



Placentia Planning Commission  
Agenda

Regular Meeting  
May 8, 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](http://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](http://www.placentia.org) under the Planning Commission page. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

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

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

**City of Placentia  
City Council Chambers  
401 E. Chapman Avenue  
May 8, 2012**

**REGULAR MEETING**

6:30 p.m. – City Council Chambers

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**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**

April 10, 2012

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**PUBLIC HEARINGS**

**OLD BUSINESS:**

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.

**Recommended Actions:**

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.

## **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.

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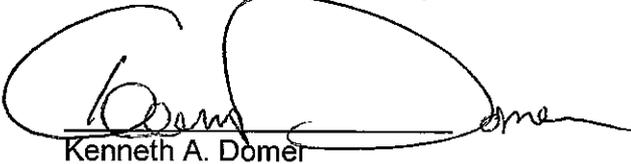
## **ADJOURNMENT**

The Planning Commissioners ADJOURN to a Regular meeting on Tuesday, June 12, 2012 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

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## **CERTIFICATION OF POSTING**

I, Kenneth A. Domer, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the May 8, 2012 Regular meeting of the Planning Commission of the City of Placentia was posted on May 3, 2012.



Kenneth A. Domer

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

April 10, 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  
Vic Tomazic, Vice Chairman  
Christine Schaefer, Commissioner  
John Scull, Commissioner  
Tom Solomonson, Commissioner

Absent: Floyd Farano, Commissioner (excused)  
Frank Perez, Commissioner

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Schaefer

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 oral comments on matters not scheduled for public hearing but none were offered.

**Motion by Commissioner Schaefer, seconded by Vice Chairman Tomazic to APPROVE THE MINUTES of March 13, 2012. Passed by a 5-0 vote.**

**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.

Commissioner Solomonson recused himself from the remainder of the meeting due to a conflict of interest concerning the location of the Use Permit and the location of his personal business.

Ms. Schwartz gave the staff report and power point presentation.

Commissioner Schaefer asked what would be involved for an amendment to the General Plan and zoning to occur, who bears the cost and how long is the process. Ms. Schwartz replied that it would require a first reading by the Planning Commission, a first and second reading by the City Council and a 30 day period for the Ordinance to be adopted. This would accomplish both the zone change and the General Plan Amendment. Mr. Arczynski interjected that the General Plan Amendment would require a Resolution, not an Ordinance. Ms. Schwartz added that the applicant would bear the cost of approximately \$10,000 - \$15,000.

Commissioner Schaefer asked what the applicant's response was to this information. Ms. Schwartz responded that the matter was only discussed with the property owner, who has previously considered re-zoning of the area. Ms. Schwartz expressed that it would benefit not only the property owner and the center, but also the City, to make the area available to higher utilization. Mr. Domer added that the entire area along Orangethorpe Avenue from the 57 Freeway east to Kraemer Boulevard would benefit from re-zoning, however the process could take two (2) years.

Chairman Ebenhoch asked if the process could be expedited if the property owner paid the associated costs. Mr. Domer responded that it would help; however, it makes more sense for the City to handle it.

Commissioner Schaefer stated that in reading the CEQA Statement, she did not understand how this use would cause a negative environmental impact and asked for clarification. Ms. Schwartz replied that she was referring to future commercial manufacturing uses in the center negatively affecting adjacent businesses, even though they are permitted by right to occupy the center.

Commissioner Schaefer asked if previous dance studios were approved because they were located in Manufacturing Zones not Commercial Manufacturing Zones and stated that negative impacts were not found in the CEQA Statements. Ms. Schwartz responded that in the Manufacturing District, a trade school is a similar allowed use to allow a dance instruction studio. The adjacent uses of other studios were reviewed to make sure business hours were offset to ensure parking, and to ensure that adjacent uses would not negatively affect the dance studios.

Commissioner Scull asked for clarification that previous similar uses were allowed in manufacturing zones because of a loophole. Ms. Schwartz responded, yes. He also asked if in the case that an amendment is made to the General Plan, if the City would have concerns since the amendment would affect all Commercial Manufactured zoned properties. Mr. Domer responded that it is a valid concern and that all areas will be reviewed before amendments are made.

Vice Chairman Tomazic asked if the official zoning change process takes one (1) year. Mr. Domer responded that once the General Plan Update is complete in approximately ten (10) months, he hopes a zoning code review could be complete in a year.

Commissioner Scull asked what the most cost and time effective path for the applicant to take would be, in order to pursue the site. Mr. Domer stated he would need to bring back findings to the next meeting.

Chairman Ebenhoch opened the public hearing.

The applicant, Mr. William Carpenter of 200 Chinook Circle, Placentia introduced himself to the Commission. He asked why a trade school is an allowable use in a Manufacturing District but not in a Commercial Manufacturing District. He also gave a brief description of his dance experience and the types of dance he hopes to offer.

Chairman Ebenhoch asked if he has considered other locations. Mr. Carpenter stated that he has been interested in this space for five (5) years now and for him, it is the perfect location as it is located on a busy street and the space fits the needs of his studio.

Vice Chairman Tomazic asked about the applicants experience in running a dance studio. Mr. Carpenter stated he has worked for 11 different studios in Orange County, four (4) of which he managed for one (1) year each.

Commissioner Schaefer asked if the social dances will exceed 60 people including staff and security and if alcohol will be allowed. Mr. Carpenter responded that they will not exceed 60 people and neither alcohol nor persons who have consumed alcohol will be permitted on the premises. The intention is not to turn the facility into a night club.

Commissioner Schaefer asked who would be likely to attend a social dance. The applicant indicated that current students as well as students of surrounding studios. Commissioner Schaefer asked the applicant about the age ranges of his students. He indicated the current clientele consists of 25 adults (over 18), 14 teens (13-17) and four (4) who are younger. However he desires to expand on all age groups.

Chairman Ebenhoch asked if there will be competitions with local studios. Mr. Carpenter stated that there could be.

Nancy Stephens, (nitenanc@sbcglobal.net) a nearby resident of Placentia, expressed support for the studio.

Frank Rodriguez, 161 Orangethorpe Avenue space 29, Placentia, expressed support for the studio.

Roland Harper, a supporter of the dance studio, indicated he had recently attended one of their social dances and it was an extremely wholesome environment that he supports for the community.

Brenda Palazzio, a resident of Mission Viejo whose daughter is a student of Mr. Carpenter, expressed her support for the proposed use.

General discussion was held regarding similarities of various uses in the C-M zone and the proposed social dance studio.

Chairman Ebenhoch closed the public hearing.

Commissioner Scull expressed that Placentia is very business friendly and that staff works hard to give applicants a business opportunity within the City. He recommended that staff find the necessary findings to recommend approval. The recommendation was supported by Commissioner Schaefer and Vice Chairman Tomazic as well.

Chairman Ebenhoch added that the Commission would like to approve the use but as it stands they cannot do that. He then echoed what Commissioner Scull, Schaefer and Vice Chairman Tomazic expressed.

Mr. Domer asked for clarification that staff is being directed to do two (2) things; one (1), find a way to make the proposed use work within the Commercial Manufacturing District and two (2), continue the item and provide findings at the May 8 meeting. Chairman Ebenhoch confirmed the Commissions directives and requested the applicant be temporarily approved to begin business operations. Mr. Domer indicated the City cannot allow that. He stated that staff will bring findings to the next meeting, based on discussions held during the Public Hearing, to support the proposed use in the Commercial Manufacturing District.

**Motion by Commissioner Scull, seconded by Commissioner Schaefer TO CONTINUE THE ITEM TO MAY 8, 2012 WITH THE DIRECTION TO COME BACK WITH FINDINGS THAT SUPPORT RECOMMENDATION OF A USE PERMIT APPROVAL. Passed by a 4-0 vote.**

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## **DEVELOPMENT REPORT**

Mr. Domer advised the Commission that the City is working on a signage policy to mandate that signage on businesses clearly states the nature of their business in English. This is to ensure that no offensive language or unallowable types of business are advertised. Chairman Ebenhoch asked if the City can require the use of English on business signage. Mr. Arczynski responded that no, the City cannot require English, but signage will require certified translation and a small portion to be legible in English.

## **PLANNING COMMISSION REQUESTS:**

Chairman Ebenhoch adjourned the Planning Commission meeting at 7:26 p.m. to the next regularly scheduled meeting on May 8, 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

<b>AGENDA ITEM NO.:</b> 1	<b>DATE:</b> May 8, 2012	<b>PUBLIC HEARING:</b> Yes
<b>APPLICATION:</b> Use Permit (UP) 2012-04		
<b>DESCRIPTION:</b> 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.		
<b>RELATED APPLICATIONS:</b> None		
<b>APPLICANT:</b> William Carpenter and Alison Aicard		
<b>PROPERTY OWNER:</b> Harold Cozen		
<b>LOCATION:</b> 310 E. Orangethorpe Avenue, Suites G, H and J		
<b>CEQA DETERMINATION:</b> Categorically Exempt: Class 1, Section 15301		
<b>ZONING:</b> Commercial Manufacturing (C-M) District		<b>APN(S):</b> 344-201-06
<b>GENERAL PLAN:</b> Commercial Manufacturing	<b>CITY COUNCIL ACTION REQUIRED:</b> No	
<b>PREPARED BY:</b> Monique B. Schwartz, Associate Planner		
<b>REVIEWED BY:</b> Kenneth A. Domer, Assistant City Administrator		

### **REQUEST:**

To permit the operation of a social dance instruction studio (Allegro Ballroom) within a +/- 5,400 square foot commercial industrial suite, located at 310 E. Orangethorpe Avenue, suites G, H and J in the Commercial-Manufacturing (C-M) District. This business will offer instruction in various American styles of partner dance, including Waltz, Foxtrot, Tango, Swing and Mambo as well as instruction in jazz, hip hop, tap, Pilates and piano lessons. Evening group dances will be open to students and to the general public with an entrance fee.

### **BACKGROUND:**

Use Permit 2012-04 was presented to the Planning Commission on April 10, 2012 with a staff recommendation of denial based on a non-allowable social dance instruction studio use within the Commercial Manufacturing (C-M) District. At the Public Hearing, the Planning Commission received testimony and held discussion that included examples of the existing zoning restrictions, the difficulty of an antiquated transitional zoning designation (C-M Zone) that discourages general commercial activities which are similar to other permitted uses within the Commercial Zones and Manufacturing Zones and that Staff is beginning the review process of amending the C-M Zone to allow similar uses to what is presently being proposed. The Planning Commission directed staff to bring back conditions of approval based on the received testimony and Planning Commission discussion, within the allowances of Section 23.39.030(19) "Other uses that the planning commission finds to be in accord with the purpose of this chapter and having characteristics similar to those listed in this section."

After Staff review of the testimony and Planning Commission discussion based on the proposed use in relation to the permitted uses within the C-M District, Staff is able to make findings that a social dance studio may have certain characteristics that appear similar to those listed uses and that the proposed use is in accord with the purpose of the chapter.

First, the purpose of the Commercial-Manufacturing Zone is partly to provide a district for uses which combine commercial and industrial characteristics. As evidenced during the Public Hearing, similar dance studios have been allowed, through a Use Permit process, in the Manufacturing Zone due to their similarity to a trade school or training facility (as found in Placentia Municipal Code Section 23.47.040(9), in that educational opportunities are provided similar to that proposed for the dance studio. Further, within the Commercial zones, "studios, including dance and music" are permitted, subject to use permit approval in the C-1 and C-2 Zones, Sections 23.33.040 (15) and 23.36.040 (3) of the Placentia Municipal Code. Second, the purpose of the C-M District is also to provide for certain commercial uses which require large display or storage areas. It is advantageous for the applicant to locate within the Commercial-Manufacturing Zone, which is a hybrid of the two separate zones because of the availability of suites with higher ceilings and larger spaces for dancing as well as for the display of dance related products for retail sales. Hence, the commercial nature of the dance studio as well as the need for larger open lease area is fitting for the proposed use.

With respect to similar characteristics to those uses listed within the Commercial Manufacturing Zone, the closest use in which findings can be made is that of a church. These characteristics include scheduled participation times, large group activities, unconventional hours of operation, festivities/socials, socialization of members, class participation and staff monitoring. Much like a church, the frequency of group attendance for a social dance studio is generally regulated and not in conflict with the normal operating hours of adjacent businesses. A church use, which is an approved use, is subject to Use Permit approval as listed in Section 23.39.030(6) of the Placentia Municipal Code.

The proposed physical site may be considered suitable for a dance studio use with its large interior warehouse spaces, high ceilings and lack of vertical interior structural columns that could otherwise interfere and pose a hazard to dancers on the dance floor. The large glass commercial store front windows found in the Commercial Manufacturing Zone also help with visibility and the marketability of this business as well as assist with the retail sales of dance related products, again fulfilling the purpose of the C-M Zone which states, in part, "certain commercial uses which require large display areas". According to statements during the Public Hearing, this new business may help revitalize this largely vacant commercial-industrial center by bringing in potential customers to the existing businesses within the center. Allegro Ballroom may also attract other business that could help service the dance customers.

While not related to nor relevant for the current application, which must stand alone on findings made by the Planning Commission, Staff reviewed prior similar uses within the

C-M Zone and found that a physical fitness training facility for competitive and recreational bodybuilders, known as Blocks Gym, was granted Use Permit approval (UP 87/14) by the Planning Commission on July 28, 1987 for 320 E. Orangethorpe Avenue, Units C, D and E. Following Blocks gym, the Planning Commission additionally approved Use Permit (UP 97/11) on June 10, 1997, which allowed the operation of a fitness center (Transition Fitness) that specialized in the treatment of overweight individuals and the professional training of athletes.

**RECOMMENDATION:**

Based on findings supported by testimony at the Public Hearing and through discussions by members of the Planning Commission, the City Planning Division is bringing forward a recommendation for approval of Use Permit (UP) 2012-04, subject to the attached recommended Special Conditions of Approval and Standard Development Requirements.

**DISCUSSION:**

The subject property is located between Melrose Street and Kraemer Boulevard, on the south side of Orangethorpe Avenue. The site is comprised of two parcels: 344-191-09 (300 E. Orangethorpe Avenue), 344-201-06 (310-320 E. Orangethorpe Avenue) and totals approximately 3.3 acres. The total site is improved with three (3) commercial industrial buildings totaling approximately 38,593 square feet and related on-site improvements.

**Subject Site and Surrounding Land Uses:**

	<b>Existing Land Use</b>	<b>Land Use Element General Plan Designation</b>	<b>Zoning Map Designation</b>
<b>Existing</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"
<b>Proposed</b>	A social dance instruction studio (Allegro Ballroom) within a +/- 5,400 square foot industrial suite, located at 310 E. Orangethorpe Avenue, Suites G, H and J.	Commercial Manufacturing	"C-M"
<b>North</b>	Orangethorpe Avenue/ Mobile Home Parks	Medium Density Residential	R-2 (MHP)
<b>South</b>	Orange County Flood Control Channel/City of Anaheim	—	—
<b>East</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"
<b>West</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"

**OPERATIONAL CHARACTERISTICS:**

Allegro Ballroom will be a new start-up business in Placentia, owned and operated by the applicants, William Carpenter and Alison Aicard. Their business objectives are to

provide affordable and enjoyable ballroom dancing to people of all ages, promote the arts of dance and music and provide dance instruction for those who wish to become professionals in the field. Other dance studios and local Placentia competitors within the area are: The Art of Dance and Ballet Academy (847 S. Kramer Boulevard), Dance Depot (1521 N. Placentia Avenue), Tracy Dee Academy of Dance (704 Richfield Road) and Atomic Ballroom (731 and 733 Dunn Way). Atomic Ballroom is the most similar type of business whose Use Permit was approved by the Planning Commission in 2011. The applicants are aware of this business and feel, even though their businesses are in close proximity and are similar in operations, offering private lessons, partner and individual dance classes and open to the public, Allegro Ballroom will focus their marketing on cities like Yorba Linda, Anaheim Hills, Diamond Bar, Chino and Corona. Allegro Ballroom will also primarily target children and young adults interested in competing and becoming highly skilled dancers. The applicant's Statement of Use indicates that their proposed central location in Orange County, their proposed low operating expenses and their wide range of services offered in dance and music instruction will contribute to the future success of their business.

