



Placentia Planning Commission Agenda

Regular Meeting
October 13, 2020
City Council Chambers
401 E. Chapman Avenue, Placentia, CA 92870

SPECIAL PROCEDURES NOTICE DURING COVID-19 EMERGENCY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency as a result of the threat of the COVID-19 virus.

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which temporarily suspends requirements of the Brown Act allowing Planning Commission Members to hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the Planning Commission.

Given the health risks associated with COVID-19, please be advised that the City Council Chambers are closed to the public and some, or all, of the Placentia Planning Commission Members may attend this meeting telephonically. Those locations are not listed on the agenda and are not accessible to the public.

How to Observe the Meeting

To maximize public safety while maintaining transparency and public access, the Planning Commission meeting will be available to listen live on AT&T U-verse (Channel 99), Spectrum (Channel 3), and online at www.placentia.org/pctv.

How to Submit Public Comment

Members of the public may provide public comment by sending comments for Planning Commission consideration by email to Sylvia Minjares at sminjares@placentia.org. Please limit to 200 words or less. Comments received before or during a Planning Commission meeting, until the close of the **Oral Communications** or **Public Hearings** portion of the agenda, will be read into the public record, subject to the regular time limitations per speaker. Longer submittals will be included in the public record. If you are unable to provide your comments in writing, please contact the Development Services Department for assistance at 714-993-8124 or sminjares@placentia.org.

Americans with Disabilities Act Accommodation

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 cityclerk@placentia.org or by calling (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility while maintaining public safety. (28 CFR 35.102.35.104 ADA Title II)

Until further notice the City will implement the guidelines of the California Department of Public Health in regards to social distancing.

The City of Placentia thanks you in advance for taking all precautions to prevent the spread of the COVID-19 virus. The City will return to normal Planning Commission meeting procedures as soon as the emergency has ended.



Placentia Planning Commission Agenda

Regular Meeting

October 13, 2020

City Council Chambers

401 E. Chapman Avenue, Placentia, CA 92870

Christine J. Schaefer
Chair

Frank Perez
Vice Chair

Claudia Keller
Commissioner

Dennis Lee
Commissioner

Nick Polichetti
Commissioner

Matthew Roche
Commissioner

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Planning Commission's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE the item is called.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

**PLEASE SILENCE CELL PHONES AND OTHER ELECTRONIC
EQUIPMENT WHILE THE COMMISSION IS IN SESSION.**

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Planning Division Counter, Placentia Library Reference Desk and the internet at www.placentia.org under the Planning Commission page. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room.

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8124
Fax: (714) 528-4640
Website: www.placentia.org

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

CALL TO ORDER:

ROLL CALL: Commissioner Keller
Commissioner Lee
Commissioner Polichetti
Commissioner Rocke
Vice Chair Perez
Chair Schaefer

PLEDGE OF ALLEGIANCE:

ORAL COMMUNICATIONS: (PLEASE SEE PAGE ONE FOR SPECIAL INSTRUCTIONS ON SUBMITTING PUBLIC COMMENT DURING THE COVID-19 CRISES)

At this time the public may address the Planning Commission concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the Planning Commission. There is a five (5) minute time limit for each individual addressing the Planning Commission.

CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes – September 8, 2020**
Recommended Actions: Approve

REGULAR AGENDA:

PUBLIC HEARINGS:

1. **Applicant:** The Herald-Placentia Owner, LLC

Project Location: 140 E. Crowther Avenue and 150 E. Crowther Avenue

Use Permit (UP) 2020-05 (continued from September 8, 2020): A request to permit the onsite sale, dispensing and consumption of beer (ABC Type 40 License) at a proposed 5,046 square foot rooftop deck of a 215-unit multi-family residential development located at 140 E. Crowther Avenue and 150 E. Crowther Avenue within the TOD (Transit-Oriented Development Packing House) Zoning District. All beer sales, dispensing, and consumption activities will be confined within the rooftop premise.

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

1. Open the public hearing concerning Use Permit (UP) No. 2020-05; and

2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Staff is recommending that the Planning Commission continue this item to a date uncertain. A new Public Hearing Notice shall be posted, mailed and/or published pursuant to State law and local regulations prior to a future Public Hearing.

2. Applicant: Joe Rasic representing Craftsman Wood Fired Pizza

Project Location: 148 E. Yorba Linda Blvd.

Use Permit Modification (MOD) 2013-05: A request to permit the onsite sale, dispensing and consumption of beer, wine, and distilled spirits (ABC Type 47 License) at an existing 3,860 square foot, 99 seat, restaurant (Craftsman Wood Fired Pizza), located at 148 E. Yorba Linda Boulevard within the Town Center (T-C) Zoning District. All alcohol sales, dispensing, and consumption activities are intended to be confined within the interior dining of the restaurant and the outdoor seating area.

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

1. Open the public hearing concerning Use Permit Modification (MOD) No. 2013-05; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2020-14, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit Modification 2013-05 and making findings to permit the onsite sale, dispensing, and consumption of beer, wine, and distilled spirits (ABC Type 47 License) and to allow live entertainment within an existing 3,860, 99 seat, bona fide restaurant located at 148 E. Yorba Linda Boulevard in the T-C (Town Center) Zoning District and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

OLD BUSINESS:

NEW BUSINESS:

DEVELOPMENT REPORT:

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS

Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners CLOSE to the regular Planning Commission meeting on November 10, 2020 at 6:30 p.m. in the City Council Chambers located at 401 East Chapman Avenue, Placentia CA, 92870.

CERTIFICATION OF POSTING

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the October 13, 2020 Regular Meeting of the Planning Commission of the City of Placentia was posted on October 8, 2020.



