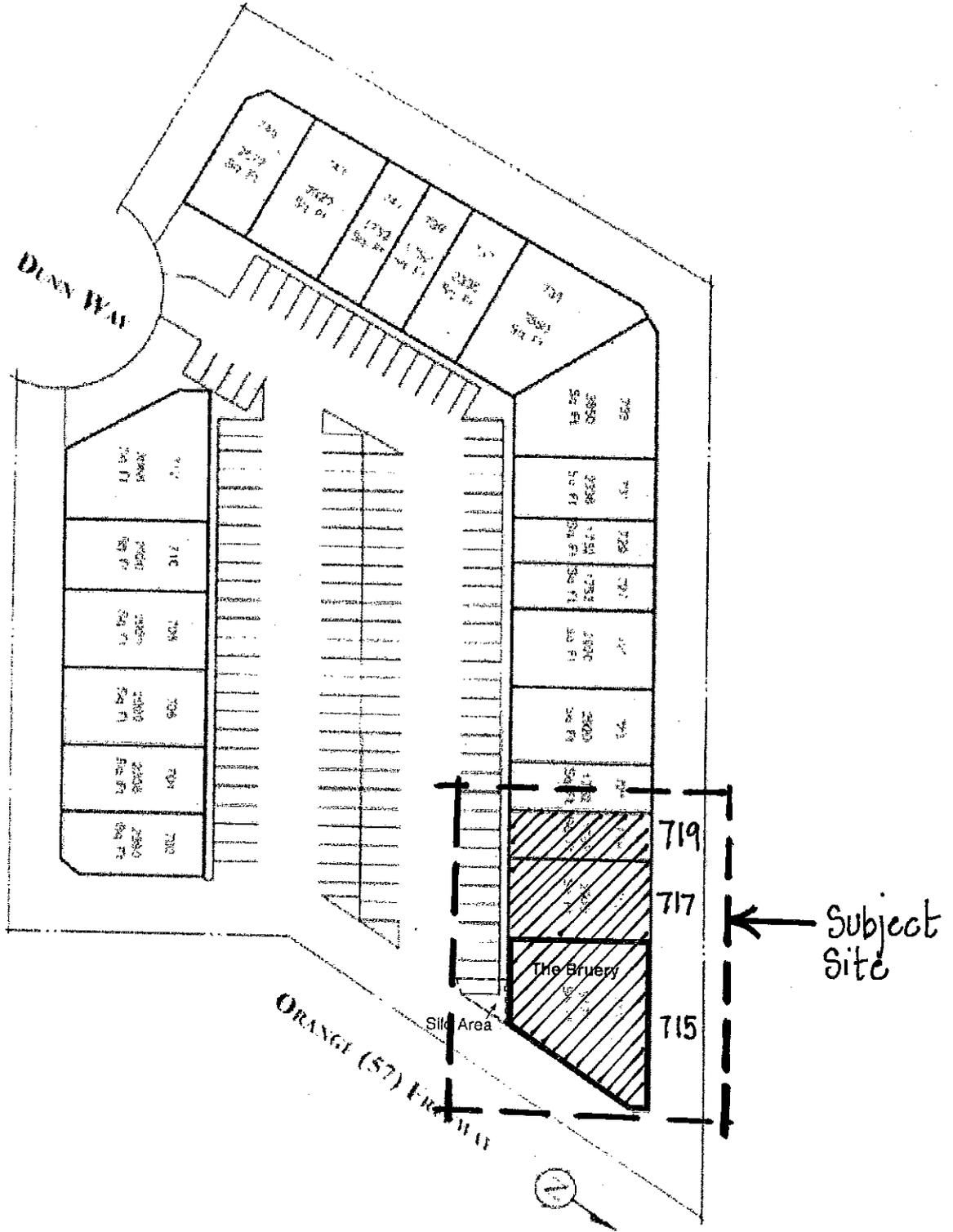


VICINITY MAP

NTS



PLANNING DIVISION REPORT
 UP 2012-03
 Exhibit 1



PLANNING DIVISION REPORT

APPLICATION: UP 2012-03

EXHIBIT: 2

PAGE 1 OF 1

DATE: 6-12-12

Current Parking:
 Total Building SF = 59,758
 Total Parking Spaces (excluding street parking): 123
 Parking / SF ratio: 2.06 / 1,000 s.f.

Proposed Parking:
 Total Building SF = 59,758
 Total Parking Spaces (excluding street parking): 122
 Parking / SF ratio: 2.04 / 1,000 s.f.



March 12, 2012

Monique Schwartz
City of Placentia
Associate Planner, Development Service
401 E. Chapman Ave.
Placentia, CA 92870

Re: **The Bruery Statement of Use
(715, 717 and 719 Dunn Way)**

PLANNING DIVISION REPORT
APPLICATION: UP 2012-03
EXHIBIT: 4
PAGE 1 OF 2
DATE: 6-12-12

Dear Monique,

This letter is written to confirm The Bruery's intended business operation following expansion of the business into 717 and 719 Dunn Way adjacent to our existing production and tasting room operation in 715 Dunn Way.

Sixteen copies of a floor plan of 715, 717 and 719 Dunn Way detailing the layout that we intend to implement is attached for your use. A second floor plan is attached depicting a potential future expansion of the tasting room area (not currently to be constructed).

Following completion of the improvements reflected on the plan The Bruery's business operation would consist of the following:

• **General Scope of Business Use:**

The Bruery produces high quality craft beers and operates a retail tasting room under a Type 23 license issued by the California Alcoholic Beverage Control. The primary brewing work takes place in 715 Dunn Way and the rear portion of 717 Dunn Way. The tasting room is provided in 717 Dunn Way in approximately the same square footage as the previous location in 715 Dunn Way (depicted on the floor plan). Suites 721 and 723 Dunn Way are utilized primarily for storage purposes.

Industrywide, sales of craft beer are growing at a rate of about 15% per year. The Bruery's growth rate far exceeds that number due to the unique niche at the high end of the market which we occupy. Demand for our products in California and the other 20 states in which our beer is distributed far exceeds demand. The expansion planned is in response to demand from our distributors and customers for more product.

• **Manufacturing Hours and Personnel:**

Monday through Friday: 24 hours a day

Saturday and Sunday: 6AM to 6PM

Maximum Number of Employees per shift: 12 (including warehousemen in 721 and 723 Dunn Way).

• **Tasting Room Operation:**

The tasting room provides the public the opportunity to become acquainted with The Bruery beers by ordering a tasting flight of five beer samples of two to three ounces.

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each for on-premise consumption. Alternatively, customers can order a glass of beer. Only The Bruery beers are featured in the tasting room.

Retail sales of The Bruery beers in bottles for off premises consumption as well as t-shirts, sweatshirts, caps and other promotional items is available during normal tasting room hours and certain manufacturing hours (specified below)

No food other than crackers are served though customers are free to bring their own food into the tasting room for consumption (many customers have taken advantage of this privilege in the past).

- Tasting Room Hours, Personnel & Customers:

- Tasting Room Hours-

- Monday through Thursday: 5PM to 10PM
 - Friday: 2PM to 10PM
 - Saturday & Sunday: 12PM to 10PM

- Retail Sales During Manufacturing Hours-

- Monday through Thursday: 8AM to 5PM
 - Friday: 8AM to 2PM

Maximum Number of Employees: 5

Maximum Number of Customers: 150

- The Bruery Tours:

Tours of The Bruery production facility feature an explanation of the beer making process followed by the opportunity to taste four or five beer samples of two to three ounces each. Tours are generally limited to 20 visitors. There is no charge for the tour or the tasting flight.

Tour Hours are:

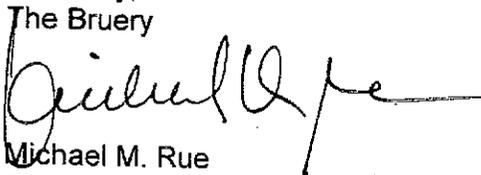
Monday through Friday: 3:30PM
Saturday & Sunday: 12PM and 3:30PM

- Special Events:

No special events are planned to be conducted at the tasting room which would be held outside of the operating hours mentioned above or exceed the maximum attendance figure set forth above.

Thank you for your assistance in modifying our existing conditional use permit. Please let me know if we can provide any further information.

Sincerely,
The Bruery



Michael M. Rue
President

cc: Ken Domer
Patrick Rue

PLANNING DIVISION REPORT
APPLICATION: UP 2012-04
EXHIBIT: 4
PAGE 2 OF 2
DATE: 6-12-12



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 2	DATE: June 12, 2012	PUBLIC HEARING: Yes
APPLICATION: Use Permit (UP) 2012-05		
DESCRIPTION: To permit the operation of a +/- 19,800 square foot health and fitness facility (Crunch Fitness) that specializes in fitness equipment use, group classes and personal training within a commercial retail tenant space located at 1882 N. Placentia Avenue in the Neighborhood Commercial (C-1) District.		
RELATED APPLICATIONS: None		
APPLICANT: Fancher Development Services: Bill Fancher		
PROPERTY OWNER: Yolanda Zanchi		
LOCATION: 1882 N. Placentia Avenue		
CEQA DETERMINATION: Categorically Exempt: Class 1, Section 15301		
ZONING: Neighborhood Commercial (C-1) District		APN(S): 336-012-43
GENERAL PLAN: Commercial	CITY COUNCIL ACTION REQUIRED: No	
PREPARED BY: Monique B. Schwartz, Associate Planner		
REVIEWED BY: Kenneth A. Domer, Assistant City Administrator		

REQUEST:

To permit the operation of a +/- 19,800 square foot health and fitness facility (Crunch Fitness) that specializes in fitness equipment use, group classes and personal training within a commercial retail tenant space located at 1882 N. Placentia Avenue in the Neighborhood Commercial (C-1) District.