Allegro Ballroom will offer instruction in various types of dance, like Waltz, Foxtrot, Tango V. Waltz, Rumba, Cha-cha, East Coast Swing, Bolero, and Mambo. They will also be offering classes in ballet, jazz, hip hop, tap, Pilates, kick boxing and music. Private dance lessons are offered to the individual, by appointment during regular business hours; however, most lessons are taught in the late afternoon and early evenings after people have finished school or completed their work day. Classes will be one hour in length, starting at 5:00 p.m. and ending at 8:00 p.m. Private and group lessons will be offered to the public between the hours of 8:00 a.m. and 11:00 p.m. Dance and music classes for children start at 6 years of age. There will be a maximum of two classes offered at any given time with a total of 20 students per class. A Special Condition of Approval has been included to require a 15 minute interval between classes to allow for the exiting of students and vehicles before the start of the next class.

The applicant has submitted a revision to their Statement of Use indicating that they will not offer the option to rent this facility for parties, or for banquet purposes. This type of use posed obstacles with building occupancy that triggered the requirement of a fire sprinkler system and a larger amount of restrooms, which became cost prohibitive for the applicants.

The applicant proposes to rent the subject site to fellow dancers for practice purposes. These practices will take place during normal operating hours, when the owners are present. There will also be semi-annual recitals that will be held at the studio during normal business hours so that students can showcase what they have learned.

Allegro Ballroom will be providing a location where their students and other dancers can socialize. Dance socials/public dance will be offered on Friday and Saturday evenings, generally from 8:00 p.m. to 1:00 a.m. These sessions provide an opportunity for students to practice what they learned in class. The general public will be able to attend the evening dance socials by paying a designated fee. The applicant has indicated that a

security guard will be hired to monitor each event. A Special Condition of Approval has been included that requires the applicant to comply with all regulations of Chapter 6.52 of the Placentia Municipal Code. There will be no alcohol consumption permitted on the premises at any time. Additional conditions have been proposed to ensure that the dance studio maintain the general character of a dance studio and not change into that of a nightclub, whether temporarily or permanently.

William Carpenter and Alison Aicard will be running the daily operations of the business. Mr. Carpenter has experience in operating a dance studio and teaching a wide variety of dance classes and lessons. He has been teaching independently and currently has a large client base. Ms. Aicard has been an independent piano teacher, teaching private lessons, group classes and summer music camps. She has experience with various jobs in the entertainment industry, from performing to building sets and staging. She has been ballroom dancing for approximately 4 years as well as performed and competed. Ms. Aicard will be responsible for the scheduling, bill payment, and paperwork. Additional teachers will be hired as independent contractors to teach classes in Ballet, Modern Dance and Pilates.

As specified in the Applicant's Statement of Use, there will be a maximum of 60 people permitted within this dance studio at any given time, including evening dance socials/public dance and recitals.

The proposed days and hours of operation for Allegro Ballroom are as follows:

Monday-Thursday: 8:00 a.m. to 11:00 p.m.  
 Friday-Saturday: 8:00 a.m. to 1:00 a.m.  
 Sunday: 8:00 a.m. to 11 p.m.

**Days and Hours of Operation of Businesses within the Orangethorpe Commerce Center Complex:**

<b>Address on E. Orangethorpe Avenue</b>	<b>Name of Business</b>	<b>Days and Hours of Operation</b>
310, Unit A	Aroma Day Spa	Mon.-Thurs.: 10:00 a.m. - 8:00 p.m. Sun: 11:00 a.m. - 7:00 p.m.
310, Unit C	Russ's Optical	Mon.- Fri.: 10:00 a.m. - 6:00 p.m. Sat.: 10:00 a.m. - 2:00 p.m.
310, Unit D	North Orange County Class & Mirror	Mon. - Fri: 10:00 a.m. - 5:00 p.m. Sat.: 10:00 a.m. - 2:00 p.m.
	Minuteman Press	Mon. - Thurs.: 8:30 a.m. - 5:00 p.m. Fri.: 9:00 a.m. - 4:30 p.m.
320, Units C-F	Network Video Services	Mon: 10:00 a.m. - 4:00 p.m. Tues-Thurs: 10:00 a.m. - 5:00 p.m. Friday: 10:00 a.m. - 4:00 p.m.
	Catering	By Appointment
320, Suites A-B	TS Carpet & Design Center	Mon. - Friday: 10:00 a.m. - 6:00 p.m. Sat: 11:00 a.m. - 4:00 p.m.

### **Floor Plan:**

The proposed floor plan indicates that the commercial industrial tenant space is approximately 5,400 square feet. The main entrance is through double doors on the north side of the building. The reception/lobby area is located off the main entrance. There is one office, a music room and a storage area located to the west of the main entrance and a +/- 2000 square foot dance floor and stage that are considered the main ballroom. There is a large dance room that can be accessed to the east of the main entrance and an employee lounge located at the southeast corner of the tenant space. The restrooms and dressing room are located at the rear of the tenant space. There are 3 exits located on the south side and an additional exit located on the north side through the dance room. Table seating is located on the west side of the main ballroom.

The Chief Building Official has specified that this facility shall provide at least two (2) water closets for the men's restroom and three (3) water closets for the women's restroom.

### **Parking:**

Pursuant to Section 23.78.030(2) of the Placentia Municipal Code, the Commercial-Manufacturing District requires 4 spaces per 1,000 square feet of gross floor area, for up to 3,000 square feet of unit area, plus 2 spaces for 1,000 square feet of unit area between 3,000 and 20,000 square feet and 1 space per 1000 square feet over 20,000 square feet. The property owner confirmed that there is approximately 38,593 square feet of tenant space within this complex. The required amount of on-site parking is 63 spaces, and 159 spaces are provided. There are a total of 96 surplus spaces.

After reviewing the current operating hours of the existing businesses within this commercial-industrial center, it appears that most businesses generally operate between 10:00 a.m. and 6:00 p.m., Monday through Friday and some businesses operate on Saturdays and Sundays, but close before 7:00 p.m. The majority of customers for Allegro Ballroom will frequent the center after typical working hours. Patrons of the dance studio come with a dance partner or with a group of friends, which helps reduce the parking needs. Most activities that would have significant attendance will take place outside of the average operating hours of the industrial center. Because there is a limitation of 60 people that are permitted within this establishment at any given time, and the fact that the center has a total of 96 surplus parking spaces, it is not expected that this industrial center will be negatively impacted by the public dances or activities hosted by Allegro Ballroom.

### **Environmental Analysis:**

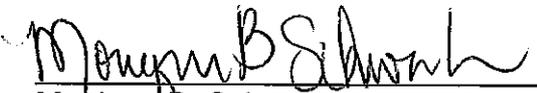
The proposed use is not expected to create a negative impact on the physical environment. It is City Staff's opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 and City Environmental Guidelines.

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.

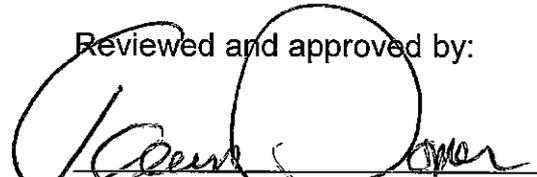
**ACTION:**

Adopt Resolution No. PC-2012-06 approving Use Permit (UP) 2012-04, 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-2012-06
- Attachment B: Special Conditions of Approval and Standard Development Requirements for Use Permit (UP) 2012-04
- 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
- Exhibit 5: Amendment to Statement of Use from Applicant
- Exhibit 6: Chapter 6.52 of the Placentia Municipal Code
- Exhibit 7: April 10, 2012 Planning Commission Staff Report for Use Permit 2012-04
- Exhibit 8: Unapproved Minutes of the April 10, 2012 Planning Commission meeting

ATTACHMENT "A"

RESOLUTION NO. PC-2012-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2012-04 PERTAINING TO PROPERTY LOCATED AT 310 E. ORANGETHORPE AVENUE, SUITES G, H AND J, AND MAKING FINDINGS IN SUPPORT THEREOF.

**A. Recitals.**

(i) Mr. William Carpenter and Ms. Alison Aicard, Allegro Ballroom and Harold Cozen, owner of the property located at 310 E. Orangethorpe Avenue, Suites G, H and J, ("Applicant" collectively hereinafter) heretofore filed an application for approval of Use Permit No. 2012-04, 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 April 10, 2012 this Commission conducted a duly noticed public hearing, as required by law, and heard public testimony in support of allowing the proposed use within the Commercial-Manufacturing (C-M) Zone based on the use being in accord with the purpose of the C-M Zone and being similar in nature to a use, subject to a use permit, as found in the Placentia Municipal Code § 23.39.030(6).

(iii) Based on the public testimony and Planning Commission discussion of findings in support of granting a Use Permit to the proposed use, the Planning Commission directed staff through a 5-0 vote to continue the Public Hearing to May 8, 2012 and return to the Planning Commission with findings necessary to approve the proposed use.

(iv) On May 8, 2012 this Commission conducted a duly continued public hearing and concluded said hearing prior to the adoption of this Resolution.

(v) 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 compelling evidence presented to this Commission during the public hearings conducted with regard to the Application, including written staff reports, verbal testimony, Planning Commissioner discussion and direction, 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, with the granting of a Use Permit, will comply with all applicable code requirements and development standards of the "C-M" Commercial Manufacturing District and it is not anticipated that the proposed dance studio/dance hall 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, as conditioned and allowed by the Planning Commission, is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Commercial Manufacturing", which provides for a variety of commercial and industrial compatible uses. Based on evidence and testimony presented during the public hearings, a social dance instruction studio, under a use permit, relates to similar uses and is in accord with the general purpose of the Commercial-Manufacturing District. As evidenced through the public hearings and found by the Planning Commission, the commercial manufacturing uses currently present on the immediate parcel are not contradictory to the hours and use proposed by the applicant.

c. The proposed use, activities 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 dance studio/dance hall facility within the proposed tenant space. Although a dance studio is not specifically listed as a permitted use in the Commercial Manufacturing (C-M) District, Section 23.39.030(19) of the Placentia Municipal Code indicates that a use permit may be approved for "Other uses that the planning commission finds to be in accord with the purpose of this chapter and having characteristics similar to those uses

listed in this section." A social dance studio has certain characteristics that appear similar to those of a church, which is an approved use, subject to Use Permit approval, listed in Section 23.39.030(6) of the Placentia Municipal Code. These characteristics include scheduled participation times, large group activities, unconventional hours of operation, festivities/socials, socialization of members, class participation and staff monitoring.

The proposed physical site can also be considered suitable for a dance studio use with its large interior warehouse spaces, high ceilings and lack of vertical interior structural columns that could otherwise interfere and pose a hazard to dancers on the dance floor. The large glass commercial store front windows could also help with visibility and the marketability of this business as well as assist with the retail sales of dance related products.

Approval of the Use Permit for the dance studio/dance hall is consistent with the zoning as the site can accommodate the proposed use and is not the granting of a special privilege since other similar uses have been conditionally permitted within the "C-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 2012-04 to ensure compliance with the Placentia Municipal Code.

3. CEQA 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 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 § 15301) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2012-04, 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 2012-04 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 8th day of May, 2012.

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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 8<sup>th</sup> day of May, 2012, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8<sup>th</sup> day of May, 2012, by the following vote:

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

ATTEST:

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Secretary to the Planning Commission

**Attachment "B"**  
**Special Conditions of Approval and Standard Development Requirements for  
Use Permit (UP) 2012-04**

**Project Applicant:** William Carpenter and Alison Aicard  
**Project Address:** 310 E. Orangethorpe Avenue, Suites G, H and J

**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) 2012-04 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) 2012-04 shall expire and be of no further force or effect if the dance studio/dance hall use of the building, as a primary use, is discontinued or abandoned for a period of one (1) year. Use Permit 2012-04 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 operation of the dance and music studio, 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 - Thursday:	8:00 a.m. to 11:00 p.m.
Friday-Saturday:	8:00 a.m. to 1:00 a.m.
Sunday:	8:00 a.m. to 11:00 p.m.

6. Prior to any change in classroom size, the applicant shall obtain written approval from the Director of Development Services or his/her designee. There shall be no more than sixty (60) people in attendance at any time utilizing this dance studio/dance hall unless otherwise allowed through a discretionary use or entertainment permit obtained through approved City of Placentia processes.
7. Prior to any modification of the floor plan or session size 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. 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.
10. 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.
11. 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.

12. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.

13. 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.

14. This site shall operate as a dance studio/dance hall 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.

15. 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 48 hours of defacement and/or upon notification by the City.

16. 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.

17. 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, to include but not limited to, open dance events not related to ongoing instructions, open houses, utilization of food trucks, dance contests, etc., shall be processed through the applicable City of Placentia permit process in place at the time of application.

18. 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.

19. No drop-off/pick-up activities from motor vehicles shall be permitted to occur at any time within the commercial-industrial property's drive aisle. Parents/Drivers shall park their vehicle prior to drop-off/pick-up and shall accompany students to and from the main entrance/reception area on the north side of the tenant space.

20. There shall be no loitering, sitting or standing outside of the building prior to or after any activities, including dance lessons and public dances.
21. 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.
22. This use permit shall be reviewed one (1) year from the date of its approval in order to determine if the business is operating in compliance with all required Special Conditions of Approval and Standard Development Requirements. Subsequent reviews shall be made each year thereafter or sooner, if needed. Review shall be conducted jointly by the Director of Development Services and Police Chief or designee, and based on that review a recommendation to the Planning Commission for modification and/or revocation may be made.
23. The employee break area shall be used for employees and shall not include any open flame or instrument of heating other than a microwave or standard toaster/toaster oven device. The employee break area shall not be utilized for food service for events, dances or other promotional occasions.
24. Applicant/property owner shall install additional lighting in the parking lot area for the safety of students during night time instruction and said lighting shall be appropriately timed to coincide with hours of operation, ceasing no earlier than thirty (30) minutes 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.
25. Applicant shall comply with all regulations of Chapter 6.52, Public Dances of the Placentia Municipal Code (see Exhibit 5 of this report).
26. Alcoholic beverages are prohibited on or within the premises at all times. Persons who appear or exhibit signs of intoxication shall not be permitted to enter or remain in the facility at any time. Signage indicating that no alcohol is allowed shall be displayed appropriately and as approved by the Director of Development Services.
27. No person under eighteen years of age shall enter, be in, or dance in the facility unless accompanied by his or her parent or legal guardian after 10 p.m. or during any time when the general public is admitted for open dance.
28. No person shall dance in any obscene manner, as defined in California Penal Code Section 311.
29. 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.

30. Classes shall be scheduled with a 15 minute interval between sessions to allow for the exiting of students and vehicles before the start of the next class.

**CITY BUILDING DIVISION:**

30. The applicant shall obtain all necessary approvals from the City prior to constructing any tenant improvements. The plans for the tenant improvements shall be prepared by a California-licensed architect or engineer.
31. Applicant shall obtain applicable regulatory agency approvals, to include, but not be limited to City of Placentia Building and Safety Division, and Orange County Fire Authority (OCFA) approvals for the entire facility. The use and occupancy, as of the date of approval by the Building Official, is considered an A-3 classification, *dancehall*, with occupancy set not to exceed 299 persons. Such classification is contingent upon OCFA review.
32. Applicant shall provide adequate exits with illuminated exit signs pursuant to the California Building Code (2010 Edition) requirements.
33. Applicant/property owner shall obtain demolition permits for removal of any existing interior tenant improvements.
34. 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.
35. Applicant shall obtain Orange County Fire Authority approval prior to final occupancy. Applicant shall submit floor plans to Orange County Fire Authority for review.
36. Applicant shall provide exit signs with an illumination system. Labels reading "Door shall remain open from inside during business hours" shall be installed on top of all required exit doors.
37. There shall be two (2) water closets in the men's restroom and three (3) water closets in the women's restroom. Restrooms shall meet Title 24 Access requirements.

**CITY POLICE DEPARTMENT:**

38. The establishment shall remain in compliance with Placentia Police Department Standard Development Requirements for security (See Attachment C).

39. Compliance with all Placentia Municipal Codes as they pertain to "Public Dances", Placentia Municipal Code Sections 6.52 through 6.52.230.
40. The 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.
41. 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.
42. Sales, services and consumption of alcoholic beverages shall never be permitted on the premises, within or outside the establishment, nor to the rear of the establishment.
43. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.
44. Graffiti shall be removed from the exterior walls and windows of the premises within 48 hours of discovery.
45. 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.
46. Lighting in the parking area of the premises shall be directed, positioned, and shielded in such a manner so as not to unreasonable illuminate the window area of nearby residences, residential facilities to include hotels/motels, or adjacent commercial facilities.
47. The Police Department may require uniformed, State licensed security guards to perform crowd control inside/outside the establishment, based upon the type of activities anticipated or history of activity at this business.
48. Parking lot lights shall remain on until at least 30 minutes after closing time.
49. Parking lot should be cleared of their patrons within 15 minutes of closing when open past midnight.