Joseph M. Lambert, Secretary

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

September 8, 2020

The regular meeting of the Placentia Planning Commission of September 8, 2020 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

ROLL CALL:

PRESENT (TELEPHONICALLY): Commissioners Keller, Lee, Polichetti, Rocke, Perez,
Schaefer

ABSENT: None

OTHERS PRESENT: Tom Duarte, Deputy City Attorney
Joseph M. Lambert, Director of Development Services
Andrew Gonzales, Senior Planner
Arlen Beck, Assistant Planner
Sylvia Minjares, Office Assistant
Kathrine Kuo, Planning Intern

PLEDGE OF ALLEGIANCE: Commissioner Polichetti

ORAL COMMUNICATIONS:

CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes – August 11, 2020**

Recommended Actions: Approve

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

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

REGULAR AGENDA:

PUBLIC HEARINGS:

1. **Applicant:** The Herald-Placentia Owner, LLC
Project Location: 140 E. Crowther Avenue and 150 E. Crowther Avenue
Use Permit (UP) 2020-05: A request to permit the onsite sale, dispensing and consumption of beer (ABC Type 40 License) at a proposed 5,046 square foot rooftop deck of a 215-unit multi-family residential development located at 140 E. Crowther Avenue and 150 E. Crowther Avenue within the TOD (Transit-Oriented

Development Packing House) Zoning District. All beer sales, dispensing, and consumption activities will be confined within the rooftop premises.

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

1. Staff is recommending that this item be continued to the next regularly scheduled Planning Commission meeting to be held on October 13, 2020, based on a request submitted by the applicant subsequent to publication of the Planning Commission Agenda Packet.

Chair Schaefer opened the public hearing.

Assistant Planner Arlen Beck presented the staff report and provided a brief overview of the proposal to the Commission.

Mr. Beck stated that the Applicant had requested a continuance to allow them additional time to address questions presented by the Orange County Health Care Agency.

No questions were asked by the Commission.

Chair Schaefer closed the public hearing.

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

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

2. **Applicant:** Nancy Orozco representing Cocina Azteca Grill
Project Location: 111 E. Chapman Avenue

Use Permit (UP) 2020-06: A request to permit the onsite sale, dispensing and consumption of beer and wine (ABC Type 41 License) at an existing 2,190 square foot, 60 seat, Cocina Azteca Grill restaurant, located at 111 E. Chapman Avenue within the C-1 (Neighborhood Commercial) Zoning District. All alcohol sales, dispensing, and consumption activities will be confined within the interior of the restaurant.

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

1. Open the public hearing concerning Use Permit (UP) No. 2020-06; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the public hearing; and

4. Adopt Resolution PC-2020-13, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit 2020-06 and making findings to permit the onsite sale, dispensing, and consumption of beer and wine (ABC Type 41 License) at an existing 2,190 square-foot, 60 seat, bona fide restaurant located at 111 E. Chapman Avenue, in the C-1 (Neighborhood Commercial) Zoning District and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Chair Schaefer opened the public hearing.

Planning Intern Kathrine Kuo presented the staff report and an overview of the proposed project.

Ms. Kuo provided the proposed site plan, floor plan, surrounding uses, and hours of operation. Ms. Kuo also noted compliance with zoning standards.

Ms. Kuo also discussed ADA compliance and similar ABC licenses issued within the surrounding area.

No questions were asked by the Commission.

Chair Schaefer closed the public hearing.

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

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

OLD BUSINESS:

NEW BUSINESS:

DEVELOPMENT REPORT:

Director of Development Services Joseph Lambert provided updates regarding The Herald, SC Development, Brandywine Homes, JPI, and the Metrolink Station. Mr. Lambert also noted that there are other potential residential developments in process with the Planning Division.

Mr. Lambert responded to the Commissions' questions regarding the temporary closure of the 100 West block of Santa Fe Avenue, spoke about funding and grants that have been provided to local businesses that have been impacted by the current Covid-19 closures, and possible development impacts due to Covid-19.

Mr. Lambert answered Commissioner Polichetti's question regarding the possibility of making the 100 West block of Santa Fe Avenue a permanent one-way street or

permanent street closure once the Covid-19 restrictions have been lifted.

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS:

ADJOURNMENT:

Vice Chair Perez closed the Planning Commission Regular Meeting at 7:11 p.m. to the regular meeting of Tuesday, October 13, 2020 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

Submitted by,

Joseph M. Lambert,
Secretary to the Planning Commission



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION
FROM: ARLEN BECK, ASSISTANT PLANNER
DATE: OCTOBER 13, 2020
SUBJECT: **USE PERMIT (UP) NO. 2020-05 (THE HERALD BEER GARDEN)**

REQUEST:

The applicant, Ashley Malone, representing The Herald-Placentia Owner, LLC requests to permit the onsite sale, dispensing and consumption of beer (ABC Type 40 License) at a proposed 8,053 square foot rooftop deck of a 215-unit multi-family residential development located at 140 E. Crowther Avenue and 150 E. Crowther Avenue within the TOD (Transit-Oriented Development Packing House) Zoning District. All beer sales, dispensing, and consumption activities will be confined within the rooftop premise.

DISCUSSION:

Although this item was noticed in the newspaper and notices were sent to property owners within 300 feet of the project site, staff is requesting that this item be continued to the next regularly scheduled Planning Commission meeting of November 10th, 2020, to allow adequate time for the applicant to comply with conditions of approval from the Orange County Health Care Agency (OCHCA).

Staff has received revised plans with revisions to the design of the proposed beer garden. OCHCA is reviewing the proposed beer garden layout concurrently with the City's processing of UP 2020-05. The applicant is encountering challenges with OCHCA, who is requesting the applicant to make alterations to the overall layout and location of the beer dispensers. This request is to comply with OCHCA's recommendation of like amenities being located outside of age restricted areas. This adjustment to the layout may impact the project scope of the requested UP, thereby potentially requiring a future amendment to the UP. The applicant is seeking to avoid an amendment and is requesting a continuance of the item until the OCHCA matter is resolved. At the request of the applicant, UP 2020-05 has been continued by the Planning Commission for three consecutive meetings, and as such staff is recommending the item be continued to a date uncertain and re-noticed to the general public.