INTRODUCTION:

The purpose of the Neighborhood Commercial (C-1) District is to provide for general retail and office uses, which offer the sale of goods and services to the general public and which, through characteristics of their operation, cater primarily to residents of the neighborhood market areas.

Section 23.33.040(6) of the Placentia Municipal Code specifies that health clubs, although consistent with the purpose of the C-1 Zone, have special characteristics which have the potential to adversely affect adjoining businesses and/or property owners and therefore require Planning Commission review and approval of a Use Permit application.

RECOMMENDATION:

City Planning Division is recommending approval of Use Permit (UP) 2012-05, subject to the attached recommended Special Conditions of Approval and Standard Development Requirements.

DISCUSSION:

The subject property is located on the southeast corner of Placentia Avenue and Bastanchury Road. The site is comprised of two parcels: 336-012-04 (.51 acres) and 336-012-43 (+/- 8 acres), totaling approximately 8.5 acres. Parcel 336-012-04 is improved with a free standing building that houses an auto repair business, called Dr. Mechanic and Parcel 336-012-43 is improved with two commercial buildings totaling approximately 91,319 square feet. Other uses currently within this shopping center include: a hair salon, physical therapy facility, restaurants, nail salon, smoke shop, dentist, optometry office, book store, fabric and craft store and a discount house wares store.

Crunch Fitness will be locating within one of the larger vacant tenant spaces on the northeast corner of the property, previously occupied by Longs Drug Store. The City is aware that there is a one (1) year lease with Longs Drugs left on this building; however, the project applicant has indicated that he does not anticipate any problems with the existing pending lease negotiations with Longs Drugs and the property owner.

The proposed use is intended to be a community fitness facility that provides a convenient location for people to exercise. The size of the proposed facility can accommodate this type of use. The facility is in close proximity to a number of different types of residential uses that may find the proposed facility a convenient location to exercise. Staff believes that this fitness facility fits well in this commercial center. Because the center is highly vacant at the present time, Crunch Fitness has the potential to attract customers to shop within the existing center as well as attract other businesses to located within the center.

Adjacent land uses consist primarily of residential uses, as single family residential neighborhoods are located on all sides of the shopping center. Sierra Vista Elementary School is located at the northwest corner of Bastanchury Road and Placentia Avenue, directly across the street from the shopping center.

Subject Site and Surrounding Land Uses:

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	Commercial-Retail Shopping Center	Commercial	"C-1"
Proposed	Health and Fitness Facility	Commercial	"C-1"
North	Bastanchury Road/ Single Family Residential	Low Density Residential	R-1
South	Single Family Residential	Low Density Residential	R-1
East	Single Family Residential	Low Density Residential	R-1

West	Placentia Avenue/Sierra Vista Elementary School/Single Family Residential	Low Density Residential	R-1
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OPERATIONAL CHARACTERISTICS:

Crunch Fitness had a modest beginning in New York City in 1989. They were originally a "basement" aerobics studio, with no locker rooms or air conditioning. Their primary business objective was to make exercise fun by including a highly creative group of fitness instructors with a wide range of expertise. Because of their unconventional approach and positive responses, their business has grown over the past twenty years to include 27 state-of-the-art gyms in New York, Miami, Los Angeles, Portland, Orange County, Sacramento, San Diego and San Francisco. This full service health club currently specializes in the use of various types of fitness equipment like bikes, elliptical climbers, stair climbers, rowing machines and resistance training devices. Creative group exercise classes are offered that include hip hop aerobics (featuring a live rapper), co-ed action wrestling and Cyked Yoga Cycling. Personal training is another service that is offered at this facility. The only other large full service gym in Placentia is located within the Village Center at Rose Shopping Center, called Total Woman Gym and Spa.

Crunch Fitness has not yet established their days and hours of operation; however the applicant's Statement of Use indicates that the facility will likely operate from 5:00 a.m. to 12:00 midnight, Monday through Sunday. There will be 6 full-time employees and approximately 30 part-time employees, which include personal trainers and class instructors. The typical peak attendance hours are from 7:00 a.m. to 10:00 a.m. and from 5:00 p.m. to 7:00 p.m. During these times, the peak demand varies; however, other Crunch facilities have had between 50 and 100 people in attendance at any one time.

The facility would be monitored by a third party security company with the use of cameras inside and outside the gym area that monitor the building interior as well as the entrance and the parking lot.

The proposed days and hours of operation for Crunch Fitness are as follows:

Monday-Sunday: 5:00 a.m. to 12:00 midnight

FLOOR PLAN:

The proposed floor plan indicates that the commercial/retail tenant space is approximately 19,800 square feet. The main entrance/exit is through double doors on the west side of the building. The reception/lobby area is located off the main entrance. There are two tanning booths and women's and men's locker rooms with showers and restrooms located on the north side of the tenant space. There is a 2,597 square foot group exercise room located at the southwest corner of the building and a large open gym floor area, equipped with exercise machines and equipment that occupies the remainder or majority of the tenant space. There is one main exit located on the east side and an additional exit located on the west side through the group exercise room.

Parking:

Pursuant to Section 23.78.030(2) of the Placentia Municipal Code, the Neighborhood Commercial-District requires 4 spaces per 1,000 square feet of gross floor area. Crunch Fitness will occupy approximately 19,800 square feet; requiring 79 onsite parking spaces. The commercial retail shopping center has combined floor area of approximately 91,319 square feet. The required amount of on-site parking is 365 spaces, and 394 spaces are provided. There are a total of 29 surplus spaces. It is not anticipated Crunch Fitness will negatively impact the available parking at this site, as the site can accommodate this use.

Environmental Analysis:

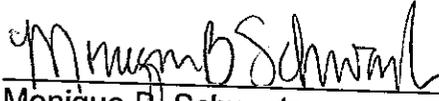
The proposed use is not expected to create a negative impact on the physical environment. It is City Staff's opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 and City Environmental Guidelines.

15301. Existing Facilities, Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include, but are not limited to: (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The minor modifications required as tenant improvements for the proposed use fit within this exemption and the overall use is a negligible expansion of use beyond that which is currently allowed.

ACTION:

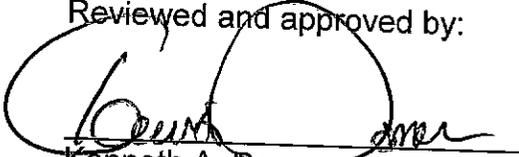
Adopt Resolution No. PC-2012-08 approving Use Permit (UP) 2012-05, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

Prepared and submitted by:



Monique B. Schwartz
Associate Planner, Development Services

Reviewed and approved by:



Kenneth A. Damer
Assistant City Administrator,
Development Services

Attachments:

- Attachment A: Resolution No. PC-2012-08
Attachment B: Special Conditions of Approval and Standard Development Requirements for Use Permit (UP) 2012-05
Attachment C: Police Department Standard Development Requirements
Attachment D: Orange County Fire Authority (OCFA) Site Development Requirements

Exhibits:

- Exhibit 1: Vicinity Map
Exhibit 2: Site Plan
Exhibit 3: Floor Plan
Exhibit 4: Statement of Use and Class Schedule

ATTACHMENT "A"

RESOLUTION NO. PC-2012-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2012-05 PERTAINING TO PROPERTY LOCATED AT 1882 N. PLACENTIA AVENUE AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Bill Fancher of Fancher Development Services, applicant and Yolanda Zanchi, owner of the property located at 1882 N. Placentia Avenue ("Applicant" hereinafter) heretofore filed an application for approval of Use Permit No. 2012-05, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the "Application".

(ii) On June 12, 2012 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) 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:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. 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:

a. The proposed use 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 Special Conditions of Approval and Standard Development Requirements (Attachments "B, C and D"), this use complies with all applicable code requirements and development standards of the "C-1" Neighborhood Commercial District and (3) It is not anticipated that a Crunch Fitness will generate any negative

impacts on the adjacent neighborhood. All operations shall be conducted within an 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 use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Commercial", and the proposed use does not involve any change in the land use of the subject site. Fitness facilities are permitted in the Neighborhood Commercial (C-1) District, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments B, C and D), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed use is a conditionally permitted use in the "C-1" Neighborhood Commercial District in the City of Placentia. Approval of the Use Permit for this fitness facility within this retail establishment would be consistent with the zoning as the site can accommodate the proposed use, and since other similar uses have been conditionally permitted within the "C-1" Neighborhood Commercial District.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions, are made part of the Use Permit approval. Attachments "B, C and D" contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2012-05 to ensure compliance with the Placentia Municipal Code.

3. Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include, but are not limited to: (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The minor modifications required as tenant improvements for the proposed use fit within this exemption and the overall use is a negligible expansion of use beyond that which is currently allowed.

The Planning Commission specifically finds that the Application is Categorically Exempt under the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15305) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2012-05, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2012-05 as modified herein, and specifically subject to the conditions set forth in Attachments "B, C and D" attached hereto and by this reference incorporated herein.

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 12th day of June, 2012.

Chairman

I, Kenneth A. Domer, 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 12th day of June, 2012, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 12th day of June, 2012, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

Secretary to the Planning Commission

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

Attachment "B"
**Special Conditions of Approval and Standard Development Requirements for
Use Permit (UP) 2012-05**

Project Applicant:

Fancher Development Services: Bill Fancher

Project Address:

1882 N. Placentia Avenue

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 FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

CITY PLANNING DIVISION:

1. Use Permit (UP) 2012-05 is valid for a period of twelve (12) months from the date of final determination. If occupancy of the building for uses approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void.
2. Use Permit (UP) 2012-05 shall expire and be of no further force or effect if the fitness facility use of the building, as a primary use, is discontinued or abandoned for a period of one (1) year. Use Permit 2012-05 shall be reviewed by the Director of Development Services and modified administratively if the use is expanded or there are changes to the business operation hours. The determination of expansion of use may be brought to the Planning Commission for modification at the discretion of the Director of Development Services.
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 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. Prior to any changes in the days and hours of Crunch Fitness, 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:

Monday - Sunday: 5:00 a.m. to 12:00 midnight
6. Prior to any modification of the floor plan 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.
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 and/or current business owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant and/or current business 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. There shall be no deliveries to or from the premises before 6:00 a.m. or after 10:00 p.m. Monday through Friday, Saturdays from 8:00 a.m. to 10:00 p.m. and no deliveries, on Sundays.
9. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
10. All trash bins shall be kept inside trash enclosures if provided, and gates/lids closed at all times, except during disposal and pick-up. Trash pick-up shall be scheduled at regular intervals to prevent trash overflow.
11. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.
12. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.