**ORANGE COUNTY FIRE AUTHORITY:**

50. 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 2012-04  
**APPLICANT:** William Carpenter and Alison Aicard  
**LOCATION:** 310 E. Orangethorpe Avenue, Suites G, H and J

## **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  $\frac{3}{4}$ ) 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 ¼) 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)**

Special Conditions of Approval numbers 38-46 are 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](http://www.ocfa.org) • (714) 573-6100 / Fax (714) 368-8843

Date: March 12, 2012

To: City of Placentia Department of Development Services  
Attention: Monique Schwartz, Associate Planner

From: Lynne Pivaroff, Fire Prevention Analyst

Subject: **OCFA Service Request SR #156166, City Reference # Use Permit 2012-04**  
**310 E. Orangethorpe 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

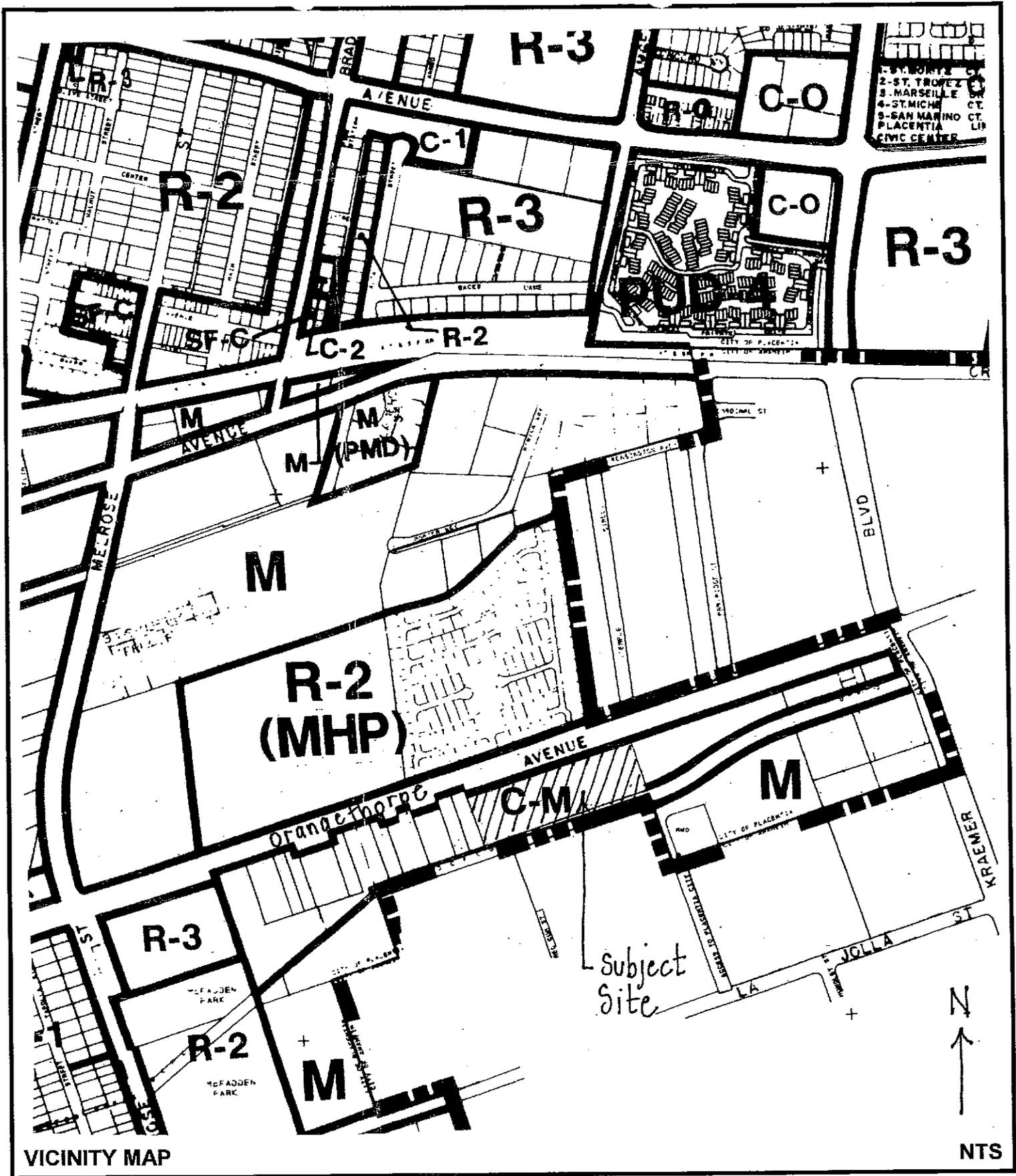
Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

*Prior to issuance of a building permit:*

- architectural (service codes PR200-PR285)- The architectural review will determine occupant load, exiting requirements and if fire sprinklers and or alarms are required.

Specific submittal requirements may vary from those listed above depending on actual project conditions identified or present during design development, review, construction, inspection, or occupancy. Standard notes, guidelines, submittal instructions, and other information related to plans reviewed by the OCFA may be found by visiting [www.ocfa.org](http://www.ocfa.org) and clicking on "Fire Prevention" and then "Planning & Development Services."

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](mailto:lynnepivaroff@ocfa.org).



VICINITY MAP

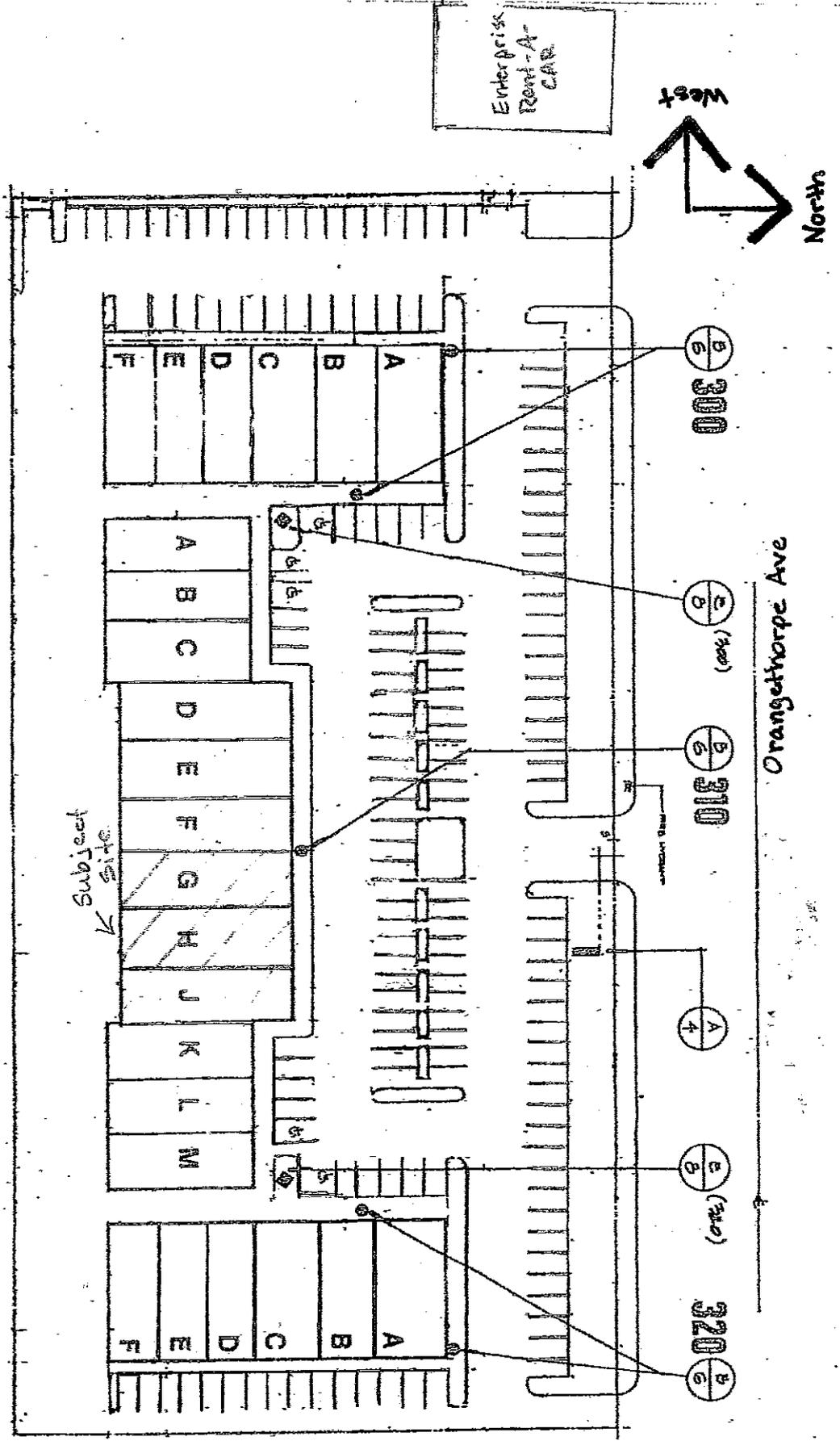
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PLANNING DIVISION REPORT  
 UP 2012-04  
 Exhibit 1

Vicinity Map 310 E. Orangethorpe Ave.

Carbon Creek Channel



PLANNING DIVISION REPORT

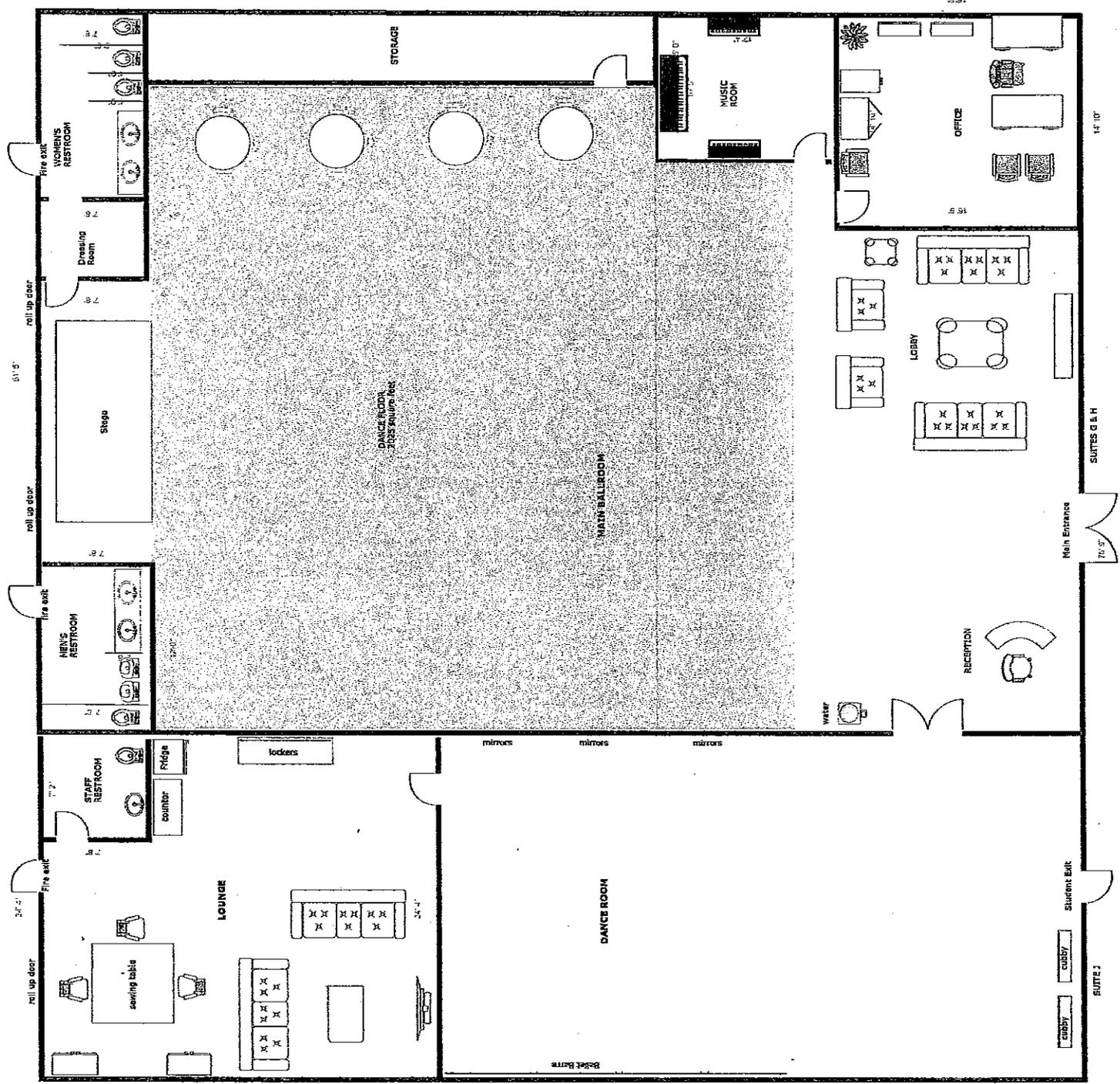
APPLICATION: UP 2012-04

EXHIBIT: 2

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DATE: 5-8-12

Alfreda Ballroom  
 310 E. Coliseum Ave.  
 Fremont, CA 94570  
 Suite J 3752 square feet  
 Suite K 3772 square feet  
 Total Square Feet 7,524



**PLANNING DIVISION REPORT**  
 APPLICATION: UP 2012-04  
 EXHIBIT: 3  
 PAGE 1 OF 1  
 DATE: 5-8-12

**Allegro Ballroom  
Business Plan/  
Statement of Use**

200 Chinook Cir.  
Placentia, CA 92870  
Alison Aicard : (714)869-6014  
William Carpenter: (909)527-0747

February 2012

**UP 2012-04**

PLANNING DIVISION REPORT  
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## **Introduction**

William Carpenter and Alison Aicard have been business partners in various projects for four years now. They have been working toward opening a studio for the past three years. The location they have decided on for their studio is the very first place they looked over three years ago. They have spent the last three years making business connections, researching business trends, and building a dance following to ensure the success of their business, once started. Preliminary funding has been secured and an agreement has been made between the owner of the property and proposed lessees. All that remains is approval by the City of Placentia to grant use of this space for this educational institution.

## **Executive Summary**

The concept of Allegro Ballroom is to provide a venue that promotes a love of the arts. Instruction in all forms of dance, with an emphasis on American style ballroom and Salsa, and classical music will be offered. This objective will be strengthened with performances, competitions, and parties. (note: not all of these events will take place at studio)

Allegro ballroom is in a start-up position with a beginning date of May 10, 2012. This is when the doors will open to the public. Dance instruction is currently being taught by William Carpenter in various studios throughout Orange County and LA and in May the plan is to have everyone brought together here in Placentia.

Ballroom is generally a very expensive hobby that few are involved in. In America the arts have taken a backseat to activities such as watching television or movies, sports, work and school. Thanks to the popular TV shows however, "Dancing With The Stars," and, "So You Think You Can Dance", people are becoming interested in the classic arts. A few years ago most people in the US didn't know what ballroom dancing was all about. Now that they are seeing how fun it looks and that "anyone" can do it more and more are seeking instruction. In countries such as the Soviet Republic, ballroom dance is a popular, competitive sport. Many children start young, training to compete. The style they dance is called International and many studios here in California teach that style. American Rhythm is similar but is the social style of choice for the states. It has been gaining popularity and few studios focus on this style. The United States Dance Council is undergoing plans to make both the International Style and American Style competitive olympic sports.

The studio will be 5,400 square feet in total which can accommodate over 600 people (according to fire safety code), however for the purposes of the studio no more than 60 people will be on premises at any given time, including parties and performances. The instructional area of the studio will be divided between two primary rooms, the Dance Room, and the Main Ballroom. The main ballroom will be equipped with professional audio and lighting systems. The dance floor will be approximately 2,000 square feet. The appearance will be open and inviting with a classic Venetian ambiance.

Allegro Ballroom will generate sales through nine revenue streams that comprise the company's services:

- Ballroom Dance Lessons
- Ballroom Dance Classes
- Contemporary Dance Classes
- Pilates Classes
- Student Practice Parties/Socials
- Private Party bookings
- Piano lessons
- Floor rental by other dancers
- Recitals

The owners are aware of the risk involved in opening a business, especially in this economy, that offers entertainment and leisure services. If in the event net profitability cannot be attained, the owners will consider bringing on investment partners.

### **Objectives**

1. Make ballroom dancing affordable and enjoyable to people of all ages.
2. Promote the classic arts of dance and music and provide the tools for people to incorporate them into their busy lives.
3. Provide a complete and well rounded foundation in dance instruction for those that wish to become professionals in the field.
4. Create financial independence for the owners in order for them to be able to fund their philanthropic dreams.