RECOMMENDATION:

Staff is recommending that the Planning Commission continue this item to a date uncertain. A new Public Hearing Notice shall be posted, mailed and/or published pursuant to State law and local regulations prior to a future Public Hearing.

Prepared and submitted by:



Arlen Beck
Assistant Planner

Review and approved by:



Joseph M. Lambert
Director of Development Services



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: ARLEN BECK, ASSISTANT PLANNER

DATE: OCTOBER 13, 2020

SUBJECT: **USE PERMIT MODIFICATION (MOD) NO. 2013-05; CRAFTSMAN PIZZA, ABC LICENSE UPGRADE TO FULL ALCOHOL (TYPE 47) AND ESTABLISHMENT OF LIVE ENTERTAINMENT AT AN EXISTING RESTAURANT AT 148 E. YORBA LINDA BLVD. IN THE TOWN CENTER (T-C) ZONING DISTRICT**

RECOMMENDATION:

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

1. Open the public hearing concerning Use Permit Modification (MOD) No. 2013-05;
2. Receive the staff report and consider all public testimony;
3. Close the public hearing;
4. Adopt Resolution PC-2020-14, a Resolution of the Planning Commission of the City of Placentia, approving Use Permit Modification 2013-05 and making findings to permit the onsite sale, dispensing, and consumption of beer, wine, and distilled spirits (ABC Type 47 License) and to allow live entertainment within an existing 3,860, 99 seat, bona fide restaurant located at 148 E. Yorba Linda Boulevard in the T-C (Town Center) Zoning District and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

REQUEST:

The applicant, Joe Rasic representing Craftsman Wood Fired Pizza, is requesting to permit the onsite sale, dispensing and consumption of beer, wine, and distilled spirits (ABC Type 47 License) at an existing 3,860 square foot, 99 seat, restaurant (Craftsman Wood Fired Pizza), located at 148 E. Yorba Linda Boulevard within the Town Center (T-C) Zoning District. All alcohol sales, dispensing, and consumption activities are intended to be confined within the interior dining of the restaurant and the outdoor seating area.

PROJECT BACKGROUND AND DESCRIPTION:

The subject property is located within an existing shopping center (Placentia Town Center) at 148 E. Yorba Linda Boulevard. This shopping center is comprised of businesses including: The Whole Enchilada, Marshalls, CVS Pharmacy, Ross Dress for Less, Avalon Bagels, and Mr. D's Diner. The

existing restaurant, Craftsman Wood Fired Pizza, is a current tenant at a multi-tenant commercial building, located at the southwest corner of Kraemer and Yorba Linda Boulevard. Craftsman Wood Fired Pizza is a full-service, family operated restaurant offering fresh handcrafted pizza, specialty sandwiches, and salads in a casual Southern California family style atmosphere. They currently offer a unique selection of hand-crafted beers and California wines to complement any food selection. There are two Craftsman Wood Fired Pizza locations in Orange County, one in Placentia and the other in Anaheim. Craftsman Wood Fired Pizza has been operating in Placentia since 2013. There are 6 full time employees and 30 part-time employees on the premises at any given shift. The restaurant's hours of operation are from 11:00 A.M. to 10:00 P.M. Sunday through Wednesday and Thursday through Saturday 10:00 A.M. to 12:00 A.M. Per PMC 23.27.040, Planning Commission approval, as well as Alcoholic Beverage Control (ABC) approval is necessary for the sale of alcoholic beverages.

Craftsman Wood Fired Pizza currently has an ABC Type 41 License, which permits the sale of beer and wine for consumption served with food on or off the premises where sold. An ABC Type 47 License permits the onsite sale, dispensing, and consumption of a full range of alcoholic beverages, which includes beer, wine, and distilled spirits. Alcohol will be served both inside the restaurant and the large outdoor seating area in order to complement their food menu. All alcoholic beverages are to be served with food. With the attached Conditions of Approval in place, the addition of alcoholic beverages is not anticipated to pose any additional safety or security risks. To mitigate noise from live entertainment, Conditions of Approval that limit the hours allowed for live entertainment will be in place.

Applicable Code Section – Placentia Municipal Code

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

Subject Site and Surrounding Land Uses

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

Surrounding Land Uses:

Location	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Subject Site	Craftsman Wood Fired Pizza	Commercial	T-C (Town-Center)
North	Commercial (Bank of America)	Commercial	T-C (Town-Center)
South	Medium Density Multiple- Family Residential	Medium Density Residential	R-G (Medium Density Residential)
East	Commercial (CVS Pharmacy)	Commercial	T-C (Town-Center)
West	Commercial (Marshalls)	Commercial	T-C (Town-Center)

ZONING COMPLIANCE ANALYSIS

Site Development Standards

The project is located within the T-C Zoning District. No changes to the building footprint and overall building envelope will occur, as a result, of the project.

EXISTING ABC LICENSES WITHIN ONE-HALF MILE RADIUS OF SUBJECT SITE

Currently, there are four other business, located within the existing shopping center (CVS, Mr. D's Diner, The Whole Enchilada, and Philly's Best), that are licensed to sell alcoholic beverages for on-site and off-site consumption. Two of those businesses (Mr. D's Diner and The Whole Enchilada) have an ABC Type 47 License, which the applicant is requesting. The table, on the next page, shows all businesses within a one-half mile radius of the subject site with an existing ABC license and their ABC license type.