Prior to issuance of a building permit, the applicant shall submit a sign plan for the design of all proposed signage on the site for review and approval by the Director of Development Services or his/her designee. The sign plan shall comply with the

criteria and requirements set forth in Chapter 23.90, Signs-Advertising Structures, of the Placentia Municipal Code.

All portable signs, to include, but not limited to pole flags, inflatable devices and a-frames are prohibited.

13. This site shall operate as a fitness facility at all times. All activities shall be conducted within the enclosed tenant space, while maintaining an environment free from objectionable noise, odor or other nuisances.
14. The applicant/property owner/business 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/business owner within 72 hours of defacement and/or upon notification by the City.
15. The business owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business. The operator shall maintain a valid business license for as long as the business remains in operation.
16. There shall be no special promotional events held on the property, unless a written request, and any applicable fees, for such is received and approved by the City of Placentia at least 14 days in advance. Such promotional events shall be processed through the applicable City of Placentia permit process in place at the time of application.
17. Any changes or modifications to the approved uses shall be subject to review and approval by the Director of Development Services. The Director may determine if such change or modification requires approval by the Planning Commission.
18. Adult supervision (eighteen years of age or older) shall be provided on the premises during all hours of operation and shall be stationed appropriately within the facility in order to have direct visibility over all activities.
19. If applicable, and based on a photometric lighting analysis, the applicant/property owner shall install additional lighting as necessary in the parking lot area for the safety of patrons during early morning and night time usages and said lighting shall be appropriately timed to coincide with hours of operation, beginning one (1) hour before the opening and ceasing no earlier than one (1) hour after the close of business. Installation of additional lighting shall be approved by the Director of Development Services and Director of Public Works and conform to exterior lighting standards as designated by the Public Works Departments.
20. Change of ownership, to include new general partners, shall be noticed to the City of Placentia at least thirty (30) days prior to a legal change taking effect.

CITY BUILDING DIVISION:

21. Applicant shall obtain all necessary approvals from the City prior to constructing any tenant improvements. Tenant improvement plans shall be prepared by a California-licensed architect or engineer.
22. Occupancy type for the proposed facility is classified as "A-3".
23. Automatic fire sprinkler system shall be provided throughout the entire building.
24. Future tenant improvement projects require building permits prior to construction.
25. Proposed floor plan shall be in compliance with Title 24 Access regulations, which include restroom renovations, exits, parking, etc.
26. Applicant shall provide structural plans and calculations for all proposed structural work such as removing and relocating bearing and non-bearing walls, shear wall(s), future HVAC systems on top of the existing roof, etc.
27. Men and women's restrooms facilities shall provide enough plumbing fixtures (toilets and urinals) per California Building Code, Chapter 29 (Table 2902.1).
28. Applicant shall provide adequate exits with illuminated exit signs pursuant to the California Building Code (2010 Edition) requirements.
29. Applicant/property owner shall obtain demolition permits for removal of any existing interior tenant improvements.
30. All contractors and sub-contractors shall obtain a city business license. Applicant and/or contractor shall request a standard sub-contractor form from the City Building Division prior to issuance of a building permit. This standard form shall be completed and submitted to the City Business License Division prior to the issuance of any building permits.
31. Applicant shall obtain Orange County Fire Authority approval prior to final occupancy. Applicant shall submit floor plans to Orange County Fire Authority for review.

CITY POLICE DEPARTMENT:

32. The establishment shall remain in compliance with Placentia Police Department Standard Development Requirements for security (See Attachment C).
33. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot, with a minimum of one foot-candle of light on the parking surface.

34. Lighting in the parking area of the premises shall be directed, positioned, and shielded in such a manner so as to not unreasonably illuminate the window area of nearby residences, residential facilities or adjacent commercial facilities.
35. If the facility is open past 10:00 p.m., a parking area restriction plan shall be submitted and approved by the Placentia Police Department. The purpose of the plan is to limit entry points for vehicles into the facility's parking area from 10:00 p.m. to 6:00 a.m., creating a one-way in and out scenario with this entry/exit point being close to the main doors of the facility. Temporary barriers are to be placed across drive aisles to create cul-de-sac type conditions where vehicles can circulate around the parking area but only enter/exit via one location. Reducing easy access/escape routes and creating a point where criminals may be seen entering the parking area will discourage criminal opportunity. Placentia Police can assist club management in development of this plan.
36. Consideration of parking locations for employees and guests after 10:00 p.m. should be so that parking is encouraged in the front of the facility near the main entrance/exit and in well illuminated and areas to discourage potential incidents of crime. If a video surveillance system is used, a minimum of one camera should be situated so as to record the parking area in front of the main entrance/exit of the facility.
37. To provide a deterrent presence and "eyes on the parking lot" to report suspicious activity, the parking lot shall be monitored visually once each hour, when the business is in operation, by either security personnel or facility staff. The purpose is to not engage persons who are suspicious, but to call the Placentia Police Department and report the activity.
38. Applicant shall install cameras at the entrance to the facility and at the entrance to the locker rooms. Cameras should be capable of producing highly recognizable facial features of persons entering these locations.
39. All emergency exit doors are to be alarmed with an audible device sounding at the door when the door is opened. Only a key shall shut off the alarm.
40. Locker rooms shall be designed to minimize interior rows of lockers and create an open area void of walls.
41. Lockers in locker rooms are to have doors either made of metal or the locking mechanism reinforced to withstand prying using a screwdriver or other similar pry tool. Locking devices are to be provided by the facility for the patrons and use electronic or mechanical combinations and shall not require a fee for usage. Only club management staff shall have access to the master pass key or code for club provided locking systems. In lieu of club provided locks, patrons may use their own padlock; however, it is recommended that patron provided locks shall be a disc

lock or a padlock with a shackle guard to prevent cutting (must be shown to staff when checking in to be approved for use on the lockers.)

42. Mini lockers capable of storing small items (cell phones, wallets, purses) must be available to patrons and placed outside the locker rooms in a highly visible and easily accessible location. The number of mini-lockers shall be equal to half the number of lockers provided. The mini-lockers shall meet the locking requirements in No. 42 above, with the exception of the pry resistant feature.
43. A written policy regarding lockers shall be developed and a portion of it shall indicate that only management staff can open lockers when a positive identification has been made of the patron and their locker contents (asking the patron what specifically is in their locker).
44. Signs shall be placed in the locker room reminding patrons to not leave valuables in the lockers or exposed in their vehicles. Place a sign at the check-in area reminding patrons not to leave valuables exposed in their vehicles.
45. The facility entrance shall be configured so patrons/visitors must check in with staff and cannot walk around or otherwise avoid contacting staff when they enter.
46. A membership card or biometric identification system shall be required with identifying information (photo is preferred but not required) which can be matched to a data base that has the member's photo. The card shall be used to verify membership every time members check in.
47. Faculty staff shall inspect locker rooms at least once per hour and report any suspicious persons to the Placentia Police Department.
48. All cameras shall be color and positioned to provide facial features inside the facility and at patron entrances.
49. All cameras shall be digitally recorded and a library of 30 days shall be kept of the recordings.
50. The recorder shall be stored in a locked area and only accessible to management staff.

ORANGE COUNTY FIRE AUTHORITY:

51. Applicant shall comply with all site development requirements specified by the Orange County Fire Authority (OCFA) (See Attachment D).

Attachment "C"
Placentia Police Department Standard Development Requirements

PLACENTIA POLICE DEPARTMENT



APPLICATION: Use Permit 2012-05
APPLICANT: Fancher Development Services: Bill Fancher
LOCATION: 1822 N. Placentia Avenue

COMMERCIAL & INDUSTRIAL SECURITY STANDARD DEVELOPMENT REQUIREMENTS

The following standards shall be required for all commercial/industrial developments when applicable. No modifications shall be made without the approval of the Chief of Police.

EXTERIOR DOORS

Sliding Doors:

Sliding glass doors shall be of tempered glass with locking bolt that grips door and frame together and prevents the door from being pried in an upward direction. The strike area shall be reinforced to prevent prying and disengagement of the locking bolt. Anti-lift out device(s) shall be installed in the upper channel above the moving panel to prevent raising and removal from the tract while in the closed position.

Other Doors:

Wood doors and aluminum stile doors shall be used only as front entry doors. *ALL OTHER DOORS SHALL BE METAL.*

Wood doors shall be of solid core construction with the minimum thickness of one and three-fourths (1 ¾) inches. Wood panel doors with panels less than one (1) inch thick shall be covered on the inside with a minimum sixteen (16) U.S. gauge sheet steel, or its equivalent, which is to be attached with screws on minimum six (6) inch centers.

Metal doors shall be of a minimum sixteen (16) U.S. gauge and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed. Such reinforcement shall restrict collapsing of the door around any locking device. Metal jambs shall be used.

Doors with glass panels and/or glass within thirty-six (36) inches of locking mechanism shall be fully tempered glass or rated burglary resistant material.

Door stops on wooden jambs for in-swinging door shall be of one piece construction with the jamb. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

All swinging exterior wood and steel doors shall be equipped as follows:

Single doors: equipped with "single unit" containing door knob and single cylinder deadbolt. (Single turn of the knob also retracts the locked deadbolt.) Deadbolt must have one (1) inch throw and exterior case hardened, rotating steel cylinder guard.