### **Mission**

The mission of Allegro Ballroom is to create an educational, entertaining, and culturally rich community venue for the residence in North Orange County. Allegro Ballroom will be an accessible and affordable venue, offering unique and appealing services for all visitors.

The purpose of Allegro Ballroom is to provide the residents of Placentia, and beyond, with quality instruction in an enjoyable, pleasant atmosphere. It will provide an excellent place and opportunity for social interaction through hosted parties, dances, and shows. The studio will focus heavily in creating a strong sense of community with their approach in forming a dance "family." This, in no way will take away or compete with Atomic Ballroom. The two studios are very much different and will work together in their efforts.

### **Keys to Success**

The Allegro Ballroom has three keys to success.

Location--The studio is centrally located between Orange County , LA, and the Inland Empire. It is located at the edge, if you will, of all ballroom dance studios which

make Yorba Linda, Anaheim Hills, Diamond Bar, Chino, and Corona cities of focus for new clientele.

**Low Operating Cost**—The studio will be run and operated by its owners which means all instruction, accounting, budgeting, advertising, DJ-ing, MC-ing, and promotion will be done by the owners. In addition much of the initial renovations will also be done by the owners such as painting, laying of the dance floor, tile work etc.

**Wide range of services**— Most ballroom studios offer instruction in only partner-style dancing. Allegro Ballroom will also offer ballet, jazz, hip hop, tap, pilates, and music.

## **Company Analysis**

### **About the Company**

Allegro Ballroom is in a start-up position with a beginning date of April 2012. The company expects to lease space in April 2012; with a one-month build-out of the space, it will open its doors to the public in May 2012. The company is on a May through April fiscal year.

Allegro Ballroom will offer private and group lessons, open to the public between the hours of 8:00am and 11:00pm, seven days a week. Focus will be on, but not limited to the American Style dances which include Waltz, Foxtrot, Tango, V. Waltz (American Smooth), Rumba, ChaCha, East Coast Swing, Bolero, Mambo (American Rhythm). The curriculum will be centered around the Dvida Syllabus which is currently the primary syllabus used by the National Dance Council of America.

### **Company Ownership**

Allegro Ballroom will operate as a general partnership between William Carpenter and Alison Aicard.

Allegro Ballroom is a new, independent business, however it is also considered an expansion of William Carpenter's existing business. He has been teaching independently for three years and carries with him a large client base.

William Carpenter has extensive experience in all aspects involved in running a successful dance studio. From 2008 to present, he has worked as the Event Manager for several dance congresses. From 2008-2009 he was the lead instructor and assistant closer for the Imperial Dance Academy located in downtown Fullerton. William was also the top in lesson sales, lessons taught, and overall revenue from 2007 to 2009 at the Imperial Ballroom. In 2010 he was the director of the ballroom elective program at Orange County high School of the Arts, where he was responsible for teaching all advanced classes and organizing dance concerts. During 2010 and 2011 he held temporary positions as studio manager at OC Dance Studio in Orange and Dance Asylum in Costa Mesa. There, he increased sales by up to 75%, increased efficiency in scheduling, and established new avenues of advertisement. William's dance training includes one-on-one instruction by Dennis Lyle, former owner of the Imperial Dance Academy and collaborating writer of the Dvida Syllabus.

Alison Aicard holds a Bachelors in Music from Cal State Northridge with a minor in dance. She has been an independent piano teacher for 4 years, during which time she has taught private lessons, group classes, and summer music camps. She has held various jobs in all areas of the entertainment industry from performing to building sets and staging. She has been dancing ballroom for 4 years and has performed and competed.

**Start-up Summary**

A private loan has been secured in the amount of \$35,000. This will be used for initial development, fees and permits. Revenue for the first few months will fund additional expenses such as furniture, decorations, etc.

The following table summarizes the company's start-up position.

---

**Start-up Requirements**

**Start-up Expenses**

Rent	\$10,000
Flooring	\$13,000
Marketing (bcards, brochures, etc.)	\$1000
Sound Equipment	\$2000
Office and Lobby Furniture	\$2000
Computer, office equipment	\$1000
Signage	\$600
Renovation	\$4000
<b>Total Start-up Expenses</b>	<b>\$33,600</b>

**Benefits to the Community**

**Economic Development**

Temporary jobs will be created by Allegro Ballroom for General Contractors and Plumbers. Local business will be supported through the purchasing of materials, furniture, audio equipment etc.

**Community Development**

The owner's of Allegro Ballroom are strong proponents of community development and philanthropy. William started a performance dance team four years ago that gives passionate young dancers the opportunity to train, perform, and compete at little to no cost. As a registered non-profit organization the team fundraises for their financial needs such as costumes and travel. William often subsidizes their financial obligations. This is

just one example of how he donates his time and money to make others' dreams come true.

### **Human Development**

William and Alison love helping others and especially those that are close to them. Many of the dancers on the performance team are students in poor financial situations. The studio will give them an opportunity to earn money through various jobs while doing what they love.

### **Industry Analysis**

Allegro Ballroom operates in the Education and Recreation industries.

Local competitors, if you will are Atomic Ballroom, Fullerton Dancesport, and Dance Depot. These businesses are not considered competitors to people in the dance community because of the nature of the studios. Each studio has a very different product and any commonalities, such as evening socials, will not compete with other studios. These activities will operate at different times and many students like to visit different venues.

Atomic Ballroom is the closest studio in proximity. Both Allegro Ballroom and Atomic Ballroom will operate in very similar ways and share clientele. There will be private lessons, classes, and evening socials for students. One difference however, is that much of the marketing for Atomic is done in and around their primary location which is currently located in Irvine. Allegro Ballroom will draw new dancers from areas farther north. It's new primary demographics will be significantly different as well. As a dance-intensive training school, Allegro Ballroom will market to children and young adults interested in competing and becoming highly skilled dancers.

### **Management Team**

The owner's, William Carpenter and Alison Aicard will be running every aspect of the company. William has extensive experience running dance studios and teaching dance. He will be the head of the company. Alison will responsible for the daily tasks involved in running a business like scheduling, pay bills, preparing written documents etc. They will both be paid a salary based on net profits. As the business grows additional revenue will be reinvested in various way.

### **Additional Staff**

Teachers will be brought on as independent contractors and will be paid hourly to teach designated classes. Three teachers will be brought on in the early months. One for Ballet, one for Modern, and one for Pilates.

A security guard will be brought on as an independent contractor per-diem.

## **Operations Plan**

### **Location and Space Requirements**

The proposed location of Allegro Ballroom is to be located at 310 E. Orangethorpe Ave. Suites G, H, & J, Placentia, CA 92870. This space is located within a retail/manufacturing strip over 43,000 square feet with 160 parking spaces. With the addition of Allegro ballroom the strip will be 36% vacant. Over the course of three weeks of observation of the premises there has been no more than 10 cars parked at any given time during normal business hours. During these same hours Allegro Ballroom will use no more than 20 parking spaces.

### **Products and Services**

The following revenue streams represents Allegro Ballrooms services

#### *Ballroom Dance Lessons:*

Lessons will be purchased in "packages." They will be scheduled weekly or bi-weekly but be purchased in packages of anywhere from 5 to 100 lessons. Discounts will be given for larger packages. Lessons will be offered in Cha Cha, Rumba, Bolero, Salsa, Mambo, East Coast Swing, West Coast Swing, Tango, Argentine Tango, Waltz, Vienese Waltz, Foxtrot, Bachata, Marengo, and Samba. Lessons will be one hour in length. One-on-one instruction is the best way to develop ones skills.

#### *Ballroom Dance Classes:*

Classes can be purchased one at a time, as a drop in for \$15. For a discount, they can be purchased in bundles of 5, 10, or 20. Monthly unlimited passes will also be available for purchase which will entitle its holder to attend as many classes as they wish. Classes will be held between the hours of 5:00 and 9:00pm. Attendance is expected to be lower in the earlier class times but ranging from 5 to 30 people. Classes offered will be in Cha cha, Rumba, Bolero, East Coast Swing, West Coast Swing, Salsa, Bachata, Waltz, Vienese Waltz, Foxtrot, Argentine Tango. Classes will be offered in four levels; Kid, Beginning, Intermediate, and Advanced. Group classes are a great way to learn different combinations or practice what is taught in private lessons. There are no set partners and everyone dances with everyone. This is a great way to meet new people and practice dancing with different peopl.

#### *Contemporary Dance Classes*

Classes will be progressive and as such will be charged on a monthly basis. Students can choose to drop-in as well to any class they choose. Classes will be offered to four age groups: Ages 6-9, Ages 10-14, Ages 14-18, and Adult. Classes offered will be Ballet, Modern, Tap, Jazz, and Hip Hop. Maximun class size will be 10, 15, and 20 students per class depending on age of the students.

#### *Pilates Classes:*

Classes will be held daily. Classes can be purchased one at a time or monthly for a discounted rate. The purpose for including Pilates in the studio curriculum is to offer physical fitness training for developing dancers. Classes will be offered to Ages 12 and up. Anyone under the age of 16 will be required to have a parent in the class.

### *Student Practice Parties/Socails:*

There will be weekly parties in which students will come together in the evening hours to practice what they are learning. It will be a party type atmosphere with dimmed lights, disco ball, and a professional DJ. These socails will be open to all students of Allegro Ballroom and surrounding studios. Attendance is estimated at 20-40 people. Security guard will be present.

### *Private Party bookings:*

This venue will be available for booking private parties. This service will be offered to students and families of students. Types of parties that will be permitted are Birthdays, Anniversaries, and baby showers. There will be no alcohol served. If customers would like food they may have it catered, no food will be prepared on premises. The studio will provide a security guard to watch the door the entire duration of the party. Owners will be present during the entire duration as well. Parties will be scheduled during non-prime hours such as evenings and weekends.

### *Piano lessons:*

Private and small group lessons will be offered to children (over 5 yrs. Old) to adult. Lessons will be charged monthly. A traditional method book will be used and paid for by the student.

### *Floor rental by other dancers:*

It is commonplace for dance studios to rent their floor to fellow dancers. Allegro Ballroom will also offer this. The fee will be \$8 an hour per person/couple or \$20/hour to rent the entire dance room. This will take place during studio operating hours, while other events are going on, and with the owners present.

### *Recitals:*

Semi-annual recitals may be held at the studio for any students who wish to participate. Anticipated attendance to these events is 40-60 people. These will not be held during regular business hours. Recitals are a great way for students to showcase what they are learning. They can perform with partner, their teacher, or group of dancers.

### **Days and hours of operation**

Sunday-Thursday 8:00am-11:00pm

Friday-Saturday 8:00am-1:00am

These are the hours that the company will have its doors unlocked and will be available to book lessons. The owners will be present, working on business related tasks. There will be few students during the daytime hours. Between the hours of 5:00pm and 8:00pm classes will be held. Two classes will be able to run simultaneously, one in the dance room and one in the main ballroom. Ballroom classes will have 5-30 students at a time and contemporary dance classes will have 3-12 students at a time. It is feasible to believe that less than 25 cars will be parked during these hours; many students attend with a partner and some of the students in the children's classes will have parents taking

classes in ballroom.

## **Marketing Plan**

### **Marketing Strategy**

Our marketing budget is set at 1% of our overall sales revenue. This budget will be used to reach our targeted customers through cost-effective marketing campaigns. On-going processes will be geared to promote the studio name and keep current clients. Our marketing efforts will focus on the following channels for reaching new customers:

- . Website
- . Internet
- . Print
- . Neighborhood Marketing
- . Radio
- . Email/Newsletter
- . Promotions

Our first month will focus on our grand opening event. An aggressive, comprehensive marketing campaign will precede the grand opening. A Facebook advertising campaign will precede the event as well, giving away free classes and promotional materials with the studio name and logo.

#### *Website*

A website is an important component of our advertising and marketing campaign, allowing us to stay in contact with our customers and provide up-to-date information regarding all of our programs. We will launch a website within the first month of operations, and develop the website's content over the first two-months. The site will include schedules, course descriptions, online registration, and upcoming events.

#### *Internet*

Google, Facebook, Groupon, Living Social, and Yellow Pages will all be sites to which the studio will advertise. In addition to the website, the studio will keep all information current on Facebook.

#### *Neighborhood Marketing*

Coupon mailings will be sent out to local residents.

#### *Promotions*

Water bottles, yoga mats, pens, magnets, and bumper stickers bearing the company logo will be marketed, as well as given away as prizes to spread awareness.

#### *Email/Newsletter*

Loyal, repeat customers are critical to our success. To drive repeat business revenue, we will maintain an 'opt-in' database of customers. This valuable database will be used to distribute monthly email newsletters. The newsletter will be a vehicle to announce our upcoming programs and specials. The newsletter will provide timely information regarding entertainment schedules, educational course offerings, and special Members

announcements.

## **Appendix**

Class Schedule

Floor Plan

Vicinity Map

# Studio Schedule

	<b>MONDAY</b>	<b>Tuesday</b>	<b>Wednesday</b>
8:00am-4:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice
5:00pm -	Rm 1 Class: Kids Latin/Rhythm Rm 2 Class: Pilates	Class: Kids Ballroom Class: Pilates	Class: Kids hip hop Class: Pilates
6:00 pm -	Rm 1 Class: Adult Beginning chacha Rm 2 Class: Kids Ballet beg.	Class: Adult Beginning Foxtrot Class: Kids Jazz beg.	Class: Adult Beginning Rumba Class: Adult hip hop beg.
7:00pm -	Rm 1 Class: Adult Int. Chacha Rm 2 Class: Kids Ballet Adv.	Class: Adult Int. Foxtrot Class: Kids Jazz adv.	Class: Adult Int. Rumba Class: Adult hip hop adv.
8:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice
9:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice
10:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice
11:00pm	Close	Close	Close
11:00pm	Close	Close	Close

	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
8:00am-2:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice
2:00pm	Private lesson/practice	Private lesson/practice	Performance team practice
3:00pm	Private lesson/practice	Private lesson/practice	Performance team practice
4:00pm	Private lesson/practice	Private lesson/practice	Performance team practice
5:00pm -	Rm 1 Class: Latin Cardio Rm 2 Class: Pilates	Kids Ballroom Team Class: Pilates	Class: Kids Salsa Class: Bachata
6:00 pm -	Rm 1 Class: Adult Beginning Waltz Rm 2 Class: Kick Boxing	Kids Ballroom Team Class: TBD	Class: Adult Beginning Salsa Class: Cha Cha
7:00pm -	Rm 1 Class: Adult Int. Waltz Rm 2 Class: Yoga	Class: Tango Class: TBD	Class: Adult Int. Salsa
8:00pm	Private lesson/practice	Ballroom Social	Salsa Social
9:00pm	Private lesson/practice	Ballroom Social	Salsa Social
10:00pm	Private lesson/practice	Ballroom Social	Salsa Social
11:00pm	Private lesson/practice	Ballroom Social	Salsa Social
12:00am	Close	Ballroom Social	Salsa Social
1:00am	Close	Ballroom Social	Salsa Social

### Sunday

Private lesson/practice  
 Performance team practice  
 Performance team practice  
 Performance team practice  
 Performance team practice  
 Performance team practice

# Amendment to Statement of use for Allegro Ballroom

200 Chinook Cir.  
Placentia, CA 92870  
Alison Aicard : (714)869-6014  
William Carpenter: (909)527-0747

March 15, 2012

This statement is an amendment to our previously submitted Statement of Use. The following pages have changes.

Page 3. Executive Summary-revenue streams will not include private parties

Page 8: "Private Party bookings" will not be a service offered

The studio will no longer desire to host banquets, private parties, or similar events. Its focus will be on dance instruction.