Business	Address	License Type
Mr. D's Diner	126 E. Yorba Linda Blvd	47, On-Sale General for Bona Fide Public Eating Place
The Whole Enchilada	106 E. Yorba Linda Blvd	47, On-Sale General for Bona Fide Public Eating Place 58, Caterer's Permit
Rubio's Coastal Grill	127 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Philly's Best	198 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Walgreens	191 E. Yorba Linda Blvd	20, Off-Sale Beer & Wine
Saigon Noodle House	1486 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Pizza Rev	1474 N. Kraemer Blvd, Suite A2	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Chipotle Mexican Grill	1474 N. Kraemer Blvd, Suite A3	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
CVS	150 E. Yorba Linda Blvd	21, Off-Sale General
Walgreens	191 E. Yorba Linda Blvd	20, Off-Sale Beer & Wine
Off the Boat Fish Grill	194 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Philly's Best	198 E. Yorba Linda Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Maki Yaki	1490 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place
Tacos Way	1390 N. Kraemer Blvd	47, On-Sale General for Bona Fide Public Eating Place
Meat Up BBQ	1450 N. Kraemer Blvd	41, On-Sale Beer and Wine for Bona Fide Public Eating Place

Other Departments Concerns and Requirements

The Divisions of Planning and Building, as well as the Placentia Police Department have reviewed the application, with no major concerns raised with the project proposal. The Planning Division

identified comments and applicable code requirements that have been incorporated as conditions of approval into a draft resolution for consideration by the Planning Commission (Attachment No. 1).

ISSUES ANALYSIS:

General Plan Consistency

The existing restaurant and the request to allow on-site sale, dispensing, and consumption of beer, wine, and distilled spirits is consistent with all of the policies, programs, and goals of the General Plan. More specifically, it is a goal of the General Plan Land Use Element under Policy LU – 1.3, to “Provide sites for a range of commercial uses, including shopping, dining, entertainment, and offices that provide a strong employment base and offer local services.” Allowing the on-site sale and consumption of beer, wine, and distilled spirits at the existing restaurant will provide an additional service to customers and facilitate greater patronage to the shopping center. This proposal is also consistent with the Economic Development Element Goal ED – 1, to “Maintain a healthy, balanced budget by diversifying and increasing the city’s revenue sources,” as there will be a steady revenue stream from the restaurant and the ancillary sale of beer, wine, and distilled spirits for onsite consumption.

PMC Consistency

Incorporation of the recommended conditions of approval will result in a project that complies with the provisions of the T-C Zoning District. The proposed request, with incorporation of the recommended conditions of approval, will meet or exceed the provisions of the T-C Zoning District and other applicable provisions of the PMC, including minimum parking requirements.

Land Use Compatibility

The project will be compatible with the land uses of the surrounding area because the request to serve, dispense a full range of alcoholic beverages for on-site consumption in conjunction with a restaurant brings an additional service within an established commercial district containing primarily complementary commercial uses. The nature of the use will not have adverse impacts on adjacent business and properties as there are no significant noise or safety concerns. To mitigate

Alcohol Sales

The request is to permit the onsite sale and consumption of alcohol (ABC Type 47 License) at an existing restaurant (Craftsman Wood Fired Pizza). To mitigate any impacts associated with alcohol sales, the Police Department is recommending several operational conditions of approval to address onsite security and prohibit alcohol sales between 10:00 P.M. and 11:00 AM Sunday through Wednesday and between 12:00 A.M. and 10:00 A.M. Thursday through Saturday to correspond with the restrictions of ABC. With the implementation of these provisions, it is not anticipated to generate any significant adverse impacts detrimental to the site and surrounding properties.

CEQA:

The proposed application was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that UP 2013-05 (MOD) is exempt from CEQA pursuant to State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing facility.

PUBLIC NOTIFICATION:

Legal notice was published in the Placentia News Times on October 1, 2020, and notices were sent to property owners of record within a 300-foot radius of the subject property on October 1, 2020. Notices were posted at the Civic Center and on the City website. As of October 8, staff has received no comments in support or opposition of the request.

CONCLUSION:

The proposed request is consistent with the City's General Plan and meets the minimum standards of the PMC. With the recommended conditions of approval, the proposed request, to allow the on-site sale, distribution and consumption of alcoholic beverages and live entertainment at an existing restaurant located at 148 E. Yorba Linda Boulevard (Placentia Town Center) within the T-C Zoning District will be compatible with adjacent land uses and will not result in any adverse impacts onto the surrounding area.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission of the City of Placentia adopt the Resolution PC-2020-14 recommending approval of UP (MOD) 2013-05.

Prepared and submitted by:


Arlen Beck
Assistant Planner

Review and approved by:


Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. 2020-14
- 1.a. Attachment "A" Special Conditions of Approval and Standard Development requirements for Use Permit Modification (UP(MOD)) 2013-05
2. Project Plans Dated and Received August 24, 2020
3. Vicinity Map

RESOLUTION NO. PC-2020-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT MODIFICATION (MOD) NO. 2013-05 AND MAKING FINDINGS TO PERMIT A MODIFICATION TO UP 2013-05 CHANGING THE EXISTING ONSITE SALE AND CONSUMPTION OF BEER AND WINE (TYPE 41 ABC LICENSE- ON-SALE BEER & WINE – EATING PLACE) TO THE PROPOSED ONSITE SALE AND CONSUMPTION OF BEER, WINE, AND DISTILLED SPIRITS (TYPE 47 - ON-SALE GENERAL – EATING PLACE), AND TO ALLOW FOR LIVE ENTERTAINMENT AT AN EXISTING 3,860 SQUARE FOOT RESTAURANT (CRAFTSMAN WOOD FIRED PIZZA) LOCATED AT 148 E. YORBA LINDA BLVD. IN THE TOWN CENTER (T-C) ZONING DISTRICT.