Or:

(Exterior Doors, Continued...)

Equipped with single or double cylinder deadbolt in which no other device is located in the area where door hardware is installed. If double cylinder deadbolt is used, the inside key operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "opened."

In either case, a sign must also be displayed above the front door indicating that the front door is to remain "unlocked" during business hours. Letter size to be minimum one (1) inch in size on contrasting background.

Aluminum stile, single door: equipped with a double cylinder, minimum one and one-half (1½) inch upswing or one (1) inch slide deadbolt and exterior case hardened, rotating steel cylinder guard and minimum of five (5) pin tumblers. The inside key-operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "open." A sign must also be displayed above the door indicating that the door is to remain "unlocked" during business hours. Letter size to be minimum of one (1) inch in height on contrasting background.

The inactive leaf of all double door(s) shall be equipped with metal flush bolts having a minimum embedment of five-eighths (5/8) inch into the head and threshold of the door frame.

The strike plate for deadbolts on all wood framed doors shall be constructed of minimum sixteen (16) U.S. gauge steel, bronze, or brass and secured to the jamb by minimum of two screws, which must penetrate at least two (2) inches into solid backing beyond the surface to which the strike is attached.

Strike area for metal or aluminum framed doors must be constructed or protected to prevent violation of strike area.

Hinges for out-swinging doors shall be equipped with non-removable hinge pins or a mechanical interlock to prevent removal of the door from the exterior by removing the hinge pins.

Panic hardware, whenever required by the Uniform Building Code or Title 19, California Administrative Code, shall be installed as follows:

- (1) Panic hardware shall contain a minimum of two (2) locking points on each door; or
- (2) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom rails of the door frame. The door shall have an astragal constructed of steel .125 thick which shall be attached with non-removable bolts to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.
- (3) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door.

Deadbolt locks shall not be used on doors that are required to have panic hardware.

Overhead or sliding doors shall be secured on the inside by minimum one-half (1/2) inch slide bolt(s) protruding at least one (1) inch into the door frame at floor; or secured on outside by a case hardened or minimum ten (10) gauge steel construction slide bolt using a padlock having a hardened steel shackle locking both at heel and toe with a minimum five (5) pin tumbler operation. Locking bar or bolt to extend through the receiving guide minimum of one (1) inch.

Doors exceeding ten (10) feet in width shall have two locking points on opposite sides.

WINDOWS

No louvered windows shall be used.

Windows and/or transoms having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected in the following manner:

- (1) Fully tempered glass or burglary resistant material*; or
- (2) Inside or outside iron bars of at least one-half (1/2) inch round or one by one-quarter (1 x 1/4) inch flat steel material, spaced not more than five (5) inches apart and securely fastened with non-removable bolts; or
- (3) Inside or outside iron or steel grills of at least twelve (12) gauge material with not more than a two (2) inch mesh and securely fastened with non-removable bolt.

The protective bars or grills shall be able to be opened if such windows are required to be opened by the Uniform Building Code.

ROOF OPENINGS

Skylights shall be fully tempered glass or rated burglary resistant material*; or

- (1) Protected by iron bars at least one-half (1/2) inch round material spaced not more than five (5) inches apart; or
- (2) Steel grill at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted under the skylight.

Ventilator skylights with side openings exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected as in (1) or (2) above.

Air ducts or vents exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches on roof or exterior walls shall be covered by iron or steel bars of at least one-half (1/2) inch material spaced not more than five (5) inches apart; or steel grills of at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted.

HATCHWAYS

Hatchways on the roof, if not of metal construction, shall be covered on the inside with sixteen (16) gauge sheet metal, or its equivalent, and secured from the inside with a slide bar or slide bolt. Outside hinges shall be equipped with non-removable hinge pins.

LADDERS

Ladders leading to the roof shall do so from the interior of the building.

BURGLARY RESISTANT MATERIAL

- (1) Products intended for use shall be permanently labeled as such.
- (2) Materials used shall meet UL 972 Standards for Safety Burglary Resistant Glazing Materials.
- (3) Only materials approved by ICBO shall be used.

ADDRESS

The address number shall be mounted near the front entry of each building or other conspicuous location and be no less than six (6) inches high. They shall be mounted on a contrasting background and easily visible from the street or walkway. If rear-vehicular access, the same numbers, no less than six (6) inches high shall be displayed on the rear of the building.

Numerals of the street address shall be displayed on the uppermost roof, in luminous paint or other material capable of being read from the air. Minimum numeral size shall be twenty-four (24) inches. The building designation, if within a complex (such as "A" or "B" etc) shall accompany displayed street address.

EXTERIOR LIGHTING

Exterior lighting of an intensity of at least twenty-five hundredths (.25) foot-candles shall be provided adjacent to doors and windows. Exterior bulbs shall be protected by polycarbonate or other weather and vandal resistant globe or cover. Light(s) shall be operated during hours of darkness through either photovoltaic sensors or appropriate timers.

Parking lots for use by the general public and/or employees shall be provided with exterior lighting of an intensity of at least one (1) foot-candle of light on the parking surface and operated from dusk until at least one-half (1/2) hour after the termination of business.

SITE SPECIFIC REQUIREMENTS **(IF APPLICABLE)**

Attachment "D"
Orange County Fire Authority (OCFA) Special Conditions of Approval

(See attached letter from OCFA)



ORANGE COUNTY FIRE AUTHORITY

Fire Prevention Department

P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Planning and Development Services • www.ocfa.org • (714) 573-6100 / Fax (714) 368-8843

Date: May 21, 2012

To: City of Placentia Department of Development Services
Attention: Monique Schwartz, Project Manager

From: Lynne Pivaroff, Fire Prevention Analyst

Subject: OCFA Service Request SR #156161, City Reference #Use Permit 2012-05
1882 N. Placentia Avenue, Placentia
Service Code: PR105 Site Development Review/CUP

The OCFA has reviewed the proposed project and there do not appear to be any significant issues associated with this proposal that would prevent further submittals to the OCFA should the city approve the CUP. Please provide the conditions listed below on the resolution issued to the applicant.

CONDITIONS OF APPROVAL

Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit:

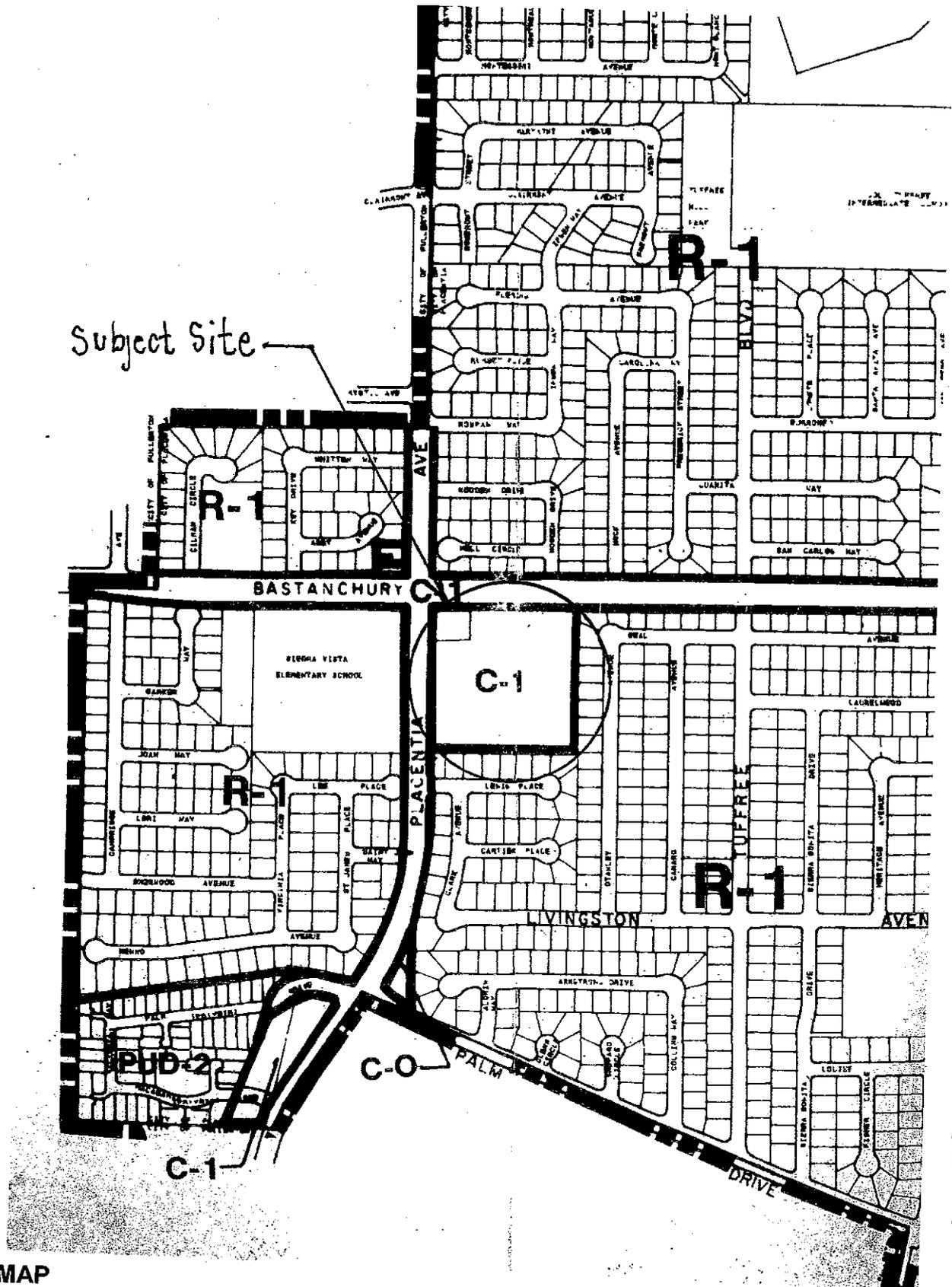
- Architectural (service codes PR200-PR285)

Prior to concealing interior construction:

- Fire Alarm System (service code PR500-PR520), if modified, provided voluntarily, or required by code.
- Fire Sprinkler System (service codes PR430-PR455), if the building is currently sprinklered and the system requires modification., or if required by code.