## PLANNING DIVISION REPORT

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**Placentia Municipal Code**

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Title 6 BUSINESS LICENSES AND REGULATIONS

Chapter 6.52 PUBLIC DANCES

**Article I Public Dances Generally****6.52.010 Definitions.**

- (a) "Police chief" means the chief law enforcement officer of the city.
- (b) "Dance" as used in this chapter, means rhythmic tripping or stepping, accompanied by the turning or moving of the body or limbs with or without the accompaniment of music, or the assistance, participation, or accompaniment of another person or persons.
- (c) "Public dance" means a gathering of persons in or upon any premises where dancing is participated in, either as a main purpose for such gathering or as an incident to some other purpose, and to which premises the general public is admitted. "Public dance" as used herein includes dances where attendance is limited to members and/or guests of any business entity, social, educational, philanthropic, charitable, or similar organization.
- (d) "Public dancehall" means a place where public dancing is conducted, whether for profit or not for profit, and to which the general public is admitted either with or without charge, or at which the general public is allowed to participate in the dancing either with or without charge. (Ord. 79-O-127 (part), 1979)

**6.52.020 Permit and license required.**

No person shall carry on a public dance without first having secured such permits and licenses as shall be required by the city. (Ord. 79-O-127 (part), 1979)

**6.52.030 Permit—Application.**

All applications for permits shall be accompanied by a filing fee as set forth in Section 5.08.150, shall be in writing, shall be filed with the city and shall contain such information as will enable a reasonable investigation to be made to determine whether or not the allowing of public dancing in the place for which such permit is sought will be adverse to the public health, welfare or safety of the community. (Ord. 79-O-127 (part), 1979)

**6.52.040 Permit—Issuance—Rules and regulations.**

If the investigation provided for in Section 6.52.030 discloses that public dancing, as proposed by the applicant, will not be adverse to the public health, welfare or safety of the community, a permit shall be issued. All permits issued shall specify any rules and regulations promulgated pursuant to this chapter to insure that such public dance will not be adverse to the public health, welfare and safety of the community. (Ord. 79-O-127 (part), 1979)

**6.52.050 Rules and regulations.**

(a) The police chief may establish rules and regulations governing the operation of public dances supplementing the provisions of this code. Any permit issued for a public dance during which any violation of such rules and regulations occurs shall be subject to revocation.

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(b) Any rules and regulations established by the police chief to supplement the provisions of this code, together with a copy of the sections hereof pertaining to the operation of dances, shall be and remain posted in a conspicuous place in every dancehall for which a permit is or has been issued. (Ord. 79-O-127 (part), 1979)

#### **6.52.060 Revocation of permit.**

Permits issued pursuant to this chapter may be revoked by the police chief for violation of any rules and regulations promulgated under this chapter. Any permit so revoked shall not be reissued to the same person or organization within a twelve (12) month period following the date of such revocation. (Ord. 79-O-127 (part), 1979)

#### **6.52.070 Appeal of revocation.**

Any person aggrieved by the action of the police chief in revoking any permit pursuant to Section 6.52.060 may appeal such revocation to the city council by filing a written notice thereof with the city clerk within ten days of the date of such revocation. The city council shall render a decision within thirty (30) days from receipt of said notice by the city clerk and the decision of the city council, after a hearing on the appeal, shall be final and conclusive. (Ord. 79-O-127 (part), 1979)

#### **6.52.080 Illumination.**

No person carrying on a public dance, or having charge or control thereof, nor any person employed in or about the same, shall carry on such public dance unless the room or hall in which dancing takes place, including any loge, booth or alcove, is lighted or illuminated in such manner and to such extent as is usual or customary for lighting or illuminating halls or rooms of like dimensions in the nighttime for public assemblies and in no event to an intensity of less than one footcandle in all parts of the building. Such lighting or illumination shall be maintained throughout the entire time while such dancing is in progress without diminution or without interruption until such dancing is concluded and until all dancers leave the premises. (Ord. 79-O-127 (part), 1979)

#### **6.52.090 Public dancehall restrictions—Minors.**

(a) No person under eighteen years of age shall enter, be in, or dance in any public dancehall unless accompanied by his or her parent or legal guardian. No parent or guardian of a person under eighteen years of age, or the proprietor or person in charge of any public dancehall, shall permit any such person to enter, be in, or dance in any public dancehall unless accompanied by his or her parent or legal guardian.

(b) No person shall represent himself or herself as being eighteen years of age or over when in fact his or her age is less than eighteen years. No person shall falsely represent him or herself as a parent or legal guardian of any minor person in order that such minor person may attend or remain at a public dancehall.

(c) Nothing in this section shall apply to public dances conducted by or under the auspices of the board of education, the city or by any club or organization specifically authorized by the city council in writing to conduct dances for persons under eighteen years of age. (Ord. 79-O-127 (part), 1979)

#### **6.52.100 Morning dancing.**

No person shall dance in any public dancehall on any day between the hours of 2:00 a.m. and 6:00 a.m. (Ord. 79-O-127 (part), 1979)

#### **PLANNING DIVISION REPORT**

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**6.52.110 Enclosures.**

There shall be no alcoves or enclosures of any kind in a public dancehall, excepting only toilet facilities and excepting also office rooms to which patrons shall not have access. (Ord. 79-O-127 (part), 1979)

**6.52.120 Disorderly conduct.**

- (a) No person in charge, or assisting in the conduct of any public dancehall shall permit any intoxicated, boisterous or disorderly person to enter, be or remain in or to assist in any such dancehall.
- (b) No person in an intoxicated condition shall enter, or remain in any public dancehall.
- (c) No person shall conduct him or herself in a boisterous or disorderly manner in a public dancehall. (Ord. 79-O-127 (part), 1979)

**6.52.130 Improper dancing.**

- (a) No person shall dance in any obscene manner, as defined in California Penal Code Section 311, or in a manner which appeals to prurient interest; nor shall any person engaging in such conduct be permitted to remain in any public dancehall by the proprietor, operator, or person in charge of such public dancehall.
- (b) Any patron of a public dancehall who violates any of the provisions of this chapter or any rules of the police chief pertaining thereto may be excluded from the dancehall by the person in charge of the public dancehall, or by an officer of the police department. (Ord. 79-O-127 (part), 1979)

**6.52.140 Marathons—Prohibited.**

No person shall carry on or participate in any so-called marathon dancing contest, exhibiting of endurance dancing, or any contest or exhibition or dancing for time or distance, or by any other name by which the same may be known within the city. (Ord. 79-O-127 (part), 1979)

**6.52.150 Dancing for hire.**

- (a) No person carrying on a public dance, or having charge or control thereof, shall employ or permit any person under the age of eighteen years to give instruction in dancing therein or thereat, nor shall permit any person to dance for hire therein or thereat, nor shall any person give instruction in dancing for hire in any dancehall except when such instructors are specifically authorized by the police chief in writing to give dancing instruction.
- (b) No person carrying on a public dancehall, or having charge or control thereof shall permit any instructor to give instructions in dancing in any private room in any public dancehall. For the purpose of this section the term "private room" includes any room, booth, alcove or enclosure, every part of which is not clearly visible at all times from the main dancehall. (Ord. 79-O-127 (part), 1979)

**6.52.160 Police supervision.**

The police chief may require that the applicant for a dance permit employ police officers or security guards to supervise a public dancehall shall not relieve the proprietor thereof, or any of this employees, from the responsibility for complying with the provisions of this code or for violations of any law or ordinance or lawful rule of the police chief. (Ord. 79-O-127 (part), 1979)

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**6.52.170 Set-ups.**

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No person maintaining or operating a public dancehall, or having charge or control thereof, shall serve or permit to be served any drinks other than individual drinks, or to serve or permit to be served cracked ice in glasses or otherwise, or serve or permit to be served what is commonly termed a "set-up." (Ord. 79-O-127 (part), 1979)

**6.52.180 Smoking on dance floor.**

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No person shall smoke on any dance floor while dancing is in progress. (Ord. 79-O-127 (part), 1979)

**6.52.190 Places where alcoholic beverages are dispensed—Public dancing, entertainment permits.**

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No person shall maintain or operate or assist in the operation or maintenance thereof of any public place wherein alcoholic beverages are dispensed and wherein entertainment is offered or public dancing is permitted, or facilities are provided therefore, without first obtaining from the city a permit to do so and without first having acquired such licenses as may be required by the city. (Ord. 79-O-127 (part), 1979)

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Placentia Municipal Code

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Title 6 BUSINESS LICENSES AND REGULATIONS
Chapter 6.52 PUBLIC DANCES

Article II Dances for Minors

6.52.200 Generally.

The regulations in Sections 6.52.200 through 6.52.230 shall apply to public dances conducted for persons eighteen years of age or less. (Ord. 79-O-127 (part), 1979)

6.52.210 Alcoholic beverages prohibited.

It is unlawful to sell or make available or to consume alcoholic beverages at any place where a public dance for persons eighteen (18) years of age or less is conducted. (Ord. 79-O-127 (part), 1979)

6.52.220 Participation of adults prohibited.

It is unlawful for any person twenty (20) years of age or older to attend any public dance for persons eighteen (18) years of age or less, unless such person has written authorization from the police chief. (Ord. 79-O-127 (part), 1979)

6.52.230 Loitering prohibited.

It is unlawful for any person to loiter around the premises at which a public dance for persons eighteen (18) years or less is being conducted. (Ord. 79-O-127 (part), 1979)

PLANNING DIVISION REPORT

APPLICATION: JP 2012-04

EXHIBIT: 6

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# Placentia Planning Commission

## Agenda Staff Report

<b>AGENDA ITEM NO.:</b> 1	<b>DATE:</b> April 10, 2012	<b>PUBLIC HEARING:</b> Yes
<b>APPLICATION:</b> Use Permit (UP) 2012-04		
<b>DESCRIPTION:</b> 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.		
<b>RELATED APPLICATIONS:</b> None		
<b>APPLICANT:</b> William Carpenter and Alison Aicard		
<b>PROPERTY OWNER:</b> Harold Cozen		
<b>LOCATION:</b> 310 E. Orangethorpe Avenue, Suites G, H and J		
<b>CEQA DETERMINATION:</b> No determination made		
<b>ZONING:</b> Commercial Manufacturing (C-M)	<b>APN(S):</b> 344-201-06	
<b>GENERAL PLAN:</b> Commercial Manufacturing	<b>CITY COUNCIL ACTION REQUIRED:</b> No	
<b>PREPARED BY:</b> Monique B. Schwartz, Associate Planner		
<b>REVIEWED BY:</b> Kenneth A. Domer, Assistant City Administrator		

**REQUEST:**

To permit the operation of a social dance instruction studio (Allegro Ballroom) within a +/- 5,400 square foot commercial industrial suite, located at 310 E. Orangethorpe Avenue, suites G, H and J in the Commercial-Manufacturing (C-M) District. This business requests to offer instruction in various American styles of partner dance, including Waltz, Foxtrot, Tango, Swing and Mambo as well as instruction in jazz, hip hop, tap, Pilates and piano lessons. Evening group dances will be open to students and to the general public with an entrance fee.

**INTRODUCTION:**

Pursuant to Section 23.39.010 of the Placentia Municipal Code, the purpose of the Commercial Manufacturing District is "to provide a district for uses which combine commercial and industrial characteristics and for certain commercial uses which require large display or storage areas." For example, permitted uses listed within this zone are furniture and major appliance sales, equipment sales and service, printing, blueprinting and reproduction establishments, home furnishing sales, home improvement centers and glass shops. Some uses listed that are permitted subject to use permit approval are building material sales, cabinet shops, car washes, lumberyards, nursery and tire sales and service, equipment rental and motor vehicle sales. These types of uses are examples of business types that require large display and storage areas as well as businesses that could generate a significant amount of noise based on their light manufacturing operations. Other uses listed that require a use permit are eating places

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and churches, but do not necessarily require large display or storage areas. It appears that these uses are more in conformity with general commercial uses that were included to allow more variety within this hybrid zone.

Although the Commercial Manufacturing District is a combined district of both commercial and manufacturing uses, the commercial uses permitted in the C-M Zone are more limiting than and not as varied as those listed in the more general commercial zones, like the Commercial Office (C-O), Neighborhood Commercial (C-1) and Community Commercial (C-2) Districts. It is important to note that dance or music studios are uses that are specifically listed as permitted uses, subject to obtaining a use permit within the C-O, C-1 and C-2 Districts.

The Orangethorpe Commerce Center is presently largely vacant. If at a future date, a potential tenant would like to occupy within this center, and is a permitted use within this zone, the dance studio/dance hall use could be impacted by the noise, operating hours or industrial-type uses.

A discussion has taken place with Staff and the property owner of the Orangethorpe Commerce Center to consider filing a request for a code amendment to add additional permitted commercial uses to the C-M District or to consider filing a Zone Change and General Plan Amendment application to allow for more a flexible zone that can accommodate a wider variety of uses that could potentially be attracted to this center.

**RECOMMENDATION:**

City Planning Division is recommending denial of Use Permit (UP) 2012-04.

**DISCUSSION:**

The subject property is located between Melrose Street and Kraemer Boulevard, on the south side of Orangethorpe Avenue. The site is comprised of two parcels: 344-191-09 (300 E. Orangethorpe Avenue), 344-201-06 (310-320 E. Orangethorpe Avenue) and totals approximately 3.3 acres. The total site is improved with three (3) commercial industrial buildings totaling approximately 38,593 square feet and related on-site improvements.

**Subject Site and Surrounding Land Uses:**

	<b>Existing Land Use</b>	<b>Land Use Element General Plan Designation</b>	<b>Zoning Map Designation</b>
<b>Existing</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"
<b>Proposed</b>	A social dance instruction studio (Allegro Ballroom) within a +/- 5,400 square foot industrial suite, located at 310 E. Orangethorpe Avenue, Suites G, H and J.	Commercial Manufacturing	"C-M"
<b>North</b>	Orangethorpe Avenue/ Mobile Home	Medium Density	R-2 (MHP)

	Parks	Residential	
<b>South</b>	Orange County Flood Control Channel/City of Anaheim	—	—
<b>East</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"
<b>West</b>	Commercial Industrial buildings	Commercial Manufacturing	"C-M"

**OPERATIONAL CHARACTERISTICS:**

Allegro Ballroom proposes a new start-up business in Placentia, owned and operated by the applicants, William Carpenter and Alison Aicard. Their business objectives are to provide affordable and enjoyable ballroom dancing to people of all ages, promote the arts of dance and music and provide dance instruction for those who wish to become professionals in the field. Other dance studios and local Placentia competitors within the area are: The Art of Dance and Ballet Academy, located at 847 S. Kramer Boulevard, in the Manufacturing (M) District, Dance Depot, located at 1521 N. Placentia Avenue in the Neighborhood Commercial (C-1) District, Tracy Dee Academy of Dance, located at 704 Richfield Road in the Manufacturing (M) District and Atomic Ballroom , located at 731 and 733 Dunn Way in the Manufacturing (M) District. Atomic Ballroom is the most similar type of business whose Use Permit was approved by the Planning Commission in 2011. The applicants are aware of this business and feel, even though their businesses are in close proximity and are similar in operations, offering private lessons, partner and individual dance classes and open to the public, Allegro Ballroom intends to focus their marketing on cities like Yorba Linda, Anaheim Hills, Diamond Bar, Chino and Corona. Allegro Ballroom will also primarily target children and young adults interested in competing and becoming highly skilled dancers. The applicant's Statement of Use indicates that their proposed central location in Orange County, their proposed low operating expenses and their wide range of services offered in dance and music instruction will contribute to the future success of their business.

Allegro Ballroom proposes to offer instruction in various types of dance, like Waltz, Foxtrot, Tango V. Waltz, Rumba, Cha-cha, East Coast Swing, Bolero, and Mambo. They will also offer classes in ballet, jazz, hip hop, tap, Pilates, kick boxing and music. Private dance lessons are offered to the individual, by appointment during regular business hours and most lessons are taught in the late afternoon and early evenings after people have finished school or completed their work day. Classes will be one hour in length, starting at 5:00 p.m. and ending at 8:00 p.m. Private and group lessons will be offered to the public between the hours of 8:00 a.m. and 11:00 p.m. Dance and music classes for children start at 6 years of age. The applicant indicates that there will be a maximum of two classes offered at any given time with a total of 20 students per class.

The applicant has submitted a revision to their Statement of Use indicating that they will not offer the option to rent this facility for parties, or for banquet purposes. This type of use posed obstacles with building occupancy that triggered the requirement of a fire sprinkler system and a larger amount of restrooms, which became cost prohibitive for the applicants.

The applicant proposes to rent the subject site to fellow dancers for practice purposes. These practices will take place during normal operating hours, when the owners are present. There will also be semi-annual recitals that will be held at the studio during normal business hours so that students can showcase what they have learned.

Allegro Ballroom will be providing a location where their students and other dancers can socialize. Dance socials/public dance will be offered on Friday and Saturday evenings, generally from 8:00 p.m. to 1:00 a.m. The general public will be able to attend the evening dance socials by paying a designated fee. The applicant has indicated that a security guard may be hired to monitor events.

William Carpenter and Alison Aicard will be running the daily operations of the business. Mr. Carpenter has experience in operating a dance studio and teaching a wide variety of dance classes and lessons. He has been teaching independently and currently has a large client base. Ms. Aicard has been an independent piano teacher, teaching private lessons, group classes and summer music camps. She has experience with various jobs in the entertainment industry, from performing to building sets and staging. She has been ballroom dancing for approximately 4 years as well as performed and competed. Ms. Aicard will be responsible for the scheduling, bill payment, and paperwork. Additional teachers will be hired as independent contractors to teach classes in Ballet, Modern Dance and Pilates.