A. Recitals.

WHEREAS, Joe Rasic, representing Craftsman Wood Fired Pizza (“Applicant” hereinafter), located at 148 E. Yorba Linda Boulevard, filed an application for approval of Use Permit Modification (MOD) No. 2013-05, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit Modification request is referred to as the “Application”;

WHEREAS, on October 13, 2020, the Planning Commission conducted a duly noticed public hearing, as required by law, and received a staff report and other relevant information from City staff and members of the public regarding UP (MOD) 2013-05; and

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

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Placentia as follows:

SECTION NO. 1: Based on the evidence presented and the findings set forth, UP 2013-05 (MOD) is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

SECTION NO. 2: Based upon the evidence presented to this Commission during the public hearing conducted with regard to the Application, including written staff

reports, verbal testimony and development plans, this Commission hereby specifically finds as follows:

a. The proposed request for the onsite sale and consumption of beer, wine, and distilled spirits at a proposed restaurant will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed use or within the city, or (2) injurious to the property or improvements within the neighborhood or within the City. Subject to compliance with the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), this use complies with all applicable code requirements and development standards of the T-C Zoning District and (3) it is not anticipated that the existing Craftsman Wood Fired Pizza restaurant will generate any negative impacts onto adjacent properties and businesses. All primary activities shall be conducted within the enclosed building, while maintaining an environment free from objectionable noise, odor, or other nuisances, subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements.

b. The proposed request for the onsite sale and consumption of beer, wine, and distilled spirits at an existing restaurant is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is Town Center.

c. The proposed request for the onsite sale and consumption of beer, wine, and distilled spirits at an existing restaurant, subject to the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed request for the onsite sale and consumption of beer, wine, and distilled spirits at an existing restaurant is a conditionally permitted use in the T-C Zoning District in the City of Placentia. Approval of the Use Permit for the proposed request for the onsite sale and consumption of beer, wine, and distilled spirits at an existing restaurant will be consistent with the zoning as the site can accommodate the use, and other similar uses have been conditionally permitted within other similar commercial districts.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the UP approval. Attachment "A" contains Conditions of Approval and Standard Development Requirements specific to UP (MOD) 2013-05 to ensure compliance with the Placentia Municipal Code (PMC).

SECTION NO. 3: Based upon the environmental review of the project, the Planning Commission finds that UP (MOD) 2013-05 is exempt from the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Guidelines of the City of Placentia pursuant to the State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing structure or facility.

SECTION NO. 4: The Planning Commission hereby directs that, upon approval of UP (MOD) 2013-05 a Notice of Exemption shall be filed with the Orange County Clerk/Recorder.

SECTION NO. 5: Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves UP (MOD) 2013-05.

SECTION NO. 6: The Secretary to the Planning Commission shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED THIS 13TH DAY OF OCTOBER, 2020

CHRISTINE J. SCHAEFER, CHAIR

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 13th day of October, 2020, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 13th day of October, 2020, by the following vote:

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

ATTEST:

JOSEPH M. LAMBERT,
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

TOM DUARTE,
ASSISTANT CITY ATTORNEY

Attachment A: Conditions of Approval for Use Permit Modification No. 2013-05

Attachment A
Special Conditions of Approval and Standard Development Requirements for
Use Permit Modification 2013-05
148 E. Yorba Linda Boulevard

SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH TO CONTINUE IN GOOD STANDING FOR THE USE PERMIT TO PERMIT THE ONSITE SALE AND CONSUMPTION OF BEER, WINE, AND DISTILLED SPIRITS.

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:

1. Use Permit (UP) 2013- 05 (MOD) is valid for a period of one (1) year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void, unless an extension is applied for and approved by the Director of Development Services.
2. UP 2013-05 (MOD) shall expire and be of no further force or effect if the use is discontinued or abandoned for a period of one (1) year.
3. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.
4. The applicant shall, as a condition of approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may be issued against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.

5. Any changes or modifications to Use Permit (UP) 2013-05 (MOD) shall be subject to review and approval by the Director of Development Services or designee, with substantial changes or modifications subject to Planning Commission review and approval.
6. There shall be no additional modifications to the approved plans without approval from the Director of Development Services or his/her designee. Any additional changes to the approved plans, which has the effect of expanding or intensifying the present use, shall require a new Use Permit.
7. If at any time in the future, the Director of Development Services determines that a parking/circulation study is necessary to address parking and/or circulation issues relative to the use, the applicant, current business owner, and/or property owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant, current business owner, and/or property owner shall also be responsible for the implementation costs of any mitigation measures deemed appropriate by the City based upon the findings of this study.
8. The applicant, current business owner, and/or property owner shall be responsible for maintaining the property, including the landscaped areas, walkways, and all paved surfaces, free from graffiti, debris and litter. Graffiti shall be removed by the applicant, current business owner, and/or property owner within 48 hours of defacement and/or upon notification by the City. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Director of Development Services.
9. The applicant and/or current business owner shall maintain a valid City Business License at all times during operation of the business.
10. All signage must comply with the associated master sign program for the established shopping center (Placentia Plaza). All signs must be individual channel letters. "Can" or "Cabinet" signs are not allowed.
11. This Use Permit may be reviewed at the discretion of the Director of Development Services, in order to determine if the business is operating in compliance with all required Special Conditions of Approval and Standard Development Requirements.
12. 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.

13. Prior to any changes to the days and hours of operation, the applicant shall obtain written approval from the Director of Development Services or his/her designee. The following are the specified days and hours of operation:

Sunday through Wednesday: 11:00 AM to 10:00 PM

Thursday through Saturday: 10:00 AM to 12:00 AM

14. The use shall comply with all provisions of the PMC, including Chapter 23.76 Noise Control.

15. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Development Services Department for inclusion in the entitlement file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

16. Prior to commencing live entertainment activities, a copy of an approved Public Dance Permit and Entertainment Permit, approved by the Police Department and issued by the Business License Department, shall be submitted to the Development Services Department.

