

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

April 10, 2018

The regular meeting of the Placentia Planning Commission on April 10, 2018 was called to order at 6:31 p.m. in the Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

**ROLL CALL:**

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

**ABSENT:** Commissioners Schenck

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

**PLEDGE OF ALLEGIANCE:** Commissioner Lee

**ORAL COMMUNICATIONS:** None

**CONSENT CALENDAR:**

1. **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:** Receive and file Resolution No. PC-2018-01.

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

Receive and file Resolution No. PC-2018-01, a Resolution of the Planning Commission of the City of Placentia, approving UP 2012-03 Modification II, permitting the expansion of the operations of a craft brewery manufacturer into contiguous units located between 715-745 Dunn Way and permitting a tasting room, storage, and retail sales areas into the contiguous units and expanding existing operating hours.

Director of Development Services Joseph Lambert requested that the item be pulled for discussion to clarify some of the Conditions of Approval that were amended based on Planning Commission direction. He stated that the item was originally brought forward to the Planning Commission as a Public Hearing item at the Special meeting of February 27, 2018.

The applicant, Leslie Ayala, had inquired about the Building Division's condition number 21, which stated that the entire building would be equipped with an automatic fire sprinkler system.

Director Lambert clarified that the Contract Chief Building Official, Robert Chang, stated that the condition is interpreted to mean each unit shall be required to be sprinklered on a unit-by-unit basis as determined by the Building Official. The fire sprinkler system will need to comply with the California Building Code, and will also depend on the occupancy of the building.

Chair Schaefer asked if the applicant will be required to install new sprinklers in the newly acquired portion of the building.

Director Lambert stated that they would not be required by code to add sprinklers to the new addition. He continued by noting that the condition will be revised to reflect the Mr. Chang's interpretation.

Commissioner Tomazic asked why the condition no longer stands.

Director Lambert stated that it is a general Condition of Approval, and should be included or amended on a case-by-case basis.

Assistant City Attorney Yolanda Summerhill stated that the condition could be amended to add the wording "at the discretion of the Chief Building Official" at the end of the statement to add discretion.

Director Lambert clarified that a small portion of the new building will be required to add sprinklers, which will be verified during the plan-check process.

Chair Schaefer asked if the entirety of the project is listed on the agenda as the project location, and if the applicant is in favor of the proposed change to the wording of the condition.

Director Lambert stated that the address is all-encompassing, and that the applicant was the person who requested the change to the condition.

Patrick Rue, CEO of The Bruery, came forward to represent the project.

Chair Schaefer asked Mr. Rue if he would agree to comply with the amended Conditions of Approval, to which he replied in the affirmative.

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

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

**PUBLIC HEARINGS:**

1. 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:

Continue this item to the next regularly scheduled Planning Commission meeting to be held on Tuesday, March 13, 2018. This staff 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 Lambert presented the Staff Report. He stated that staff is requesting the item be continued to the next regularly scheduled Planning Commission Meeting of May 8, 2018. This recommendation is based on direction from City Council to finalize an agreement which would result in the conclusion of operations at the location. He continued by stating that while an agreement was close to being fully executed, it had not been finalized yet. He ended by stating that the item will likely be solved through a legal agreement, and would likely not be acted upon by the Planning Commission.

Chair Schaefer asked if the public was publicly notified of the item.

Director Lambert stated that the item is on the agenda, but was not mailed to owners on a 300 foot mailing radius or noticed in the newspaper, as it had been done previously before the item's continuation to dates certain.

Ms. Summerhill recommended the public not provide input at this juncture. She stated

that if the public hearings do go forward, the public will have the opportunity to comment, and that it is unfair to the applicant to not be able to respond to comments due to their absence. She noted that the City is actively working to resolve the issue, and that public comments could pose a due process issue at this time.

Chair Schaefer asked the Commissioners if they had any further questions or requests related to the matter.

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

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

- 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 For Property Located at 719 S. Lakeview Avenue ("Atwood Sales"):** 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:

Continue this item to the next regularly scheduled Planning Commission meeting to be held on Tuesday, May 8, 2018. This staff recommendation is based on City Council's direction to work with the appellant's and property owner's representatives to finalize an agreement which would result in dissolving all business operations and vacating the subject site.