As specified in the Applicant's Statement of Use, there will be a maximum of 60 people permitted within this dance studio at any given time.

The proposed days and hours of operation for Allegro Ballroom are as follows:

Monday-Thursday: 8:00 a.m. to 11:00 p.m.  
 Friday-Saturday: 8:00 a.m. to 1:00 a.m.  
 Sunday: 8:00 a.m. to 11 p.m.

**Days and Hours of Operation of Businesses within the Orangethorpe Commerce Center Complex:**

Address on E. Orangethorpe Avenue	Name of Business	Days and Hours of Operation
310, Unit A	Aroma Day Spa	Mon.-Thurs.: 10:00 a.m. - 8:00 p.m. Sun: 11:00 a.m. - 7:00 p.m.
310, Unit C	Russ's Optical	Mon. - Fri.: 10:00 a.m. - 6:00 p.m. Sat.: 10:00 a.m. - 2:00 p.m.
310, Unit D	North Orange County Class & Mirror	Mon. - Fri: 10:00 a.m. - 5:00 p.m. Sat.: 10:00 a.m. - 2:00 p.m.
	Minuteman Press	Mon. - Thurs.: 8:30 a.m. - 5:00 p.m. Fri.: 9:00 a.m. - 4:30 p.m.
320, Units C-F	Network Video Services	Mon: 10:00 a.m. - 4:00 p.m. Tues-Thurs: 10:00 a.m. - 5:00 p.m. Friday: 10:00 a.m. - 4:00 p.m.

Spectacular Catering	Catering	By Appointment
320, Suites A-B	TS Carpet & Design Center	Mon. – Friday: 10:00 a.m. - 6:00 p.m. Sat: 11:00 a.m. - 4:00 p.m.

**Floor Plan:**

The proposed floor plan indicates that the commercial industrial tenant space is approximately 5,400 square feet. The main entrance is through double doors on the north side of the building. The reception/lobby area is located off the main entrance. There is one office, a music room and a storage area located to the west of the main entrance and a +/- 2000 square foot dance floor and stage that are considered the main ballroom. There is a large dance room that can be accessed to the east of the main entrance and an employee lounge located at the southeast corner of the tenant space. The restrooms and dressing room are located at the rear of the tenant space. There are 3 exits located on the south side and an additional exit located on the north side through the dance room. Table seating is located on the west side of the main ballroom.

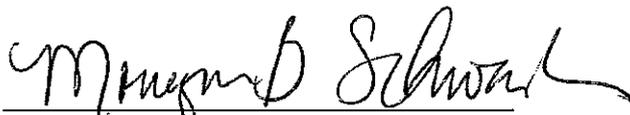
**Environmental Analysis:**

The proposed use, as a non conforming use, could lead to the creation of negative impacts on the physical environment. It is City Staff's opinion that the use is not categorically exempt pursuant to the California Environmental Quality Act (CEQA) and City Environmental Guidelines.

**ACTION:**

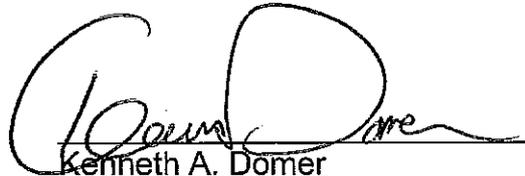
Adopt Resolution No. PC-2012-05 denying Use Permit (UP) 2012-04.

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-2012-05

**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-2012-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA DENYING USE PERMIT NO. 2012-04 PERTAINING TO PROPERTY LOCATED AT 310 E. ORANGETHORPE AVENUE, SUITES G, H AND J, AND MAKING FINDINGS IN SUPPORT THEREOF.

**A. Recitals.**

(i) Mr. William Carpenter and Ms. Alison Aicard, Allegro Ballroom and Harold Cozen, owner of the property located at 310 E. Orangethorpe Avenue, Suites G, H and J, ("Applicant" collectively hereinafter) heretofore filed an application for approval of Use Permit No. 2012-04, 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 April 10, 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 does not comply with all applicable code requirements and development standards of the "C-M" Commercial Manufacturing District. A finding of detriment to the health, safety or general welfare is not applicable due to its nonconformance with the District.

b. The proposed use is not consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Commercial Manufacturing", which provides for a variety of commercial industrial uses. The proposed use is a

dance studio/dance hall facility within the proposed tenant space. A dance studio/dance hall is not a permitted use by right or with a use permit within the C-M District. In addition, there are no similar type uses listed within the district.

c. The proposed use, activities or improvements, is not consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed use is not a use permitted by right nor a conditionally permitted uses in the "C-M" Manufacturing District in the City of Placentia.

3. The proposed use, as a non conforming use could lead to the creation of negative impacts on the physical environment. It is City Staff's opinion that the use is not categorically exempt pursuant to the California Environmental Quality Act (CEQA) and City Environmental Guidelines.

4. Based upon the findings and conclusions set forth herein, this Planning Commission hereby denies Use Permit 2012-04.

5. 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 10th day of April, 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 10<sup>th</sup> day of April, 2012, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of April, 2012, by the following vote:

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

ATTEST:

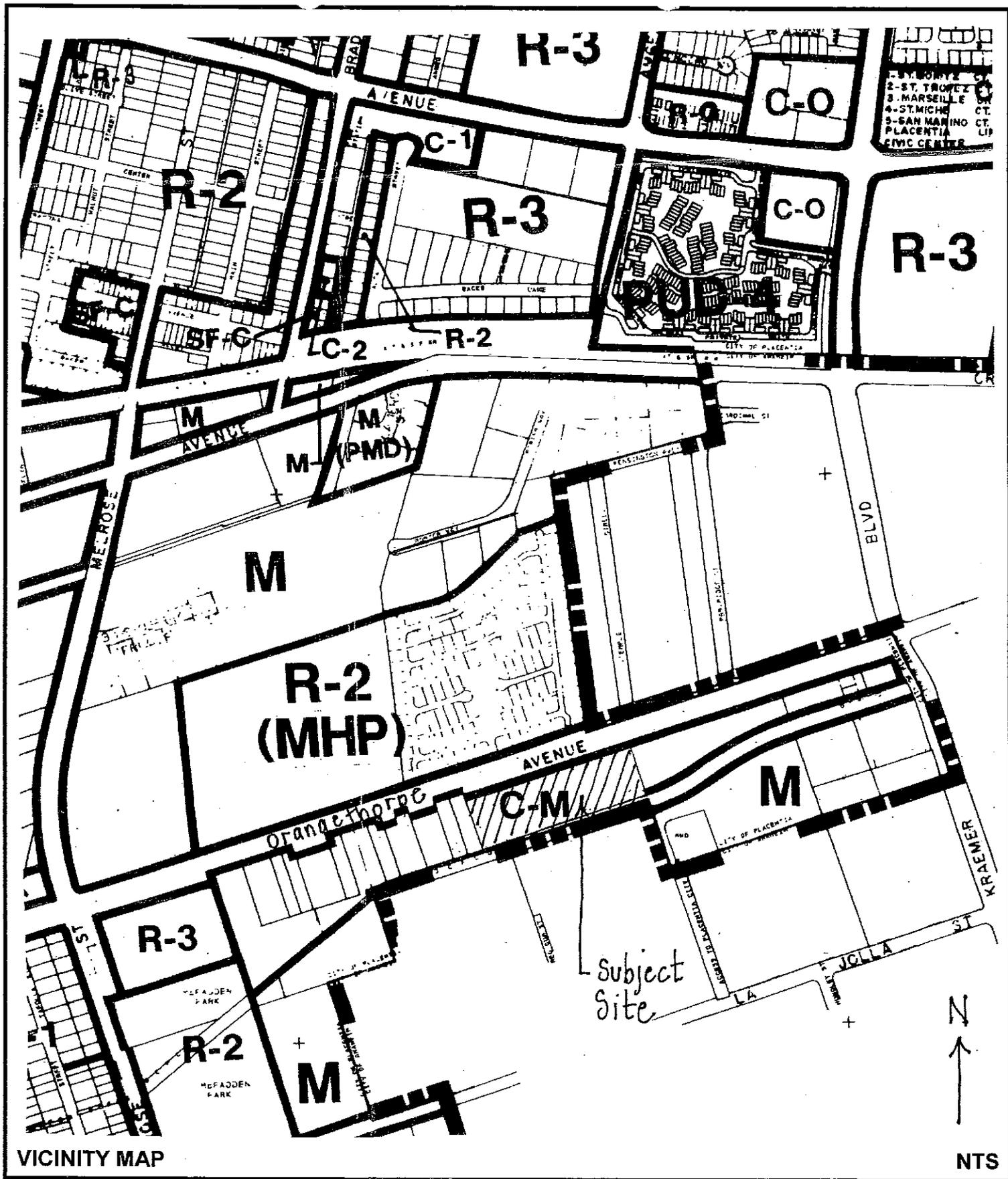
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Secretary to the Planning Commission

APPROVED AS TO FORM

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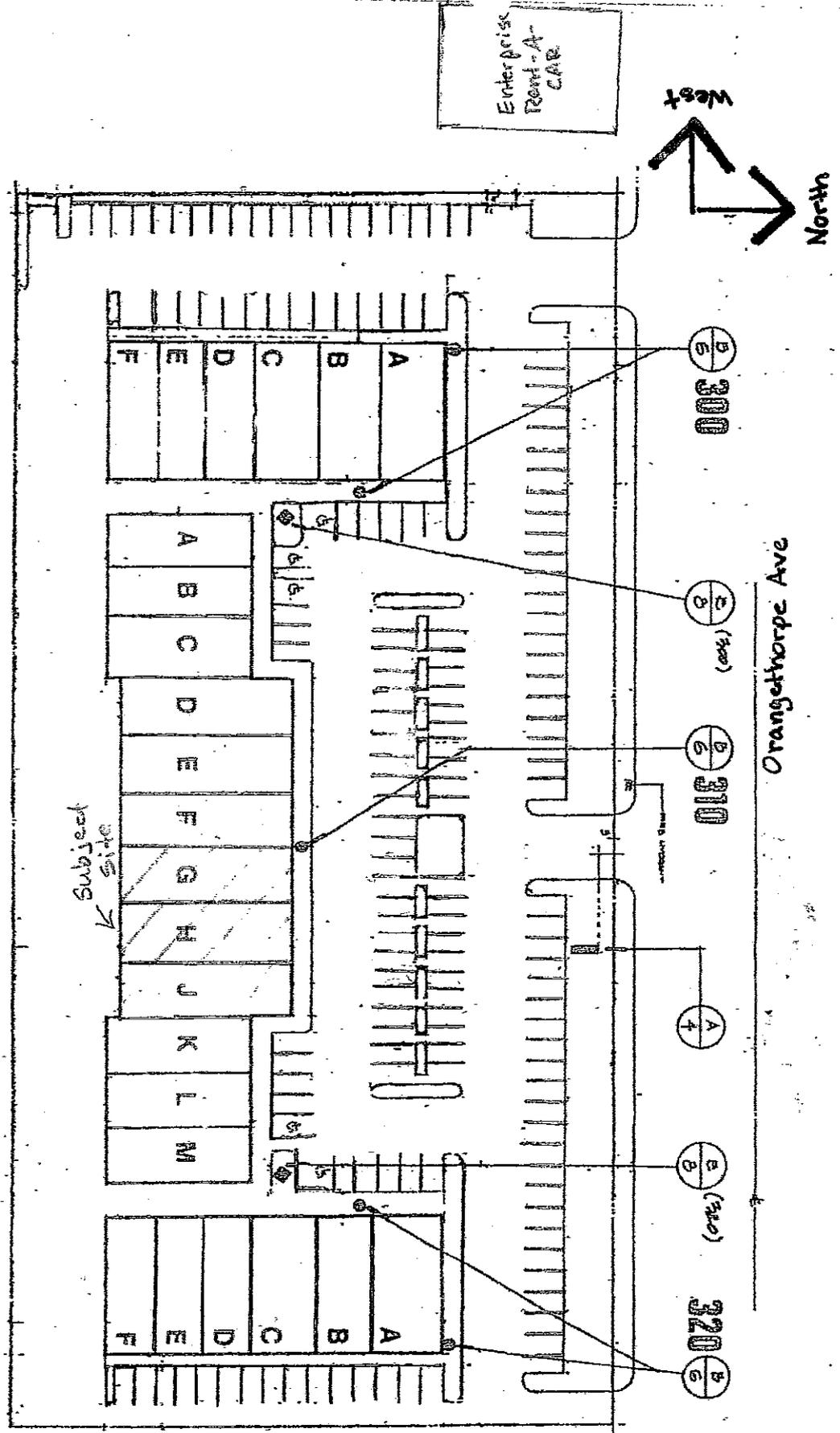
ANDREW V. ARCZYNSKI,  
CITY ATTORNEY



PLANNING DIVISION REPORT  
 UP 2012-04  
 Exhibit 1

Vicinity Map 210 E. Orangethorpe Ave.

Carbon Creek Channel



**PLANNING DIVISION REPORT**

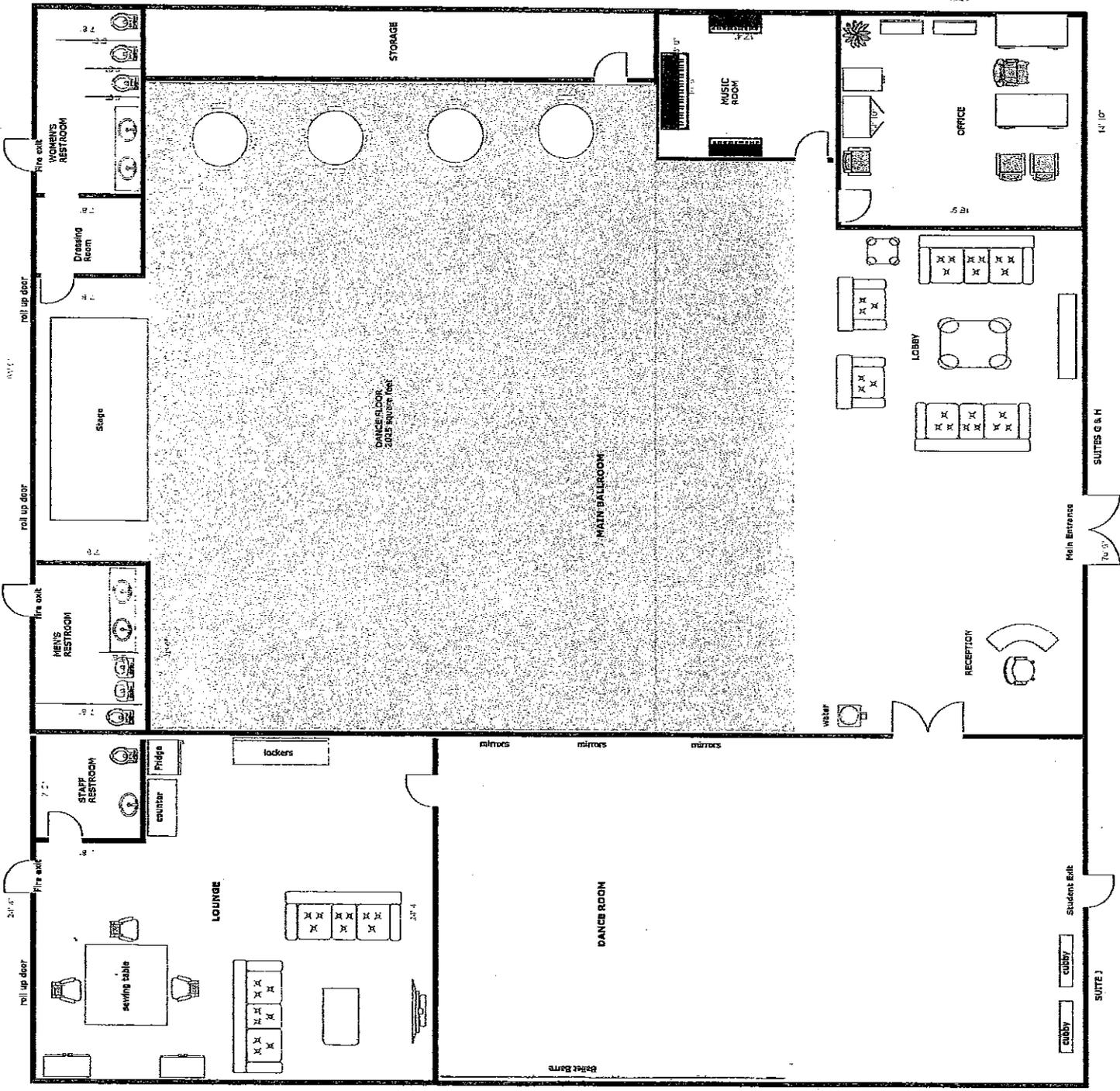
APPLICATION: UP 2012-04

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Allegre Ballroom  
 310 E. Orangewood Ave.  
 Pleasanton, CA 94570  
 Suite J 1752 square feet  
 Suites 004 3725 square feet  
 Total Square feet 5475



**PLANNING DIVISION REPORT**  
 APPLICATION: UP 2012-04  
 EXHIBIT: 3  
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**Allegro Ballroom  
Business Plan/  
Statement of Use**

200 Chinook Cir.  
Placentia, CA 92870  
Alison Aicard : (714)869-6014  
William Carpenter: (909)527-0747

February 2012

**UP 2012-04**

PLANNING DIVISION REPORT  
APPLICATION: UP 2012-04  
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## **Introduction**

William Carpenter and Alison Aicard have been business partners in various projects for four years now. They have been working toward opening a studio for the past three years. The location they have decided on for their studio is the very first place they looked over three years ago. They have spent the last three years making business connections, researching business trends, and building a dance following to ensure the success of their business, once started. Preliminary funding has been secured and an agreement has been made between the owner of the property and proposed lessees. All that remains is approval by the City of Placentia to grant use of this space for this educational institution.