17. All conditions of the Public Dance Permit and Entertainment Permit shall be observed per Placentia Municipal Code Chapter 6.52 and Chapter 6.56 respectively.

18. Mandatory Responsible Beverage Service (RBS) training and certification shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review.

19. Full food service menu items shall be served a minimum, thirty minutes before closing, and a cook and food server shall be on duty during these times.

20. No new customers intending to consume alcohol shall be permitted 30 minutes before closing.

21. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the business.

22. The approval hereby supersedes the previously approved Special Conditions of Approval for Use Permit No. 2013-05 as set forth herein.

23. The use conditions listed herein shall be clearly posted on the premises at all times.

POLICE DEPARTMENT

Type 47 ABC License Service After 10:00 PM Conditions of Approval

The following conditions shall be enforced by the City of Placentia Police Department. In the event of a change in establishment ownership or management, it is the responsibility of the new owner or manager to review and comply with these conditions. Failure to comply with any or all of these conditions could result in revocation of said Use Permit.

General Operations

24. An admission charge or a cover charge for general admittance is not allowed. An admission charge includes a cover charge as well as any mandatory charge for admittance to any portion of the establishment regardless of whether goods or services are provided once admittance is gained.
25. Controls shall be established to maintain occupancy levels allowed by the Placentia Fire and Life Safety Department and are not to be exceeded. Methods of controlling occupancy can include, but are not limited to the following: Counters used to count the number of occupants entering and exiting the location which are available for inspection by Placentia Fire and Life Safety Department or the police department.
26. Persons who appear obviously intoxicated shall not be admitted into the establishment.
27. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the premises.
28. The noise level outside of the establishment shall not exceed the city's noise ordinance.
29. The establishment shall retain full control of all events within the subject premises and use of independent outside promoters is prohibited.

Alcohol Service

30. All patrons who appear under the age of 30 shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. Only the following forms of identification will be acceptable:

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

All forms of out-of-state identification shall be checked by the authorized representative of the owner of the banquet hall in the Driver's License Guide. Upon presentment to the authorized representative of the owner of the banquet hall, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a close visual inspection and/or use of a flashlight or "Retro-reflective viewer" or other device capable of readily identifying the document as valid or invalid.

31. Persons under 21 years of age shall be served drinks utilizing separate types of glassware to distinguish alcoholic drinks from non-alcoholic drinks. Additionally, there shall be a unique method to readily identify persons who may be served an alcoholic drink such as a wrist band or hand stamp.
32. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
33. There shall be no promotions, games or contests to encourage drinking alcoholic beverages.
34. When serving pitchers exceeding 25 ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall display their unique identification (i.e., wrist band) to the server.
35. Except for wine bottles, oversized containers or pitchers containing in excess of 25 ounces of an alcoholic beverage shall not be sold to a single patron for their sole consumption.
36. Except for wine bottles, there shall be no "bottle service," which includes but is not limited to service which provides to any patron any bottle of an intoxicating liquor, with the exception of beer and wine, in any bottle with a capacity in excess of five (5) ounces.
37. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
38. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
39. A file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons at the banquet hall and every manager, which file shall also include a copy of each person's certificate of

completion of the Department of Alcohol Beverage Control L.E.A.D. course (Licensee Education on Alcohol and Drugs) or other approved Police Department approved program. Upon request, said file shall be made available for review to representative of the Police Department of the City of Placentia. New employees will have 60 days from date of employment to obtain L.E.A.D. certification or other Police Department approved certification.

40. There shall be a taxi-ride program where the establishment will offer to call a taxi for patrons when it seems appropriate. Phone numbers of local taxi or public transportation companies shall be posted for viewing by patrons.