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

Subject Site

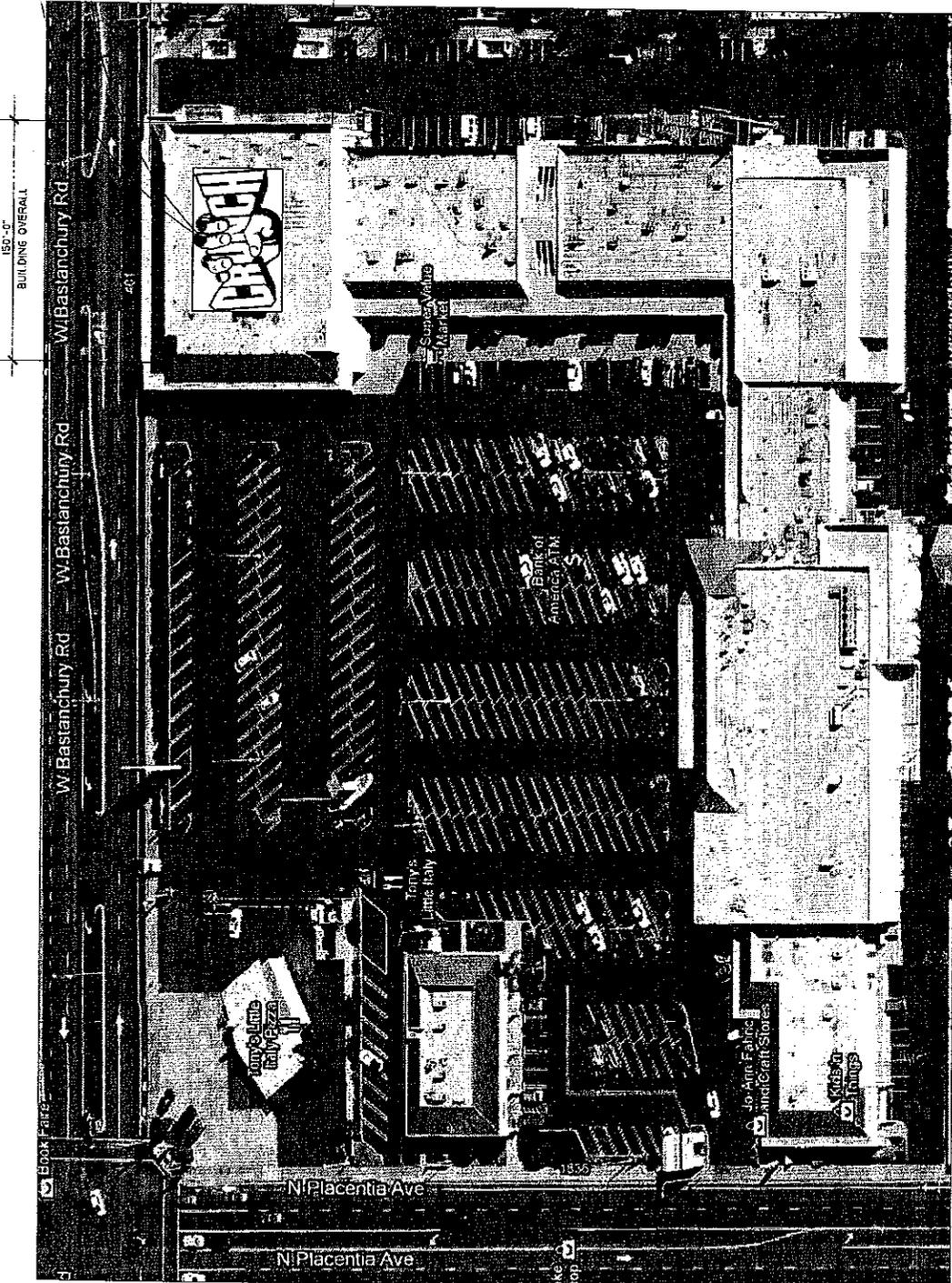


VICINITY MAP



PLANNING DIVISION REPORT
 UP 2012-05
 Exhibit 1

PROPOSED CRUNCH FITNESS



150'-0"
BUILDING OVERALL

W Bastianchury Rd

W Bastianchury Rd

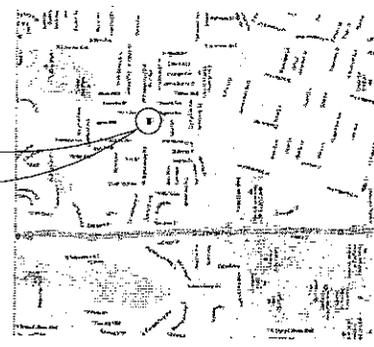
W Bastianchury Rd

152'-2"
BUILDING OVERALL

EXISTING PARKING

STANDARD STALLS	391 STALLS
HANDICAP STALLS	10 STALLS
TOTAL	401 STALLS

PROPOSED CRUNCH FITNESS



VICINITY MAP



SITE PLAN



PROPOSED CRUNCH FITNESS
1882 N. PLACENTIA AVENUE
PLACENTIA, CA 92670

TENANT
CRUNCH FITNESS
3555 N. OAKLAND BL.
LAKELAND, CA 94598
PH: 650.274.6300

ARCHITECT
PANKA + RILEY ARCHITECTS
2285 SAN RAMON PARKWAY
TORRE LINDA, CALIFORNIA 92677
PH: (714) 283-935

SHEET:
A - 1
OF 3 SHEETS
DATE: 05/20/12

PLANNING DIVISION REPORT
APPLICATION: UP 2012-05
EXHIBIT: 2
PAGE 1 OF 1
DATE: 6-12-12

Crunch Fitness

STATEMENT OF OPERATION

Crunch Fitness is a full service health club. We specialize in fitness equipment, group classes, personal training. Crunch has yet to determine the hours of operation but it can be expected that the will be in the range of 5:am – 12: midnight 7 days a week. A club of this size will average 5 - 6 full time employees and approximately 30 part time employees (personal trainers and class instructors).

Typically the peak hours of business are 7:am -10:am and 5:pm– 7:pm. All our operations are completely indoors. Crunch does not utilize company vehicles.

Crunch will offer the latest in fitness equipment such as bikes, elliptical climbers, stair climbers, rowing machines, and resistance training devices. Training, shaping, spinning, and dance classes are the most popular feature at Crunch.

HISTORY

Crunch's begins rather inauspiciously: in a basement level aerobics studio in New York City's East Village circa 1989. This, our first location, had no locker rooms, the air conditioning didn't work and after hours break-ins were perennial events.

However, while we lacked the resources to equip the gym with some basic amenities and strong locks we were on an important mission – to make exercise fun. And, accomplishing this mission meant doing away with traditional notions of what a 'serious' workout should be. No easy task. What we did was to invite a highly creative group of fitness instructors with a wide range of expertise to collaborate with us. The result was the development of challenging programming with a completely fresh slant. Offerings like Hip-Hop Aerobics (featuring a live rapper), Co-Ed Action Wrestling and Cyked Yoga Cycling were introduced and, along with others, became the embodiment of this new approach.

The response was overwhelmingly positive, even by jaded New York standards. Members embraced these new kinds of classes and began to tell their friends about them who, in turn, told their friends who, in turn told their friends (and so on and so on). Soon, lots of people were coming to experience Crunch's unconventional new take on traditional fitness.

Fast forward twenty years to the present and Crunch has grown from that one tiny aerobics studio with no air conditioning into a collection of 27 state-of-the-art gyms in locations such as New York, Miami, Los Angeles, Portland, Orange County, Sacramento, San Diego and the San Francisco Bay Area (and more to come). It stands as a rapidly growing brand that fuses fitness and entertainment to make working out fun, bringing a host of unique services and products to our active and expanding clientele.

PLANNING DIVISION REPORT

APPLICATION: UP 2012-05

EXHIBIT: 4

PAGE 1 OF 3

DATE: 6-12-12



CLASS DESCRIPTIONS

BURBANK • 761 N San Fernando Blvd • (818) 336-9300
Mon - Thurs: 5:00am - 10:00pm; Fri: 5:00pm; Sat & Sun: 7:00am - 7:00pm

ACTION SPORTS

Absoletion : Concentrated abdominal and back work followed by a deep stretch.

BodyWeb Bootcamp with TRX® : Not only push, pull, hang and suspend your way to a better body with the TRX® but add a strength training element for the ultimate in body sculpting and muscle toning.

BOSU® Bootcamp : Integrated Balance Training on an apparatus that is a cross between a core board and a stability ball. It's fun, it's challenging and it's a total body workout for any fitness level!

Cardio Sculpt : Enjoy non-stop body sculpting accompanied by heart pumping cardio.

Cardio Tai Box : Tai Box is a high energy, high impact blend of kicks and punches set to upbeat music. This class is the perfect combination of martial arts, boxing and cardiovascular training.

Killer X Training : Prepare to be taken to the limit in this bootcamp styled strength training class.

POUND : Channel your inner performer and rock your body with this modern-day fusion of movement and music. Drum along to a slamin' soundtrack using Ripstix™ - weighted drumsticks designed to transform drumming into a kick-ass, fat burning, full body interval workout that will leave you dripping sweat.

Rock Bottom : Hit the ground for this intense lower body workout that uses a million different positions and exercises to target muscles you didn't even know you had.

Super Sculpt : An intense workout focusing on light weights and high reps using body bars and bands. Increase your strength and improve your definition while working your muscular endurance. All fitness levels welcome.