## **Executive Summary**

The concept of Allegro Ballroom is to provide a venue that promotes a love of the arts. Instruction in all forms of dance, with an emphasis on American style ballroom and Salsa, and classical music will be offered. This objective will be strengthened with performances, competitions, and parties. (note: not all of these events will take place at studio)

Allegro ballroom is in a start-up position with a beginning date of May 10, 2012. This is when the doors will open to the public. Dance instruction is currently being taught by William Carpenter in various studios throughout Orange County and LA and in May the plan is to have everyone brought together here in Placentia.

Ballroom is generally a very expensive hobby that few are involved in. In America the arts have taken a backseat to activities such as watching television or movies, sports, work and school. Thanks to the popular TV shows however, "Dancing With The Stars," and, "So You Think You Can Dance", people are becoming interested in the classic arts. A few years ago most people in the US didn't know what ballroom dancing was all about. Now that they are seeing how fun it looks and that "anyone" can do it more and more are seeking instruction. In countries such as the Soviet Republic, ballroom dance is a popular, competitive sport. Many children start young, training to compete. The style they dance is called International and many studios here in California teach that style. American Rhythm is similar but is the social style of choice for the states. It has been gaining popularity and few studios focus on this style. The United States Dance Council is undergoing plans to make both the International Style and American Style competitive Olympic sports.

The studio will be 5,400 square feet in total which can accommodate over 600 people (according to fire safety code), however for the purposes of the studio no more than 60 people will be on premises at any given time, including parties and performances. The instructional area of the studio will be divided between two primary rooms, the Dance Room, and the Main Ballroom. The main ballroom will be equipped with professional audio and lighting systems. The dance floor will be approximately 2,000 square feet. The appearance will be open and inviting with a classic Venetian ambiance.

Allegro Ballroom will generate sales through nine revenue streams that comprise the company's services:

- Ballroom Dance Lessons
- Ballroom Dance Classes
- Contemporary Dance Classes
- Pilates Classes
- Student Practice Parties/Socials
- Private Party bookings
- Piano lessons
- Floor rental by other dancers
- Recitals

The owners are aware of the risk involved in opening a business, especially in this economy, that offers entertainment and leisure services. If in the event net profitability cannot be attained, the owners will consider bringing on investment partners.

### **Objectives**

1. Make ballroom dancing affordable and enjoyable to people of all ages.
2. Promote the classic arts of dance and music and provide the tools for people to incorporate them into their busy lives.
3. Provide a complete and well rounded foundation in dance instruction for those that wish to become professionals in the field.
4. Create financial independence for the owners in order for them to be able to fund their philanthropic dreams.

### **Mission**

The mission of Allegro Ballroom is to create an educational, entertaining, and culturally rich community venue for the residence in North Orange County. Allegro Ballroom will be an accessible and affordable venue, offering unique and appealing services for all visitors.

The purpose of Allegro Ballroom is to provide the residents of Placentia, and beyond, with quality instruction in an enjoyable, pleasant atmosphere. It will provide an excellent place and opportunity for social interaction through hosted parties, dances, and shows. The studio will focus heavily in creating a strong sense of community with their approach in forming a dance "family." This, in no way will take away or compete with Atomic Ballroom. The two studios are very much different and will work together in their efforts.

### **Keys to Success**

The Allegro Ballroom has three keys to success.

Location--The studio is centrally located between Orange County , LA, and the Inland Empire. It is located at the edge, if you will, of all ballroom dance studios which

make Yorba Linda, Anaheim Hills, Diamond Bar, Chino, and Corona cities of focus for new clientele.

**Low Operating Cost**—The studio will be run and operated by its owners which means all instruction, accounting, budgeting, advertising, DJ-ing, MC-ing, and promotion will be done by the owners. In addition much of the initial renovations will also be done by the owners such as painting, laying of the dance floor, tile work etc.

**Wide range of services**— Most ballroom studios offer instruction in only partner-style dancing. Allegro Ballroom will also offer ballet, jazz, hip hop, tap, pilates, and music.

## **Company Analysis**

### **About the Company**

Allegro Ballroom is in a start-up position with a beginning date of April 2012. The company expects to lease space in April 2012; with a one-month build-out of the space, it will open its doors to the public in May 2012. The company is on a May through April fiscal year.

Allegro Ballroom will offer private and group lessons, open to the public between the hours of 8:00am and 11:00pm, seven days a week. Focus will be on, but not limited to the American Style dances which include Waltz, Foxtrot, Tango, V. Waltz (American Smooth), Rumba, ChaCha, East Coast Swing, Bolero, Mambo (American Rhythm). The curriculum will be centered around the Dvida Syllabus which is currently the primary syllabus used by the National Dance Council of America.

### **Company Ownership**

Allegro Ballroom will operate as a general partnership between William Carpenter and Alison Aicard.

Allegro Ballroom is a new, independent business, however it is also considered an expansion of William Carpenter's existing business. He has been teaching independently for three years and carries with him a large client base.

William Carpenter has extensive experience in all aspects involved in running a successful dance studio. From 2008 to present, he has worked as the Event Manager for several dance congresses. From 2008-2009 he was the lead instructor and assistant closer for the Imperial Dance Academy located in downtown Fullerton. William was also the top in lesson sales, lessons taught, and overall revenue from 2007 to 2009 at the Imperial Ballroom. In 2010 he was the director of the ballroom elective program at Orange County high School of the Arts, where he was responsible for teaching all advanced classes and organizing dance concerts. During 2010 and 2011 he held temporary positions as studio manager at OC Dance Studio in Orange and Dance Asylum in Costa Mesa. There, he increased sales by up to 75%, increased efficiency in scheduling, and established new avenues of advertisement. William's dance training includes one-on-one instruction by Dennis Lyle, former owner of the Imperial Dance Academy and collaborating writer of the Dvida Syllabus.

Alison Aicard holds a Bachelors in Music from Cal State Northridge with a minor in dance. She has been an independent piano teacher for 4 years, during which time she has taught private lessons, group classes, and summer music camps. She has held various jobs in all areas of the entertainment industry from performing to building sets and staging. She has been dancing ballroom for 4 years and has performed and competed.

### **Start-up Summary**

A private loan has been secured in the amount of \$35,000. This will be used for initial development, fees and permits. Revenue for the first few months will fund additional expenses such as furniture, decorations, etc.

The following table summarizes the company's start-up position.

---

## **Start-up Requirements**

### **Start-up Expenses**

Rent	\$10,000
Flooring	\$13,000
Marketing (bcards, brochures, etc.)	\$1000
Sound Equipment	\$2000
Office and Lobby Furniture	\$2000
Computer, office equipment	\$1000
Signage	\$600
Renovation	\$4000
<b>Total Start-up Expenses</b>	<b>\$33,600</b>

## **Benefits to the Community**

### **Economic Development**

Temporary jobs will be created by Allegro Ballroom for General Contractors and Plumbers. Local business will be supported through the purchasing of materials, furniture, audio equipment etc.

### **Community Development**

The owner's of Allegro Ballroom are strong proponents of community development and philanthropy. William started a performance dance team four years ago that gives passionate young dancers the opportunity to train, perform, and compete at little to no cost. As a registered non-profit organization the team fundraises for their financial needs such as costumes and travel. William often subsidizes their financial obligations. This is

just one example of how he donates his time and money to make others' dreams come true.

### **Human Development**

William and Alison love helping others and especially those that are close to them. Many of the dancers on the performance team are students in poor financial situations. The studio will give them an opportunity to earn money through various jobs while doing what they love.

### **Industry Analysis**

Allegro Ballroom operates in the Education and Recreation industries.

Local competitors, if you will are Atomic Ballroom, Fullerton Dancesport, and Dance Depot. These businesses are not considered competitors to people in the dance community because of the nature of the studios. Each studio has a very different product and any commonalities, such as evening socials, will not compete with other studios. These activities will operate at different times and many students like to visit different venues.

Atomic Ballroom is the closest studio in proximity. Both Allegro Ballroom and Atomic Ballroom will operate in very similar ways and share clientele. There will be private lessons, classes, and evening socials for students. One difference however, is that much of the marketing for Atomic is done in and around their primary location which is currently located in Irvine. Allegro Ballroom will draw new dancers from areas farther north. It's new primary demographics will be significantly different as well. As a dance-intensive training school, Allegro Ballroom will market to children and young adults interested in competing and becoming highly skilled dancers.

### **Management Team**

The owner's, William Carpenter and Alison Aicard will be running every aspect of the company. William has extensive experience running dance studios and teaching dance. He will be the head of the company. Alison will responsible for the daily tasks involved in running a business like scheduling, pay bills, preparing written documents etc. They will both be paid a salary based on net profits. As the business grows additional revenue will be reinvested in various way.

### **Additional Staff**

Teachers will be brought on as independent contractors and will be paid hourly to teach designated classes. Three teachers will be brought on in the early months. One for Ballet, one for Modern, and one for Pilates.

A security guard will be brought on as an independent contractor per-diem.

## **Operations Plan**

### **Location and Space Requirements**

The proposed location of Allegro Ballroom is to be located at 310 E. Orangethorpe Ave. Suites G, H, & J, Placentia, CA 92870. This space is located within a retail/manufacturing strip over 43,000 square feet with 160 parking spaces. With the addition of Allegro ballroom the strip will be 36% vacant. Over the course of three weeks of observation of the premises there has been no more than 10 cars parked at any given time during normal business hours. During these same hours Allegro Ballroom will use no more than 20 parking spaces.

### **Products and Services**

The following revenue streams represents Allegro Ballrooms services

#### *Ballroom Dance Lessons:*

Lessons will be purchased in "packages." They will be scheduled weekly or bi-weekly but be purchased in packages of anywhere from 5 to 100 lessons. Discounts will be given for larger packages. Lessons will be offered in Cha Cha, Rumba, Bolero, Salsa, Mambo, East Coast Swing, West Coast Swing, Tango, Argentine Tango, Waltz, Vienese Waltz, Foxtrot, Bachata, Marengo, and Samba. Lessons will be one hour in length. One-on-one instruction is the best way to develop ones skills.

#### *Ballroom Dance Classes:*

Classes can be purchased one at a time, as a drop in for \$15. For a discount, they can be purchased in bundles of 5, 10, or 20. Monthly unlimited passes will also be available for purchase which will entitle its holder to attend as many classes as they wish. Classes will be held between the hours of 5:00 and 9:00pm. Attendance is expected to be lower in the earlier class times but ranging from 5 to 30 people. Classes offered will be in Cha cha, Rumba, Bolero, East Coast Swing, West Coast Swing, Salsa, Bachata, Waltz, Vienese Waltz, Foxtrot, Argentine Tango. Classes will be offered in four levels; Kid, Beginning, Intermediate, and Advanced. Group classes are a great way to learn different combinations or practice what is taught in private lessons. There are no set partners and everyone dances with everyone. This is a great way to meet new people and practice dancing with different peopl.

#### *Contemporary Dance Classes*

Classes will be progressive and as such will be charged on a monthly basis. Students can choose to drop-in as well to any class they choose. Classes will be offered to four age groups: Ages 6-9, Ages 10-14, Ages 14-18, and Adult. Classes offered will be Ballet, Modern, Tap, Jazz, and Hip Hop. Maximun class size will be 10, 15, and 20 students per class depending on age of the students.

#### *Pilates Classes:*

Classes will be held daily. Classes can be purchased one at a time or monthly for a discounted rate. The purpose for including Pilates in the studio curriculum is to offer physical fitness training for developing dancers. Classes will be offered to Ages 12 and up. Anyone under the age of 16 will be required to have a parent in the class.

### *Student Practice Parties/Socials:*

There will be weekly parties in which students will come together in the evening hours to practice what they are learning. It will be a party type atmosphere with dimmed lights, disco ball, and a professional DJ. These socials will be open to all students of Allegro Ballroom and surrounding studios. Attendance is estimated at 20-40 people. Security guard will be present.

### *Private Party bookings:*

This venue will be available for booking private parties. This service will be offered to students and families of students. Types of parties that will be permitted are Birthdays, Anniversaries, and baby showers. There will be no alcohol served. If customers would like food they may have it catered, no food will be prepared on premises. The studio will provide a security guard to watch the door the entire duration of the party. Owners will be present during the entire duration as well. Parties will be scheduled during non-prime hours such as evenings and weekends.

### *Piano lessons:*

Private and small group lessons will be offered to children (over 5 yrs. Old) to adult. Lessons will be charged monthly. A traditional method book will be used and paid for by the student.

### *Floor rental by other dancers:*

It is commonplace for dance studios to rent their floor to fellow dancers. Allegro Ballroom will also offer this. The fee will be \$8 an hour per person/couple or \$20/hour to rent the entire dance room. This will take place during studio operating hours, while other events are going on, and with the owners present.

### *Recitals:*

Semi-annual recitals may be held at the studio for any students who wish to participate. Anticipated attendance to these events is 40-60 people. These will not be held during regular business hours. Recitals are a great way for students to showcase what they are learning. They can perform with partner, their teacher, or group of dancers.

### **Days and hours of operation**

Sunday-Thursday 8:00am-11:00pm

Friday-Saturday 8:00am-1:00am

These are the hours that the company will have its doors unlocked and will be available to book lessons. The owners will be present, working on business related tasks. There will be few students during the daytime hours. Between the hours of 5:00pm and 8:00pm classes will be held. Two classes will be able to run simultaneously, one in the dance room and one in the main ballroom. Ballroom classes will have 5-30 students at a time and contemporary dance classes will have 3-12 students at a time. It is feasible to believe that less than 25 cars will be parked during these hours; many students attend with a partner and some of the students in the children's classes will have parents taking

classes in ballroom.

## **Marketing Plan**

### **Marketing Strategy**

Our marketing budget is set at 1% of our overall sales revenue. This budget will be used to reach our targeted customers through cost-effective marketing campaigns. On-going processes will be geared to promote the studio name and keep current clients. Our marketing efforts will focus on the following channels for reaching new customers:

- . Website
- . Internet
- . Print
- . Neighborhood Marketing
- . Radio
- . Email/Newsletter
- . Promotions

Our first month will focus on our grand opening event. An aggressive, comprehensive marketing campaign will precede the grand opening. A Facebook advertising campaign will precede the event as well, giving away free classes and promotional materials with the studio name and logo.

#### *Website*

A website is an important component of our advertising and marketing campaign, allowing us to stay in contact with our customers and provide up-to-date information regarding all of our programs. We will launch a website within the first month of operations, and develop the website's content over the first two-months. The site will include schedules, course descriptions, online registration, and upcoming events.

#### *Internet*

Google, Facebook, Groupon, Living Social, and Yellow Pages will all be sites to which the studio will advertise. In addition to the website, the studio will keep all information current on Facebook.

#### *Neighborhood Marketing*

Coupon mailings will be sent out to local residents.

#### *Promotions*

Water bottles, yoga mats, pens, magnets, and bumper stickers bearing the company logo will be marketed, as well as given away as prizes to spread awareness.

