

PLACENTIA PLANNING COMMISSION
MINUTES OF THE SPECIAL MEETING

February 27, 2018

The regular meeting of the Placentia Planning Commission on February 27, 2018 was called to order at 6:32 p.m. in the Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

ROLL CALL:

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

ABSENT: Commissioners Schenck, Perez

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney
Joseph M. Lambert, Director of Development Services
Arlen Beck, Planning Technician
Alana Spector, Office Assistant

PLEDGE OF ALLEGIANCE: Chair Schaefer

ORAL COMMUNICATIONS: None

CONSENT CALENDAR: None

PUBLIC HEARINGS:

1. **Appellant:** LBC Irwindale, LLC
DBA, "Atwood Sales"
Project Location: 719 S. Lakeview Avenue (south of E. Orangethorpe Avenue, west of S. Lakeview Avenue)

Appeal of the City of Placentia Public Hearing Officer's Declaration of Public Nuisance: At the appellant's request, an appeal of the Public Hearing Officer's action will be heard declaring an existing business (LBC Irwindale, LLC, DBA "Atwood Sales") as a public nuisance within the C-M (Commercial Manufacturing) Zoning District. The nature of the declared nuisances are as follows:

- a) Increased production and increased outside storage of materials resulting in adverse air and water quality exposures. (PMC Section 20.40)
- b) Crushing and grinding of construction material without appropriate permit(s), including operation outside of Use Permit (UP) No. 1981-32. (PMC Section 23.41.030)

c) Concrete type debris scattered along the roadway at the construction truck exit of the facility. Construction residue powder and rocks on roadway (near the exit area) left by construction trucks exiting the facility.

Recommended Actions: It is recommended that the Planning Commission:

Staff is requesting that this item be continued to the next regularly scheduled Planning Commission meeting to be held on Tuesday, March 13, 2018. This recommendation is based on correspondence submitted by the appellant's and property owner's representatives requesting a continuance to allow City staff additional time to work with the appellant's and property owner's representatives in addressing and potentially resolving those portions of the business operations declared to be a public nuisance.

Director of Development Services Joseph Lambert gave the staff report.

He stated that a Public Nuisance Hearing was held on January 22, 2018 to evaluate the current operations at the business site. He continued by stating that staff set a Nuisance Appeal hearing for February 13, 2018, however the meeting was cancelled. The appeal was continued to this meeting of February 27, 2018. Based on staff observations, public testimony, and further evidence, the Hearing Officer declared Atwood Sales a public nuisance. The business owner submitted an appeal of the declaration. At the written request of the appellants and their representatives, staff recommends a continuation of the item to the next regularly scheduled Planning Commission Meeting of March 13, 2018.

Motion by Lee, seconded by Keller carried on a (5-0) vote to approve the recommended actions.

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

- 2. Business Operator:** LBC Irwindale, LLC
DBA, "Atwood Sales"
Project Location: 719 S. Lakeview Avenue (south of E. Orangethorpe Avenue, west of S. Lakeview Avenue)

Revocation of Use Permit (UP) 1981-32:

A request to the Planning Commission of the City of Placentia recommending to the City Council to revoke Use Permit No. 1981-32 pertaining to an existing business (LBC Irwindale, LLC, DBA, "Atwood Sales") operating in violation of the conditions and terms of said permit on property located at 719 S. Lakeview Avenue within the C-M (Commercial Manufacturing) Zoning District.

ENVIRONMENTAL DETERMINATION (CEQA): The proposed revocation

proceedings are not expected to create a negative impact on the physical environment and, therefore, staff is recommending a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Guideline § 15321 (Class 21 – Enforcement Action by Regulatory Agencies) and City Environmental Guidelines.

Recommended Actions: It is recommended that the Planning Commission:

Staff is requesting that this item be continued to the next regularly scheduled Planning Commission meeting to be held on Tuesday, March 13, 2018. This recommendation is based on correspondence submitted by the appellant's and property owner's representatives requesting a continuance to allow City staff additional time to work with the business owners' and property owner's representatives in addressing and potentially resolving those portions of the business operations declared to be out of compliance with the conditions and terms of UP 1981-32.