SWEAT : Give this 60-minute total-body bootcamp workout just one try and you'll see why we named it what we did. Alternating between Stepmills, Treadmills, and Krankcycles to melt away calories, you'll be oozing buckets of the stuff by the time you leave this class.

TMT : It's all about a punch and a crunch, a romp and a stomp in this bootcamp style cardio/sculpting class. You'll sweat and work like there's no tomorrow!

Top It Off : Total upper body shaping and sculpting.

Ultimate Conditioning : It's the next level of training. Your muscular strength and endurance will be tested when combined with cardiovascular movement. A total body workout that is challenging and feels like you're training one-on-one with a private trainer. Great for all levels of fitness!

Washboard Abs : An AB-solutely fabulous workout of abdominal and lower back work to sculpt your middle body.

CHILL OUTS

AntiGravity® Yoga 'Wings' : Stretch further and hold challenging postures longer using a flowing fabric hammock as your only prop. With the fabric as a soft trapeze, you'll learn simple suspension techniques to move into seemingly impossible inverted poses to relieve compressed joints and align the body from head to toe.

Pilates Mat : A series of exercises based on the work of Joseph Pilates to strengthen and lengthen muscles with a focus on the body core.

Power Yoga : This is an Ashtanga Yoga based class, with powerful and vigorous overtones. This class is great for all levels of fitness.

Vinyasa Yoga : Vinyasa means breathing systems. Vinyasa Yoga synchronizes movement with breath, linking the postures together into a dynamic practice. The breath is used as a constant point of reference for returning to and resting in the present moment. All levels are welcome.

DANCE RHYTHMS

Barre Assets : Drawing its inspiration from ballet, this class will help you to get a ballet inspired body. Employing the body bar and light hand weights to both shape and elongate all of your major muscle groups, you'll be tutu ready in no time.

Cardio Dance Blast : A hot and sweaty dance party with the best hip-hop, reggae and popular music. This non-stop, 60 minute workout will melt away fat while boosting your dance skills like never before.

LaMast™ : Created by world champion and ABC's "Dancing with the Stars" dancer and choreographer Louis Van Amstel, this class will lead you through various dance genres combining exhilarating body movements and creative fitness routines to burn fat and blast away calories. No experience and no partner necessary.

Videography : The latest influences in hip-hop, Latin and jazz dance come together in this high-energy, intense cardio class. Feel like the star of a music video as you learn a short routine in an easy-to-follow format.

X-Pole Dancing : This challenging and sexy class, taught by X-Pert Pole Fitness trained instructors, combines intense upper body and core strength, coordination, balance, and dance choreography that will turn even the shyest performers into toned and sultry vixens. Shorts and high heels are recommended.

Zumba® : Mix it up in this non-stop cardio dance class with Hindi, Arabic, American, African, and Latin beats. The choreography includes body sculpting and interval training in a combination of fast and slow rhythms.

THE RIDE

The Ride : A fantastic heart-pumping workout. Taught on a stationary bike you will climb, sprint, and train to incredible music and extraordinary instruction.

PLANNING DIVISION REPORT

APPLICATION: UP 2012-05

EXHIBIT: 4

PAGE 3 OF 3

DATE: 6-12-12



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 3	DATE: June 12, 2012	PUBLIC HEARING: Yes
APPLICATION: Zoning Code Amendment 2012-01		
DESCRIPTION: Amendment to Chapter 23.90 of Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding a new § 23.90.045 requiring specified signs utilizing non-Latin/Roman alphabet characters to provide a generic description of the business in English and requires applications for such signs to include a certified English translation thereof.		
RELATED APPLICATIONS: None		
APPLICANT: City of Placentia		
PROPERTY OWNER: N/A		
LOCATION: City-wide		
CEQA DETERMINATION: Section 15061(b)(3)		
ZONING: City-wide	APN(S): N/A	
GENERAL PLAN: All land uses	CITY COUNCIL ACTION REQUIRED: No	
PREPARED BY: Kenneth A. Domer, Assistant City Administrator		
REVIEWED BY: Monique B. Schwartz, Associate Planner		

REQUEST:

To consider the recommendation to the City Council of an amendment to the Zoning Ordinance of the City of Placentia within Chapter 23.90 (Signs – Advertising Structures). The amendment would require specified signs utilizing non-Latin/Roman alphabet characters to provide a generic description of the business in English and requires applications for such signs to include a certified English translation.

INTRODUCTION:

The City's Zoning Code is awaiting a much needed overhaul and modernization process which will be started as soon as the General Plan Update is complete. However, from time to time, a specific instance is discovered in which Development Services Staff may recommend an amendment to the Zoning Code. Recently, it came to the attention of the City that a business located in a commercial zone and installed a new sign without first seeking a sign permit application. While the business has since been cited and will ultimately be forced to relocate due to it not being a permitted use, the signage issue was more of a concern over the fact that the sign was completely in a foreign language with no ability for a person to determine the nature of the business or provide useful information to emergency services in case of emergency.

In discussions with the City Attorney's Office, the City Attorney recommended the adoption of a legally tested Zoning Code amendment which continues to support signage erected in a foreign language but does so with an ability for a person not fluent in the language used to identify the business or structure in case emergency responders are

required to assist in the event of fire, life threatening emergency or criminal conduct. For example, if a person was to report an emergency situation and was unable to determine the street address, the typical reaction is to report at which business or facility the situation is occurring. However, with signage that does not contain a English language generic description, there may not be a quick way to report such information to authorities.

DISCUSSION:

The proposed ordinance adds Section 23.90.045 and reads as follows:

Section 23.90.045 – Signs Utilizing Non-Latin/Roman Alphabet.

A. Every sign larger than four (4) square feet of surface area, erected in connection with any business within the City and which utilizes any non-Latin/Roman letters, symbols, or characters in fifty percent (50%) or more of its advertising message and in lettering readable from the nearest public street, shall be considered to be a “non-English language sign.” Each non-English language sign shall contain thereon a generic description, written in English, of the nature of such business, readable from the nearest public street.

B. In all cases where a zoning sign permit, sign erection permit, or other sign permit is required by this Code or other law, the applicant shall submit to the City a certification, executed under penalty of perjury under the laws of the State of California, containing an English language translation of all letters, symbols, or characters proposed to be displayed on the non-English language sign. An application for any such permit shall not be deemed complete unless and until the applicant has provided the certification required herein.

C. The provisions of this section shall apply to signs meeting the criteria stated herein which are sought to be erected on or after the effective date of this Ordinance.

Upon submission of a sign permit application, City Staff will review the application and draft sign language per the current and proposed sign regulations. In instances in which a proposed sign meets the criteria set forth in the subsection (a) of §23.90.045, Staff will review to ensure that the English language portion is viewable from the public right of way and obtain a generic description of the non-English portion to remain with the sign permit application. In instances where a sign is erected without an applicable sign permit if and after the proposed ordinance is enacted, then City Code Compliance personnel shall issue a courtesy notice for lack of proper sign permit and violation of §23.90.045.

Pursuant to Placentia Municipal Code Section 23.96.040, the Planning Commission, after examination of the proposed zoning code amendment, must make recommendations of its findings to the City Council. The Planning Commission may recommend approval of Zoning Code Amendment 2012-01 to the City Council only if it makes the following findings:

Findings

- (1) The proposed amendment will not be: (A) detrimental to the health, safety, or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (B) injurious to property or improvements within the neighborhood or within the city; and,

Fact:

The proposed zoning code amendment will not be: (A) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (B) injurious to property or improvements within the neighborhood or within the City. The basis for this fact is the that the amendment regulates signage to ensure that signs can be interpreted by many persons in the community so as to not lead to failure to timely identify a business or structure where emergency responders are required to assist in the event of fire, life threatening emergency or criminal conduct. Such ability provides for increase health, safety and general welfare of persons residing or working within the City and where such signage may occur.

Findings

- (2) The proposed zoning code amendment will be consistent with the latest adopted general plan.

Fact:

The proposed zoning code amendment is consistent with the latest adopted general plan. The amendment is also consistent with the General Plan update currently being processed by the City.

Accordingly, it is Staff recommendation that the Planning Commission can make the findings and should recommend to the City Council the adoption of Zoning Code Amendment 2012-01.

CEQA:

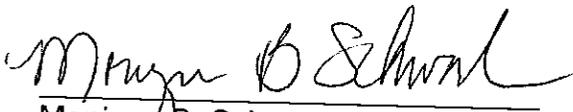
The amendments set forth in the proposed ordinance have been reviewed and considered in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder and City Guidelines. Based on this review it is found that it can be seen with certainty that there is no possibility that the amendments set forth may have a significant effect on the environment and, therefore the amendments are not subject to the requirements of the California Environmental Quality act pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations. If adopted, a Notice of Exemption will be filed with the Orange County Clerk/Recorder, as required by law.

RECOMMENDATION:

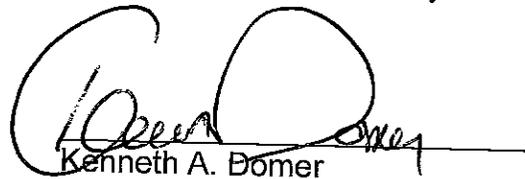
1. Adopt Resolution PC-2012-09 making the required findings; and
2. Recommend approval of Zoning Code Amendment 2012-01 to the City Council, and direct staff to prepare and transmit a report of the findings and recommendations of the Planning Commission to the City Council.