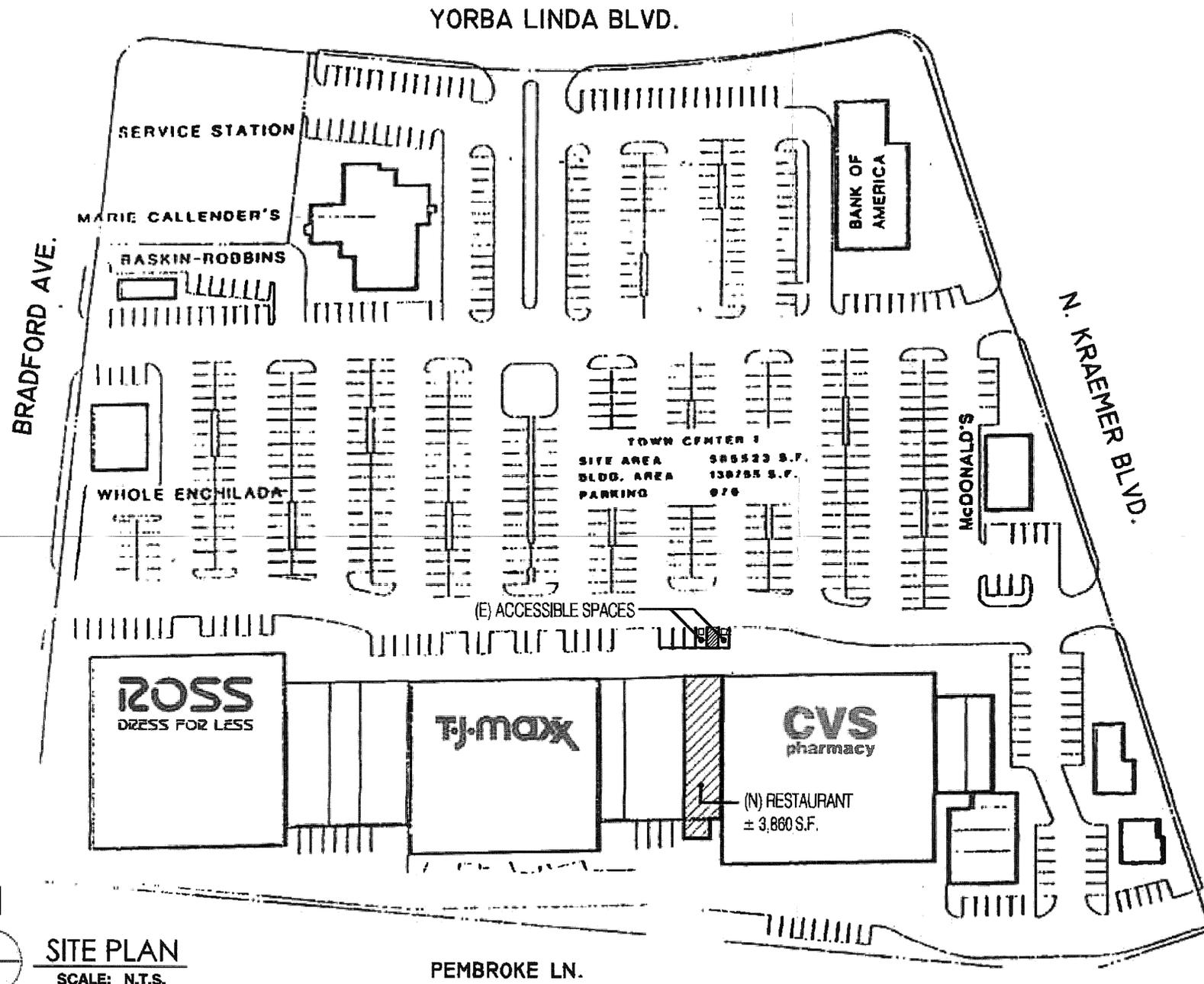
Security Issues

41. Except in case of emergency, the establishment shall not permit its patrons to enter or exit the premises through any entrance/exit other than the primary entrance/exit. Steps shall be taken to discourage unauthorized exiting such as special locking which are fire department approved for required exiting.
42. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words which are inherently likely to provoke an immediate violent reaction shall be removed from the premises.
43. The police department may, based upon the type of activities anticipated at the location or based upon prior history of activity at this establishment or other similar businesses, require security personnel. Security personnel shall be licensed either as contract security person per Business & Professions Code Section 7580 or proprietary security person per Business & Professions Code Section 7574.
44. Security personnel required by the police department shall be in a uniform or clothing which readily identifies them as a security person. They shall maintain order and enforce the establishment's no loitering policy, and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.
45. The establishment shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: Handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the establishment; verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.

46. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with the establishment's written security policy and procedures by reviewing them and signing they have read and understood them. The signed acknowledgement shall be kept in a file relating to the security manual.
47. Prior to utilizing a contract security guard company, the establishment shall verify the security company has a current City of Placentia business license.
48. Install a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment including exiting via any back area or emergency exit door. Cameras are to be color and digitally record, including keeping a minimum 30 day library of events, which shall be available for downloading and inspection by Placentia Police Department in the event of a criminal investigation.
49. The owner or manager of the establishment shall notify the Chief of Police at least three (3) days in advance of a special promotion or special event scheduled at the premises that may involve reaching the designated capacity of the establishment as dictated by the building and fire codes.
50. Persons are to not to loiter about the exterior of the facility. No loitering signs conforming to the Penal Code shall be posted in the parking lot of the establishment and any area where persons would tend to congregate.
51. Parking lot shall be cleared of patrons in a timely manner at closing time.

PLACENTIA FIRE AND LIFE SAFETY DEPARTMENT:

51. Applicant shall comply with all site development requirements specified by the Placentia Fire and Life Safety Department.



SITE PLAN
SCALE: N.T.S.



VICINITY PLAN
SCALE: N.T.S.