Director of Development Services Joseph Lambert gave the staff report.

Director Lambert stated that staff have determined the scope of work occurring at 719 S. Lakeview Ave. is not in compliance with corresponding Use Permit 1981-32. He continued by stating that staff set a revocation hearing for February 13, 2018, however the meeting was cancelled. The revocation was continued to this meeting of February 27, 2018. At the written request of the business owners, property owners, and their representatives, staff recommends a continuation of the item to the next regularly scheduled Planning Commission Meeting of March 13, 2018.

Commissioner Tomazic inquired if the continuation was requested so that a hearing in court could occur first.

Director Lambert replied that both items on the agenda related to 719 S. Lakeview Ave. were postponed at the applicant's request so that they may continue negotiations regarding remediation between the owners and the City.

Commissioner Tomazic asked how long complaints regarding the property have been occurring.

Assistant City Attorney Yolanda Summerhill responded, advising that it is in the best interest of the City to abstain from answering questions regarding the property without the appellants present, to protect due process rights.

Director Lambert briefly replied to Commissioner Tomazic, stating that City staff have gone through all normal administrative channels to remedy the problem to no avail, and are now using other remedies.

Motion by Francine, seconded by Tomazic carried on a (5-0) vote to approve the recommended actions.

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

3. **Applicant:** Leslie Ayala, representing The Bruery
Project Location: 715 & 745 Dunn Way (north of Orangethorpe, west of 57 Freeway)
APN 339-121-40

Use Permit (UP) 2012-03 Modification II: The applicant, Leslie Ayala, representing "The Bruery", LLC, is requesting a modification of UP 2012-03 to allow the (a) expansion of an existing craft brewery manufacturer to occupy contiguous units (Unit Nos. 725-727 and 731-733) for the purpose of relocating areas designated for warehouse/storage, retail sales, and a new private tasting room. The proposed expansion will occupy the entire 30,560-square foot building (715-745 Dunn Way). In addition, the applicant requests a modification to the operational hours of the "Tasting Room" from 12:00 PM and 10:00 PM, Monday through Sunday, to 12:00 PM and 12:00 AM, Monday through Sunday.

Recommended Actions: It is recommended that the Planning Commission:

Staff recommends that the Planning Commission adopt Resolution No. PC 2018-01, approving UP 2012-03 Modification II subject to the findings and conditions of approval contained in said resolution.

Director of Development Services Joseph Lambert gave the staff report.

Director Lambert stated that it is the second modification to UP 2012-03 and introduced the applicant, Leslie Ayala. He continued by stating that The Bruery is requesting a modification to allow for the expansion of the operation into contiguous units from 715-745 Dunn Way. They are also requesting a modification of their hours of operation of the "Tasting Room".

Director Lambert went on to describe the history and characteristics of the current business operations, and presented images of the site.

He stated that Staff recommends approval of UP 2012-03 Modification II.

Patrick Rue, the founder of The Bruery, came to the dais to speak. He stated that they

sell their beer in 30 states, and that the labels on each beer state that they are made in Placentia.

Leslie Ayala, Compliance Coordinator of The Bruery, came to speak at the dais. She clarified that the brewing done on the property is done 24 hours a day only four days out of the week, and that as part of the proposed modification, they would like to be allowed to offer 24-hour production every day of the week.

Jonas Numera, Senior Director of Operations for The Bruery, came to speak at the dais. He requested that the hours of retail operation be the same as the tasting room hours, 12:00 p.m. to midnight, although that was not reflected in the Statement of Use.

Director Lambert clarified that the applicant was requesting that Condition of Approval number five be changed to state that manufacturing hours shall be permitted 24 hours a day, seven days a week. The Condition would also state that retail sales would be permitted seven days a week, from 12:00 p.m. to 12:00 a.m.

Chair Schaefer called the applicants up to the dais.

Commissioner Keller asked the applicants how many members are currently in their private tasting club, and how many members they project will join in the future.

Patrick Rue stated that they currently have about 2,500 tasting room members, and that most members only stay for a short period of time to sample new beers.