Reviewed by:

Prepared and approved by:



Monique B. Schwartz
Associate Planner



Kenneth A. Damer
Assistant City Administrator

Attachments:

Attachment A: Zoning Code Amendment 2012-01
Attachment B: Resolution PC-2012-

ORDINANCE NO. O-2012-XX

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF PLACENTIA ADDING A NEW SECTION
23.90.045 TO CHAPTER 23.90 OF TITLE 23
(ZONING ORDINANCE) OF THE PLACENTIA MUNICIPAL
CODE PERTAINING TO SIGNS UTILIZING
NON-LATIN/ROMAN ALPHABET.
[Zoning Code Amendment 2012-01]

City Attorney's Summary

This Ordinance adds a new § 23.90.045 to title 23 of the Placentia Municipal Code requiring specified signs utilizing non-Latin/Roman alphabet characters to provide a generic description of the business in English and requires applications for such signs to include a certified English translation thereof.

A. Recitals.

(i). City staff has discovered that certain signs are being erected within the community which are utilizing non-Latin/Roman alphabet characters.

(ii). Such signs cannot be interpreted by many persons in the community and may lead to failure to timely identify a business or structure where emergency responders are required to assist in the event of fire, life threatening emergency or criminal conduct.

(iii). The City desires to amend provisions of Title 23 of the Placentia Municipal Code ("Zoning Ordinance") to ensure prompt identification of businesses and structures utilizing non-Latin/Roman alphabet characters and to require certified translations thereof.

(iv). On June 12, 2012, the Planning Commission of the City of Placentia conducted, and concluded, a duly noticed public hearing, as required by law, to amend the Zoning Ordinance to comport with California law and recommended adoption of this Ordinance to the City Council [Zoning Code Amendment 2012-01].

(v). This City Council has reviewed and considered all elements of amendments to the Zoning Code as recommended by the Planning Commission, including written staff reports and verbal testimony presented during a duly noticed public hearing, which hearing was concluded prior to the adoption of this ordinance.

(vi). All legal prerequisites to the adoption of this Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, the City Council of the City of Placentia does hereby find, determine and ordain as follows:

SECTION 1. In all respects, as set forth in the Recitals, Part A, of this Ordinance.

SECTION 2. The City Council hereby finds and certifies that the amendments set forth below have been reviewed and considered in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder and City Guidelines and, further, finds that it can be seen with certainty that there is no possibility that the amendments set forth below may have a significant effect on the environment and said amendments are therefore not subject to the requirements of the California Environmental Quality act pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations and hereby directs that a Notice of Exemption be filed with the Orange County Clerk/Recorder, as required by law.

SECTION 3. A new Section 23.90.045 hereby is added to Chapter 23.90 of Title 23 of the Placentia Municipal Code, to read, in words and figures, as follows:

"Section 23.90.045 - Signs Utilizing Non-Latin/Roman Alphabet.

"A. Every sign larger than four (4) square feet of surface area, erected in connection with any business within the City and which utilizes any non-Latin/Roman letters, symbols, or characters in fifty percent (50%) or more of its advertising message and in lettering readable from the nearest public street, shall be considered to be a "non-English language sign." Each non-English language sign shall contain thereon a generic description, written in English, of the nature of such business, readable from the nearest public street.

"B. In all cases where a zoning sign permit, sign erection permit, or other sign permit is required by this Code or other law, the applicant shall submit to the City a certification, executed under penalty of perjury under the laws of the State of California, containing an English language translation of all letters, symbols, or characters proposed to be displayed on the non-English language sign. An application for any such permit shall not be deemed complete unless and

until the applicant has provided the certification required herein.

"C. The provisions of this section shall apply to signs meeting the criteria stated herein which are sought to be erected on or after the effective date of this Ordinance."

SECTION 4. Penalty for Violation.

It shall be unlawful for any person, firm, partnership or corporation to violate any provision or to fail to comply with any of the requirements of this Ordinance hereby adopted. Any person, firm, partnership or corporation violating any provision of this Ordinance or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each and every person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted by such person, firm, partnership or corporation, and shall be deemed punishable therefor as provided in this Ordinance.

SECTION 5. Civil Remedies Available.

The violation of any of the provisions of this Ordinance hereby adopted shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

SECTION 6. Severability.

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 7. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED and ADOPTED this ___ day of _____, 2012.

JEREMY B. YAMAGUCHI, MAYOR

ATTEST:

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on the ____ day of _____, 2011 and was finally adopted at a regular meeting held on the ____ day of _____, 2011, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

**RESOLUTION NO. PC-2012-09
AMENDMENT NO. 2012-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF PLACENTIA RECOMMENDING THE CITY COUNCIL
ADOPT AN ORDINANCE (AMENDMENT NO. 2012-01) ADDING
A NEW SECTION 23.90.045 TO CHAPTER 23.90 OF TITLE
23 (ZONING ORDINANCE) OF THE PLACENTIA MUNICIPAL
CODE PERTAINING TO SIGNS UTILIZING NON-
LATIN/ROMAN ALPHABET.**

A. Recitals.

(i) On June 12, 2012, this Planning Commission conducted a duly noticed public hearing, as required by law, to consider Amendment No. 2012-01 with said public hearing having been concluded prior to adoption of this Resolution.

(ii) This Planning Commission has reviewed and considered all elements of proposed Amendment No. 2012-01, including written staff reports and verbal testimony presented during the above-referenced public hearing.

(iii) All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia does hereby find, determine, and resolve as follows:

1. This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A, of this Resolution are true and correct.

2. This Commission finds, and recommends the City Council find, that Amendment No. 2012-01 is in conformance with the Placentia General Plan.

3. This Commission finds, and recommends the City Council find, that Amendment No. 2012-01 specified within the proposed Ordinance attached hereto as "Exhibit A" and made a part hereof, will promote the orderly development of the City and the public health, safety and welfare.

4. This Commission finds, and recommends the City Council find, that Amendment No. 2012-01 will not have a detrimental effect upon land available for housing within the City.

5. Amendment No. 2012-01 responds to requirements of State and other laws, and provides findings, definitions, procedures and standards which support proactive land use, code enforcement and development activities within the City.

6. Amendment No. 2012-01 promotes implementation of the goals and policies set forth in the General Plan and Redevelopment Guidelines.

7. Amendment No. 2012-01 will not be (a) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (b) injurious to property or improvements within the neighborhood of the proposed amendment or within the City. Amendment No. 2012-01 allows for greater public safety of individuals due to the requirement to have signs be interpreted by many persons in the community in order to timely identify a business or structure where emergency responders are required to assist in the event of fire, life threatening emergency or criminal conduct.

8. The Planning Commission hereby makes, and recommends the City Council make, the following finding: That there is no possibility that the amendments set forth in "Exhibit A" may have a significant effect on the environment and said amendments are therefore not subject to the requirements of the California Environmental Quality act pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations, and the City of Placentia Environmental Guidelines.

9. The Planning Commission hereby recommends that, upon adoption of Amendment No. 2012-01, a Notice of Exemption be filed with the Orange County Clerk/Recorder, as required by law.

10. This Commission finds, and recommends the City Council find, that the facts supporting the above specified findings are contained in the staff report and exhibits,

and information provided to this Planning Commission during the public hearing conducted with respect to Amendment No. 2012-01.

11. This Commission hereby recommends that the City Council of the City of Placentia approve Amendment No. 2012-01 as set forth in "Exhibit A" attached hereto.

12. The Secretary of this Commission shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution to the City Council of the City of Placentia together with all documents prepared with respect to these considerations and transcripts of any and all hearings conducted with respect to the Ordinance recommended for approval herein.

PASSED AND ADOPTED this 12th day of June, 2012, by the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAINED: COMMISSION MEMBERS:

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY



Placentia Planning Commission

Agenda Staff Report

AGENDA ITEM NO.: 4	DATE: June 12, 2012	PUBLIC HEARING: Yes
APPLICATION: General Plan Conformity for 2012-13 Capital Improvement Program		
DESCRIPTION: General Plan Conformance Finding for Fiscal Year 2012 to 2019 Seven Year Capital Improvement Program		
RELATED ITEMS: N/A		
APPLICANT: City of Placentia		
PROPERTY OWNER: N/A		
LOCATION: City-wide		
CEQA DETERMINATION: Categorically Exempt, Section 15061 (b)(3)		
ZONING: Various	APN(S): Various	
GENERAL PLAN: Various	CITY COUNCIL ACTION REQUIRED: Yes	
PREPARED BY: Kenneth A. Domer, Assistant City Administrator		
REVIEWED BY: Monique B. Schwartz, Associate Planner		

REQUEST:

It is requested that the Planning Commission make findings of conformity with the adopted General Plan for the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program and submit those findings to the City Council for consideration and approval.

INTRODUCTION:

The Capital Improvement Program (CIP) serves as a single comprehensive plan of proposed capital improvement projects for the budget year FY 2012-2013 and the six years thereafter. In accordance with state law, the City must determine that the CIP is consistent with the General Plan.

RECOMMENDATION:

City Planning Division recommends that the Planning Commission find that the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program (CIP) conforms to the adopted General Plan and its related elements and further requests that the Planning Commission recommend the CIP for consideration and approval to the City Council.

DISCUSSION:

California Government Code Section 65401 requires the City to prepare a coordinated program (i.e., Capital Improvement Program) identifying projects recommended for planning, initiation or construction during the ensuing fiscal year. In accordance with state law, the Planning Commission must review and report on the conformity of the CIP with the adopted General Plan.

The Capital Improvement Program (CIP) serves as a single comprehensive plan of proposed capital improvement projects for the budget year FY 2012-2013 and the six years

thereafter. The CIP is a budgeting and strategic planning tool used to determine the extent of future needs and sources of funding. The CIP identifies 129 projects in which to undertake over the next seven years. For Fiscal Year 2012-13, the City has identified 45 projects in which it expects to undertake and/or complete.

A CIP is a systematic evaluation and prioritization of capital projects. The CIP serves as a guide for the efficient and effective implementation of public improvements and facilities, outlining a timeline and a funding schedule of capital projects over a seven year time span. As part of the CIP process, capital improvement projects are evaluated to determine the estimated cost and prioritized to take full advantage of federal, state, Orange County Transportation Authority (OCTA) or any other outside funding opportunities. However; the CIP is not a static document of long term certainty. The CIP is reviewed yearly, during which time the City's needs may be re-prioritized and the City's financial status may be re-evaluated. Thus, the CIP is a living document that provides the City maximum flexibility in maintaining and creating an overall effective level of service for its current and future citizens.