Director Lambert presented the Staff Report. He stated that the Public Hearing is regarding the revocation of LBC Irwindale, LLC, dba Atwood Sales, Use Permit 1981-32. Staff is requesting the item be continued to the Regular Meeting of the Planning

Commission on May 8, 2018. This recommendation is based on direction from City Council to finalize an agreement which would result in the conclusion of operations at the location. He continued by stating that while an agreement was close to being fully executed, it had not been finalized yet.

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

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

3. **Applicant:** N+M Joshi, LLC dba American Martial Arts Academy  
**Project Location:** 850 N. Rose Drive, Suites D and E

**Use Permit 2018-01:** The applicant, N+M Joshi, LLC, dba American Martial Arts Academy, is requesting a UP for a 5,445-square foot martial arts studio within an existing multi-tenant commercial shopping center located at 850 N. Rose Drive, suites D and E in the Village Center at Rose shopping center.

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

1. Open the public hearing concerning Use Permit No. (UP) 2018-01; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2018-04, a resolution of the Planning Commission of the City of Placentia, approving UP 2018-01 and making findings to permit the establishment and operation of a 5,445 square foot martial arts studio located within an existing multi-tenant commercial shopping center within the SP-7 (East Placentia Specific Plan; SP-7) Zoning District on property located at 850 N. Rose Drive, suites D and E; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Planning Technician Arlen Beck presented the Staff Report. He stated that the applicant is requesting a Use Permit to allow the operation of a Martial Arts studio in the SP-7 Zoning District at the subject site. He continued by describing the proposed hours of operation, and reporting the types of classes that would be held at the proposed studio.

Mr. Beck continued his presentation by further describing the proposed operations of the proposed use. He ended by stating that staff recommends approval of the project.

Commissioner Keller inquired about the parking impact of the proposed studio.

Mr. Beck replied that the parking rate of the existing uses of the site, which was previously split between a bank and a tanning salon, satisfied the parking requirement for the site and would continue to be sufficiently parked for a Martial Arts studio as well.

Chair Schaefer inquired if parents who are dropping off their children for a class must stay and watch the lesson.

Mr. Beck replied that they would not be required to stay for the lesson.

Chair Schaefer asked how long the classes are.

Mr. Beck stated that the class lengths varied depending on the age of the student and type of class taken.

Chair Schaefer inquired if the second floor of the unit would be utilized.

Mr. Beck stated that in plans provided to staff, use of the second floor was not specified, but that the applicant would be able to provide further clarification later in the proceedings.

The applicants, Nikhil and Megan Joshi, came forward to speak. Mr. Joshi gave a brief history of he and his wife's connection to Martial Arts and their other Marital Arts studios in the surrounding area. He stated that their studio places an emphasis on developing life skills and instilling good character in their students through Martial Arts.

Commissioner Francine asked the applicants how they manage students when they are being picked up from and dropped off at the studio.

Mr. and Mrs. Joshi stated that parents dropping off and picking up students will be required to park and are to walk their children inside of the studio, and that a reason they desired to use this location for the proposed studio was in part due to the abundant parking. They continued by noting that they provide a large and hospitable viewer room to encourage parents to stay on site during the Martial Arts lessons. He stated that the location would fit well with the other uses of the site, as the nearby Ralph's grocery store and Jersey Mike's sandwiches can be patronized by students and parents after the lessons.

Chair Schaefer inquired about the cost of the classes.

Mr. Joshi stated that classes start at \$159 per month, and that membership can be cancelled at any time and no contract is required. He continued by stating that the second

story will be used for other classes, as they found at previous studios that hosting two classes on the same level was distracting for students.

Chair Schaefer inquired if it would be possible for younger students to wander throughout the studio and accidentally interrupt other classes.

Mr. Joshi stated that this would not be possible, due to careful staff supervision and small class sizes.

Timothy Waterhouse came forward to make a public comment. He spoke in support of the approval of the Martial Arts Studio, and stated that his daughter has attended Mr. and Mrs. Joshi's other studio and gained improved physical and mental health and improved school performance.

Jeffrey Fetrol came forward to make a public comment in support of the approval of the Use Permit for the Martial Arts Studio. He stated that he and his son have taken Mr. and Mrs. Joshi's classes at their other studio, and have gained confidence and balance.

Chris Musser came forward to make a public comment in support of the approval of the Use Permit of the Martial Arts Studio. He stated that he is a student at Mr. and Mrs. Joshi's other studio, and has greatly benefited both physically and mentally from the sport.