Commissioner Keller asked the applicants how many of those 2,500 members are from the local area.

Patrick Rue stated that about 35% of their tasting room members are from Southern California.

Chair Schaefer inquired if the proposed revisions stated by Director Lambert would necessitate a change in their ABC License.

Mr. Rue stated that they would be altering their ABC License in accordance with the proposed increase in production and consumption space.

Chair Schaefer inquired if the proposed change in operating hours would require an update to their ABC License as well, to which Mr. Rue said no.

Discussion ensued between Chair Schaefer and Mr. Rue regarding the uses and characteristics of surrounding units. Chair Schaefer asked Staff if the proposed Conditions of Approval, with the verbal modifications, would need additional CEQA actions.

Director Lambert stated that they would not. He continued by stating that it was a clerical

error for the verbally proposed Conditions of Approval to not be stated in the resolution, as Staff had been aware of the proposed conditions prior to this meeting. He continued by stating that condition number 31 should state the times as 12:00 p.m. to 12:00 a.m. to be consistent with the rest of the times referenced in the Conditions of Approval.

Chair Schaefer closed the public hearing.

Motion by Keller, seconded by Tomazic carried on a (5-0) vote to approve the recommended actions.

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

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT: None

DIRECTOR'S REPORT:

Director Lambert stated that Staff had met with Blue Sands Management, who manage the former El Torito building and shopping center located at 1474 N. Kraemer Boulevard. Staff was notified that Blue Sands intends to apply for entitlements for a new multi-tenant retail building that would be focused on food uses.

Director Lambert continued by stating that building permits have been issued for tenant improvements for the Original Pancake House, located at 1454 N. Kraemer Boulevard. In addition, he stated that Planning Technician Arlen Beck has been conducting a plan check for a new The Coffee Bean and Tea Leaf, located on the corner of Rose Drive and Yorba Linda Boulevard.

Furthermore, Director Lambert said that the Integral Project, by Lyon Living at 110-132 E. Crowther Avenue, was preparing to pull demolition permits. The project includes 215 luxury apartment units in the Transit Oriented Development (TOD) zone.

In addition, Director Lambert noted that a Request for Proposal (RFP) was out to bid for the City owned property at the northeast corner of Melrose Street and Crowther Avenue. Director Lambert went on to explain the details of the RFP.

Director Lambert continued by stating that a potential developer is in escrow for land on the North side of Crowther Avenue, in the TOD zone. He stated that the potential project would be approximately twice as large as the Integral Project as currently envisioned.

Commissioner Tomazic inquired about the status of the bridge on Golden Avenue, as the City had a past obligation to widen it.

Director Lambert replied that the Public Works Department is leading this effort, and was working with outside agencies to ensure compliance with all state and federal regulations. Discussion ensued regarding possible ideas for saving the bridge as a memorial.

Chair Schaefer inquired if there were plans for the vacant lot at the corner of Rose Ave. and Alta Vista Street.

Director Lambert replied that there is an applicant proposing to develop a mixed-use site, combining both commercial and residential uses on the vacant parcel. He continued by noting that while their application is currently incomplete, staff is working with them to ensure an aesthetically pleasing result.

Director Lambert continued by stating that the City embarked on an RFP process to attract a hotel developer for the site located at 380 S. Placentia Ave. An agreement between the City and developer is forthcoming.

In addition, Director Lambert stated that the Sierra Vista Plaza, located at 1829 N. Placentia Avenue, will be undergoing Tenant Improvements. The former Vons grocery store location will now be replaced with a Grocery Outlet store. The Commissioners expressed excitement regarding the improvements of the plaza.

PLANNING COMMISSION REQUESTS:

Commissioner Tomazic requested that when Staff is referring to 12:00 p.m. or 12:00 a.m. in written documents and presentations, that they also clarify whether they mean midnight or noon.

ADJOURNMENT

Chair Schaefer closed the Planning Commission Special Meeting at 7:26 p.m. to the regular meeting Tuesday, March 13, 2018 at 6:30 p.m. in the Placentia City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

Submitted by,



Joseph M. Lambert,
Secretary to the Planning Commission