The first CIP priority is safety within the City's right-of-way, parks, and facilities. This priority is addressed throughout each section of the CIP document in numerous ways, including streets, traffic control and operations, parks, public buildings, bridges, sewer systems and storm drain systems. Additionally, a primary focus of the CIP is to preserve and reinvest in the City's physical assets, as reflected in each of the eleven CIP sections. This includes pavement rehabilitation projects for residential and arterial streets as well as improvements at City facilities for accessibility. The proposed CIP recommends several projects which address facilities or equipment that are no longer adequate to meet demand or serve our citizens. These projects include the replacement or upgrade of facilities or equipment, expansion of an existing facility, or construction of a new facility. Some of the projects and appropriations in the FY 12/13 CIP that address outdated or inadequate facilities are: park improvements, HVAC equipment, drainage, sidewalk improvements, irrigation and information technology equipment. Another important component of the CIP is to implement projects identified in a master plan or other planning document that are needed to maintain or meet adequate levels of service. These projects may include new facilities or improvements to existing facilities. Some of these projects and appropriations in the FY 12/13 CIP include more than \$350,000 for the development of the Placentia Metrolink Station and \$65,000 for the development of specifications and plans for future Sewer Capital Improvements to make project ready for future grant applications and funding opportunities. Finally, the CIP addresses future projects through the funding of studies or shelf ready plans.

Conformity Findings

The basis for making conformity finds is essentially finding that each project fits into a goal or implementation policy as outlined in the adopted General Plan. For example, if a project is proposed to pave over several acres of open space, and that open space is called out in the Open Space Element as being protected, then the project does not necessarily conform to that General Plan Element. Another example is, if a project is proposed to widen a street or add bicycle or pedestrian paths to increase mobility, such a project would conform to the

Circulation Element goals to increase accessibility and mobility for alternative modes of transportation.

The limiting factor in making conformity findings is that the City has not yet concluded its comprehensive General Plan Update. The various elements that are considered adopted range in approval dates from 1973 to the current Housing Element which was certified in 2010, with the majority of the elements being adopted prior to 1989.

City Staff has reviewed each of the proposed projects to be undertaken during Fiscal Year 2012-13 in relation to the adopted General Plan. While many of the individual elements do not have goals, policies or implementation programs as updated elements would now contain, there is still the ability to compare the projects against the narrative of the adopted elements and make a determination that they are each in conformity with the adopted General Plan for the City of Placentia. Accordingly, staff is recommending that the Planning Commission find that the projects are in conformity with the adopted General Plan.

Environmental Review

The proposed Finding of General Plan Conformity is not a project as defined by the California Environmental Quality Act (CEQA). The finding of conformity does not commit the City to any of the identified projects in the CIP. Subsequent consideration by the City Council for approving the CIP will be a project subject to CEQA. Approval of the CIP qualifies for an exemption from the California Environmental Quality Act (CEQA) per Guideline 15061 (b)(3) for activities that have no potential for causing a significant effect on the environment. Furthermore, individual projects identified within the CIP will be reviewed in accordance with CEQA requirements prior to their implementation when specific project details are available for analysis.

Actions:

1. Hold public hearing.
2. Adopt Resolution PC-2012-10, finding that the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program (CIP) is in conformance with the City's existing General Plan.
3. Recommend the CIP for consideration and approval by the City Council.

Prepared and submitted by:



Kenneth A. Domer
Assistant City Administrator

Reviewed and approved by:



Monique B. Schwartz
Associate Planner

Attachments:

- Attachment A: Resolution No. PC-2012-10
Attachment B: General Plan Conformity Matrix

RESOLUTION NO. PC-2012-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF PLACENTIA, CALIFORNIA FINDING THAT THE
FISCAL YEAR 2012-13 TO 2018-19 CAPITAL
IMPROVEMENT PROGRAM CONFORMS TO THE ADOPTED
GENERAL PLAN AND RECOMMENDING THE CITY COUNCIL
APPROVE THE CAPITAL IMPROVEMENT PROGRAM

A. Recitals.

(i) On June 12, 2012, this Planning Commission conducted a duly noticed public hearing, as required by law, to consider the conformity of the proposed Fiscal Year 2012-13 to 2018-19 Capital Improvement Program to the adopted General Plan with said public hearing having been concluded prior to adoption of this Resolution.

(ii) This Planning Commission has reviewed and considered all elements of proposed Capital Improvement Program, including written staff reports and verbal testimony presented during the above-referenced public hearing.

(iii) All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia does hereby find, determine, and resolve as follows:

1. This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A, of this Resolution are true and correct.

2. This Commission finds, and recommends the City Council find, that the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program is in conformance with the Placentia General Plan.

3. The proposed Fiscal Year 2012-13 to 2018-19 Capital Improvement Program promotes implementation of the goals and policies set forth in the adopted General Plan.

4. The Planning Commission hereby makes, and recommends the City Council make, the following finding: That there is no possibility that the proposed Fiscal Year 2012-13 to 2018-19 Capital Improvement Program may have a significant effect on the environment and said amendments are therefore not subject to the requirements of the California Environmental Quality Act pursuant to the provisions of §15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations, and the City of Placentia Environmental Guidelines.

5. The Planning Commission hereby recommends that, upon adoption of the Fiscal Year 2012-13 to 2018-19 Capital Improvement Program, a Notice of Exemption be filed with the Orange County Clerk/Recorder, as required by law.

6. This Commission finds, and recommends the City Council find, that the facts supporting the above specified findings are contained in the staff report and exhibits, and information provided to this Planning Commission during the public hearing conducted with respect to the proposed Fiscal Year 2012-13 to 2018-19 Capital Improvement Program.

7. This Commission hereby recommends that the City Council of the City of Placentia approve the proposed Fiscal Year 2012-13 to 2018-19 Capital Improvement Program.

8. The Secretary of this Commission shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution to the City Council of the City of Placentia together with all documents prepared with respect to these considerations and transcripts of any and all hearings conducted with respect to the action recommended for approval herein.

PASSED AND ADOPTED this 12th day of June, 2012, by
the following vote:

AYES: COMMISSION MEMBERS:

NOES: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ABSTAINED: COMMISSION MEMBERS:

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

City of Placentia - General Plan Conformity Capital Improvement Projects		
Project #	Project Name	General Plan Element
61056	Orangethrope Corridor Grade Separations - Major Crossings	Circulation
61020	Richfield Road Widening	Circulation
61088	Metrolink Station Environmental Process/Certification	Circulation/Land Use/Housing
61102	Pedestrian Accessibility Project Phase II	Circulation
61105	Citywide Residential Street Rehabilitation Project	Circulation
	Rose Drive at Yorba Linda Boulevard Intersection Improvements	Circulation
61016	Rose Drive Reconstruction - Imperial Highway to 200' s/o Golden	Circulation
61034	Valencia Avenue Rehabilitation	Circulation
68001	Rose Drive Signal Coordination	Circulation/Land Use
	School Signs Compliance	Circulation/Land Use
	Bastanchury Road Traffic Signalization Coordination Project	Circulation/Land Use
	Rose Drive Traffic Signalization Coordination Project	Circulation/Land Use
	Placentia Avenue Traffic Signalization Coordination Project	Circulation/Land Use
	Speed Limits Update & Sign Compliance	Circulation/Land Use
61061	Richfield Rd at Miraloma & Miraloma at Van Buren Traffic Sig	Circulation/Land Use
61036	Traffic Model and Fee Program	Circulation/Land Use
61037	Downtown Parking Structure and Retail Plaza	Land Use/Circulation/Housing
61026	City Yard Clarifier and Sewer Improvement	Land Use
	Old Town Sewer Rehabilitation	Land Use/Open Space/Housing
	Kraemer Blvd Sewer - Yorba Linda Blvd to Sheffield Street	Land Use/Open Space/Housing
61042	ADA Improvements City Facilities	Land Use/Circulation
61091	Koch Park Roof Replacement	Land Use/Recreation and Parks
61103	Tynes Gym Window Renovation	Land Use/Recreation and Parks
61092	Police Facility Refurbishment of Police Admin. Office and Conference Area	Land Use/Seismic Safety
61093	EOC Upgrade	Land Use/Seismic Safety
	City Corporate Yard House Storage	Land Use
	City Facility Improvements Per Facilities Condition Assessment	Land Use

City of Placentia - General Plan Conformity Capital Improvement Projects		
Project #	Project Name	General Plan Element
61047	Park Lighting Upgrades City-Wide	Land Use/Recreation and Parks/Open Space
61076	Playground Resurfacing City-Wide	Land Use/Recreation and Parks
61094	Neighborhood Park Facility and Accessibility Improvement Project	Land Use/Recreation and Parks/Circulation/Open Space
61099	Conceptual Landscape Architectural Designs	Land Use/Recreation and Parks/Circulation/Open Space
61101	Tuffree Hill Park Drainage and Sidewalk Improvements	Land Use/Recreation and Parks/Circulation/Open Space
30020	Request Partner Annual Subscription	N/A
30014	City Website	N/A
30016	Telephone and Network Upgrade Phase II	N/A
30017	Building Permit Software	Land Use
30019	Public WiFi Access Points at City Hall and Edwin T. Powell Building	N/A
61107	Utility Truck - Code Compliance	N/A
61106	Mobile Emergency Command Vehicle	Land Use/Housing
61104	Annual Vehicle Replacement	N/A
	Irrigation Software & Controllers	Recreation and Parks
	OCFA Vehicle Replacement	N/A
61085	Sewer System Master Plan	Land Use/Housing
61086	General Plan Update	N/A
61087	Technology Master Plan	N/A