Steve Eric came forward to make a public comment in support of the project. He stated that he believes it is the best use for the space, as it is in the "elbow" of the center. He also believes having a Martial Arts Studio close to food uses will bring increased business to the food uses, and that the trips to the food uses from other patrons are usually short trips.

Buffy Hoegler came forward to make a public comment in support of the project. She stated that his son is a Martial Arts student of Mr. and Mrs. Joshi and has become more confident, dedicated, and respectful as a result.

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

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

#### **REGULAR AGENDA:**

- 1. Applicant: Interface Rehab, Inc.  
Project Location: 770 S. Placentia Avenue**

**Use Conformity Decision (UCD) 2018-01: The Applicant, Interface Rehab, Inc.,**

is requesting approval to use the adjusted gross floor area as the basis for the determination of required parking for a new use in a 15,966-gross square foot office building located at 770 S. Placentia Ave., in the SP-5 Zoning District.

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

Staff recommends that the Planning Commission adopt Resolution PC-2018-05 approving UCD 2018-01 and finding that it is exempt from further CEQA review pursuant to § 15061(b)(3) of Division 6 of Title 14 of the State CEQA Guidelines.

Planning Technician Arlen Beck presented the Staff Report. He stated that the applicant, Interface Rehab Inc., is requesting that the Planning Commission allow them to use the adjusted gross floor area as the basis for the determination of required parking for their proposed use. He stated that they would like common areas and other unoccupied rooms, such as staircases, corridors, mechanical and electrical rooms, and restrooms, to be excluded from the building's square footage in determining the minimum parking requirements.

He continued by stating that the reason the applicant is seeking this determination is due to a change in the use of the building. He stated that the applicant is requesting to replace the approximately 1,961 square-foot warehouse space with a children's play area. He stated that staff has determined this proposed space would normally be classified as an office use, which would require four off-street spaces per 1,000 square feet instead of two off-street spaces per 1,000 square feet. This would require six additional parking spaces, however the applicant has a deficit of five of the six required spaces.

The applicant requests that the Commissioners consider the total square footage of the building calculated for parking purposes to not include the common areas and rarely occupied or unoccupied rooms in order to comply with the parking requirements of the space.

Chair Schaefer inquired what service the applicant, Interface Rehab Inc., provides at their business location.

Mr. Beck replied that it is a physical, occupational, speech, and audiological therapy center.

Director of Development Services Joseph Lambert stated that the play area will also be used for play-therapy for young patients. He added that a Use Conformity Decision is the best tool to use in determining the square footage to be used in determining the parking requirements.

Chair Schaefer inquired if it is common practice to exclude the common areas and rarely occupied spaces in determining square footage for parking requirements. The play area is a permitted use, but Director Lambert clarified that the play area is used by patients and therapists as part of the therapy services. It is not a play area for day care or other

purposes.

Director Lambert stated that it is not unusual to exclude unoccupied and rarely occupied spaces, and that other cities automatically exclude these types of areas from counting that square footage toward the parking requirement.

Commissioner Francine asked if staff considers the current parking adequate to serve the needs of the use.

Staff replied in the affirmative to Commissioner Francine's question.

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

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

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**DEVELOPMENT REPORT:**

Director Lambert stated that staff received an entitlement application for another large project in the Transit Oriented Development (TOD) Zone along Crowther Avenue, and that he anticipated it would be brought forward to the Planning Commission in the coming months.

He continued by stating that there were numerous other entitlements in review, including one involving the now-defunct El Torito building on the corner of Yorba Linda Boulevard and Kraemer Boulevard.

Director Lambert stated that several entitlement applications had been received regarding the Sierra Vista Shopping Center on the corner of Bastanchury Road and Placentia Avenue. The entitlements include a potential grocery store use, and a facade improvement and remodel of the entire shopping center, including rehabilitation of the parking lot.

He ended by stating that the Chrysler Jeep car dealership at 777 W. Orangethorpe Avenue has been vacated, and that staff was working with the property owner to determine if a hotel use would be the highest and best use of the site.

**DIRECTOR'S REPORT:** None

**PLANNING COMMISSION REQUESTS:**       None

**ADJOURNMENT**

Chair Schaefer closed the Planning Commission Regular Meeting at 7:44 p.m. to the regular meeting Tuesday, April 10, 2018 at 6:30 p.m. in the Placentia City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**



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Joseph M. Lambert,  
Secretary to the Planning Commission