 EXTENT OF TENANT
IMPROVEMENT SCOPE
OF WORK

JOB # A.130343

LAYOUT VERSION 1.0
DATE: 04/05/2013

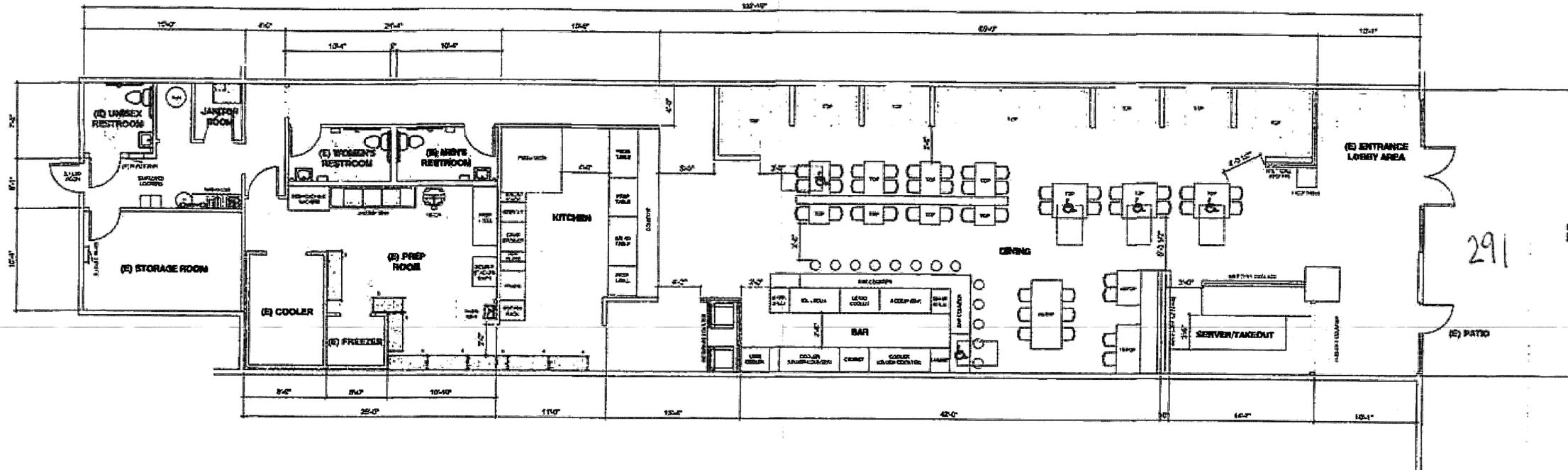


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CRAFTSMAN WOODFIRED PIZZA
EXISTING SITE PLAN
138 E. YORBA LINDA AVE.
PLACENTIA, CA

 **PLUMPGROUP**.com
ARCHITECTURE & ENGINEERING
a division of Plump Engineering, Inc.
914 E. KATELLA AVENUE, ANAHEIM, CA 92805
P (714) 385-1833 F (714) 385-1834
www.plumpgroup.com

Sheet No.
A.1



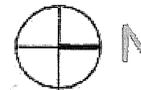
SPACE AREA: ± 3,860 S.F. Dining 1914 SF . Kitchen 1946 SF

SEATING:

BENCH	= 40
TOPS	= 36
HI-TOPS	= 13
BAR COUNTER	= 10
TOTAL	= 99 SEATS

CONCEPTUAL FIXTURE PLAN

SCALE: 3/32" = 1'-0"



2005 = 1.9
60

1946
400
5

JOB # A.130343

LAYOUT VERSION 1.0

DATE: 04/08/2013



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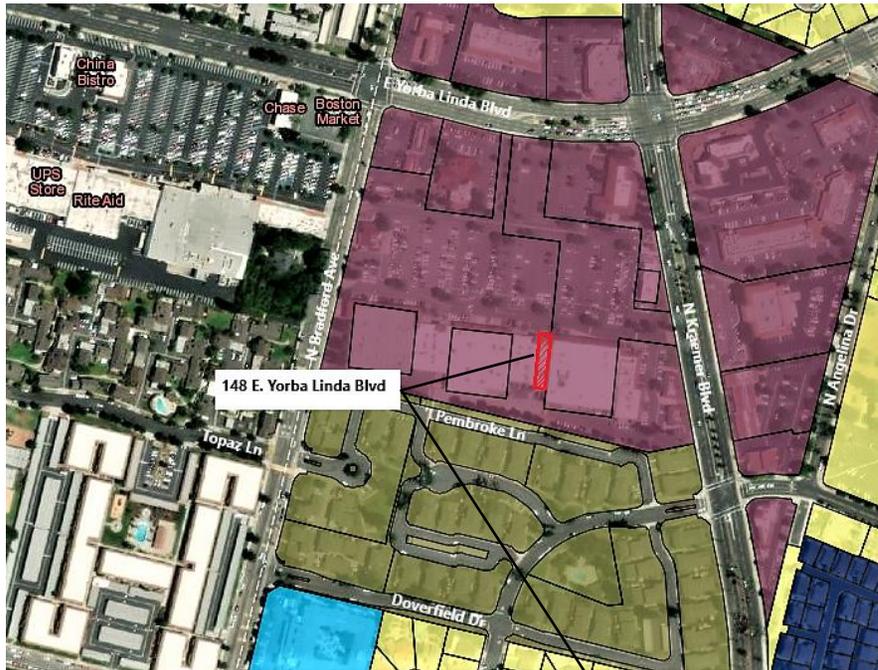
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Sheet No.
A.2



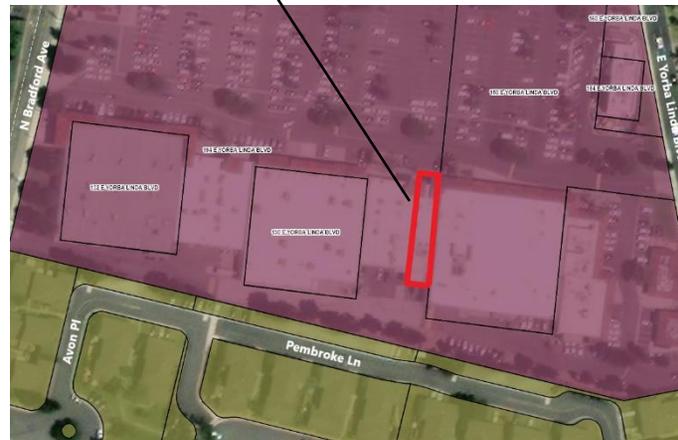
ATTACHMENT B. VICINITY ZONING MAP

UP (MOD) 2013-05; 148 E. YORBA LINDA BOULEVARD



Aerial A.

Zoning Code	
■ C-1	■ R-3
■ C-1 (O)	■ R-3 (O-1)
■ C-1 (O-1)	■ R-A
■ C-2	■ R-G
■ C-2-H65	■ R-G (O)
■ C-M	■ R-G(O) & C-1 (O)
■ C-O	■ RPC (O)
■ M	■ SP-1
■ M (O)	■ SP-2
■ M (PMD)	■ SP-3
■ PUD-1	■ SP-4
■ PUD-2	■ SP-5
■ PUD-2 (O)	■ SP-6 (O)
■ PUD-3	■ SP-7
■ PUD-3 (O)	■ SP-8
■ PUD-4	■ SP-9
■ R-1	■ SP-10
■ R-1 (MHP)	■ T-C
■ R-1 (O)	■ Old Town
■ R-2	■ TOD
■ R-2 (MHP)	■ N/A



Aerial B.