#### *Email/Newsletter*

Loyal, repeat customers are critical to our success. To drive repeat business revenue, we will maintain an 'opt-in' database of customers. This valuable database will be used to distribute monthly email newsletters. The newsletter will be a vehicle to announce our upcoming programs and specials. The newsletter will provide timely information regarding entertainment schedules, educational course offerings, and special Members

announcements.

## **Appendix**

Class Schedule

Floor Plan

Vicinity Map

# Studio Schedule

<b>MONDAY</b>		<b>Tuesday</b>		<b>Wednesday</b>	
8:00am-4:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice
5:00pm - Rm 1	Class: Kids Latin/Rhythm	Class: Kids Ballroom	Class: Kids hip hop	Class: Kids hip hop	Class: Kids hip hop
	Rm 2 Class: Pilates	Class: Pilates	Class: Pilates	Class: Pilates	Class: Pilates
6:00 pm -Rm 1	Class: Adult Beginning chacha	Class: Adult Beginning Foxtrot	Class: Adult Beginning Rumba	Class: Adult Beginning Rumba	Class: Adult Beginning Rumba
	Rm 2 Class: Kids Ballet beg.	Class: Kids Jazz beg.	Class: Adult hip hop beg.	Class: Adult hip hop beg.	Class: Adult hip hop beg.
7:00pm	-Rm 1 Class: Adult Int. Chacha	Class: Adult Int. Foxtrot	Class: Adult Int. Rumba	Class: Adult Int. Rumba	Class: Adult Int. Rumba
	Rm 2 Class: Kids Ballet Adv.	Class: Kids Jazz adv.	Class: Adult hip hop adv.	Class: Adult hip hop adv.	Class: Adult hip hop adv.
8:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice
9:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice
10:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice
11:00pm	Close	Close	Close	Close	Close
11:00pm	Close	Close	Close	Close	Close

<b>Thursday</b>		<b>Friday</b>		<b>Saturday</b>		<b>Sunday</b>	
8:00am-2:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice	Private lesson/practice
2:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Performance team practice	Performance team practice	Performance team practice	Performance team practice
3:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Performance team practice	Performance team practice	Performance team practice	Performance team practice
4:00pm	Private lesson/practice	Private lesson/practice	Private lesson/practice	Performance team practice	Performance team practice	Performance team practice	Performance team practice
5:00pm - Rm 1	Class: Latin Cardio	Kids Ballroom Team	Kids Ballroom Team	Class: Kids Salsa	Class: Kids Salsa	Performance team practice	Performance team practice
	Rm 2 Class: Pilates	Class: Pilates	Class: Pilates	Class: Bachata	Class: Bachata	Performance team practice	Performance team practice
6:00 pm -Rm 1	Class: Adult Beginning Waltz	Kids Ballroom Team	Kids Ballroom Team	Class: Adult Beginning Salsa	Class: Adult Beginning Salsa		
	Rm 2 Class: Kick Boxing	Class: TBD	Class: TBD	Class: Cha Cha	Class: Cha Cha		
7:00pm	-Rm 1 Class: Adult Int. Waltz	Class: Tango	Class: Tango	Class: Adult Int. Salsa	Class: Adult Int. Salsa		
	Rm 2 Class: Yoga	Class: TBD	Class: TBD				
8:00pm	Private lesson/practice	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		
9:00pm	Private lesson/practice	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		
10:00pm	Private lesson/practice	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		
11:00pm	Private lesson/practice	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		
12:00am	Close	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		
1:00am	Close	Ballroom Social	Ballroom Social	Salsa Social	Salsa Social		

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Title 6 BUSINESS LICENSES AND REGULATIONS

Chapter 6.52 PUBLIC DANCES

Article I Public Dances Generally

6.52.010 Definitions.

(a) "Police chief" means the chief law enforcement officer of the city.

(b) "Dance" as used in this chapter, means rhythmic tripping or stepping, accompanied by the turning or moving of the body or limbs with or without the accompaniment of music, or the assistance, participation, or accompaniment of another person or persons.

(c) "Public dance" means a gathering of persons in or upon any premises where dancing is participated in, either as a main purpose for such gathering or as an incident to some other purpose, and to which premises the general public is admitted. "Public dance" as used herein includes dances where attendance is limited to members and/or guests of any business entity, social, educational, philanthropic, charitable, or similar organization.

(d) "Public dancehall" means a place where public dancing is conducted, whether for profit or not for profit, and to which the general public is admitted either with or without charge, or at which the general public is allowed to participate in the dancing either with or without charge. (Ord. 79-O-127 (part), 1979)

6.52.020 Permit and license required.

No person shall carry on a public dance without first having secured such permits and licenses as shall be required by the city. (Ord. 79-O-127 (part), 1979)

6.52.030 Permit—Application.

All applications for permits shall be accompanied by a filing fee as set forth in Section 5.08.150, shall be in writing, shall be filed with the city and shall contain such information as will enable a reasonable investigation to be made to determine whether or not the allowing of public dancing in the place for which such permit is sought will be adverse to the public health, welfare or safety of the community. (Ord. 79-O-127 (part), 1979)

6.52.040 Permit—Issuance—Rules and regulations.

If the investigation provided for in Section 6.52.030 discloses that public dancing, as proposed by the applicant, will not be adverse to the public health, welfare or safety of the community, a permit shall be issued. All permits issued shall specify any rules and regulations promulgated pursuant to this chapter to insure that such public dance will not be adverse to the public health, welfare and safety of the community. (Ord. 79-O-127 (part), 1979)

6.52.050 Rules and regulations.

(a) The police chief may establish rules and regulations governing the operation of public dances supplementing the provisions of this code. Any permit issued for a public dance during which any violation of such rules and regulations occurs shall be subject to revocation.

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(b) Any rules and regulations established by the police chief to supplement the provisions of this code, together with a copy of the sections hereof pertaining to the operation of dances, shall be and remain posted in a conspicuous place in every dancehall for which a permit is or has been issued. (Ord. 79-O-127 (part), 1979)

**6.52.060 Revocation of permit.**

Permits issued pursuant to this chapter may be revoked by the police chief for violation of any rules and regulations promulgated under this chapter. Any permit so revoked shall not be reissued to the same person or organization within a twelve (12) month period following the date of such revocation. (Ord. 79-O-127 (part), 1979)

**6.52.070 Appeal of revocation.**

Any person aggrieved by the action of the police chief in revoking any permit pursuant to Section 6.52.060 may appeal such revocation to the city council by filing a written notice thereof with the city clerk within ten days of the date of such revocation. The city council shall render a decision within thirty (30) days from receipt of said notice by the city clerk and the decision of the city council, after a hearing on the appeal, shall be final and conclusive. (Ord. 79-O-127 (part), 1979)

**6.52.080 Illumination.**

No person carrying on a public dance, or having charge or control thereof, nor any person employed in or about the same, shall carry on such public dance unless the room or hall in which dancing takes place, including any loge, booth or alcove, is lighted or illuminated in such manner and to such extent as is usual or customary for lighting or illuminating halls or rooms of like dimensions in the nighttime for public assemblies and in no event to an intensity of less than one footcandle in all parts of the building. Such lighting or illumination shall be maintained throughout the entire time while such dancing is in progress without diminution or without interruption until such dancing is concluded and until all dancers leave the premises. (Ord. 79-O-127 (part), 1979)

**6.52.090 Public dancehall restrictions—Minors.**

(a) No person under eighteen years of age shall enter, be in, or dance in any public dancehall unless accompanied by his or her parent or legal guardian. No parent or guardian of a person under eighteen years of age, or the proprietor or person in charge of any public dancehall, shall permit any such person to enter, be in, or dance in any public dancehall unless accompanied by his or her parent or legal guardian.

(b) No person shall represent himself or herself as being eighteen years of age or over when in fact his or her age is less than eighteen years. No person shall falsely represent him or herself as a parent or legal guardian of any minor person in order that such minor person may attend or remain at a public dancehall.

(c) Nothing in this section shall apply to public dances conducted by or under the auspices of the board of education, the city or by any club or organization specifically authorized by the city council in writing to conduct dances for persons under eighteen years of age. (Ord. 79-O-127 (part), 1979)

**6.52.100 Morning dancing.**

No person shall dance in any public dancehall on any day between the hours of 2:00 a.m. and 6:00 a.m. (Ord. 79-O-127 (part), 1979)

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**6.52.110 Enclosures.**

There shall be no alcoves or enclosures of any kind in a public dancehall, excepting only toilet facilities and excepting also office rooms to which patrons shall not have access. (Ord. 79-O-127 (part), 1979)

**6.52.120 Disorderly conduct.**

- (a) No person in charge, or assisting in the conduct of any public dancehall shall permit any intoxicated, boisterous or disorderly person to enter, be or remain in or to assist in any such dancehall.
- (b) No person in an intoxicated condition shall enter, or remain in any public dancehall.
- (c) No person shall conduct him or herself in a boisterous or disorderly manner in a public dancehall. (Ord. 79-O-127 (part), 1979)

**6.52.130 Improper dancing.**

- (a) No person shall dance in any obscene manner, as defined in California Penal Code Section 311, or in a manner which appeals to prurient interest; nor shall any person engaging in such conduct be permitted to remain in any public dancehall by the proprietor, operator, or person in charge of such public dancehall.
- (b) Any patron of a public dancehall who violates any of the provisions of this chapter or any rules of the police chief pertaining thereto may be excluded from the dancehall by the person in charge of the public dancehall, or by an officer of the police department. (Ord. 79-O-127 (part), 1979)

**6.52.140 Marathons—Prohibited.**

No person shall carry on or participate in any so-called marathon dancing contest, exhibiting of endurance dancing, or any contest or exhibition or dancing for time or distance, or by any other name by which the same may be known within the city. (Ord. 79-O-127 (part), 1979)

**6.52.150 Dancing for hire.**

- (a) No person carrying on a public dance, or having charge or control thereof, shall employ or permit any person under the age of eighteen years to give instruction in dancing therein or thereat, nor shall permit any person to dance for hire therein or thereat, nor shall any person give instruction in dancing for hire in any dancehall except when such instructors are specifically authorized by the police chief in writing to give dancing instruction.
- (b) No person carrying on a public dancehall, or having charge or control thereof shall permit any instructor to give instructions in dancing in any private room in any public dancehall. For the purpose of this section the term "private room" includes any room, booth, alcove or enclosure, every part of which is not clearly visible at all times from the main dancehall. (Ord. 79-O-127 (part), 1979)

**6.52.160 Police supervision.**

The police chief may require that the applicant for a dance permit employ police officers or security guards to supervise a public dancehall shall not relieve the proprietor thereof, or any of this employees, from the responsibility for complying with the provisions of this code or for violations of any law or ordinance or lawful rule of the police chief. (Ord. 79-O-127 (part), 1979)

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**6.52.170 Set-ups.**

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No person maintaining or operating a public dancehall, or having charge or control thereof, shall serve or permit to be served any drinks other than individual drinks, or to serve or permit to be served cracked ice in glasses or otherwise, or serve or permit to be served what is commonly termed a "set-up." (Ord. 79-O-127 (part), 1979)

**6.52.180 Smoking on dance floor.**

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No person shall smoke on any dance floor while dancing is in progress. (Ord. 79-O-127 (part), 1979)

**6.52.190 Places where alcoholic beverages are dispensed—Public dancing, entertainment permits.**

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No person shall maintain or operate or assist in the operation or maintenance thereof of any public place wherein alcoholic beverages are dispensed and wherein entertainment is offered or public dancing is permitted, or facilities are provided therefore, without first obtaining from the city a permit to do so and without first having acquired such licenses as may be required by the city. (Ord. 79-O-127 (part), 1979)

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Title 6 BUSINESS LICENSES AND REGULATIONS  
Chapter 6.52 PUBLIC DANCES

**Article II Dances for Minors**

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**6.52.200 Generally.**

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The regulations in Sections 6.52.200 through 6.52.230 shall apply to public dances conducted for persons eighteen years of age or less. (Ord. 79-O-127 (part), 1979)

**6.52.210 Alcoholic beverages prohibited.**

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It is unlawful to sell or make available or to consume alcoholic beverages at any place where a public dance for persons eighteen (18) years of age or less is conducted. (Ord. 79-O-127 (part), 1979)

**6.52.220 Participation of adults prohibited.**

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It is unlawful for any person twenty (20) years of age or older to attend any public dance for persons eighteen (18) years of age or less, unless such person has written authorization from the police chief. (Ord. 79-O-127 (part), 1979)

**6.52.230 Loitering prohibited.**

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It is unlawful for any person to loiter around the premises at which a public dance for persons eighteen (18) years or less is being conducted. (Ord. 79-O-127 (part), 1979)

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# Amendment to Statement of use for Allegro Ballroom

200 Chinook Cir.  
Placentia, CA 92870  
Alison Aicard : (714)869-6014  
William Carpenter: (909)527-0747

March 15, 2012

This statement is an amendment to our previously submitted Statement of Use. The following pages have changes.

Page 3. Executive Summary-revenue streams will not include private parties

Page 8: "Private Party bookings" will not be a service offered

The studio will no longer desire to host banquets, private parties, or similar events. Its focus will be on dance instruction.

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

April 10, 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  
Vic Tomazic, Vice Chairman  
Christine Schaefer, Commissioner  
John Scull, Commissioner  
Tom Solomonson, Commissioner

Absent: Floyd Farano, Commissioner (excused)  
Frank Perez, Commissioner

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Schaefer

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 oral comments on matters not scheduled for public hearing but none were offered.

**Motion by Commissioner Schaefer, seconded by Vice Chairman Tomazic to APPROVE THE MINUTES of March 13, 2012. Passed by a 5-0 vote.**

**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.

Commissioner Solomonson recused himself from the remainder of the meeting due to a conflict of interest concerning the location of the Use Permit and the location of his personal business.

Ms. Schwartz gave the staff report and power point presentation.

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Commissioner Schaefer asked what would be involved for an amendment to the General Plan and zoning to occur, who bears the cost and how long is the process. Ms. Schwartz replied that it would require a first reading by the Planning Commission, a first and second reading by the City Council and a 30 day period for the Ordinance to be adopted. This would accomplish both the zone change and the General Plan Amendment. Mr. Arczynski interjected that the General Plan Amendment would require a Resolution, not an Ordinance. Ms. Schwartz added that the applicant would bear the cost of approximately \$10,000 - \$15,000.

Commissioner Schaefer asked what the applicant's response was to this information. Ms. Schwartz responded that the matter was only discussed with the property owner, who has previously considered re-zoning of the area. Ms. Schwartz expressed that it would benefit not only the property owner and the center, but also the City, to make the area available to higher utilization. Mr. Domer added that the entire area along Orangethorpe Avenue from the 57 Freeway east to Kraemer Boulevard would benefit from re-zoning, however the process could take two (2) years.

Chairman Ebenhoch asked if the process could be expedited if the property owner paid the associated costs. Mr. Domer responded that it would help; however, it makes more sense for the City to handle it.

Commissioner Schaefer stated that in reading the CEQA Statement, she did not understand how this use would cause a negative environmental impact and asked for clarification. Ms. Schwartz replied that she was referring to future commercial manufacturing uses in the center negatively affecting adjacent businesses, even though they are permitted by right to occupy the center.

Commissioner Schaefer asked if previous dance studios were approved because they were located in Manufacturing Zones not Commercial Manufacturing Zones and stated that negative impacts were not found in the CEQA Statements. Ms. Schwartz responded that in the Manufacturing District, a trade school is a similar allowed use to allow a dance instruction studio. The adjacent uses of other studios were reviewed to make sure business hours were offset to ensure parking, and to ensure that adjacent uses would not negatively affect the dance studios.

Commissioner Scull asked for clarification that previous similar uses were allowed in manufacturing zones because of a loophole. Ms. Schwartz responded, yes. He also asked if in the case that an amendment is made to the General Plan, if the City would have concerns since the amendment would affect all Commercial Manufactured zoned properties. Mr. Domer responded that it is a valid concern and that all areas will be reviewed before amendments are made.

Vice Chairman Tomazic asked if the official zoning change process takes one (1) year. Mr. Domer responded that once the General Plan Update is complete in approximately ten (10) months, he hopes a zoning code review could be complete in a year.

Commissioner Scull asked what the most cost and time effective path for the applicant to take would be, in order to pursue the site. Mr. Domer stated he would need to bring back findings to the next meeting.

Chairman Ebenhoch opened the public hearing.

The applicant, Mr. William Carpenter of 200 Chinook Circle, Placentia introduced himself to the Commission. He asked why a trade school is an allowable use in a Manufacturing District but not in a Commercial Manufacturing District. He also gave a brief description of his dance experience and the types of dance he hopes to offer.

Chairman Ebenhoch asked if he has considered other locations. Mr. Carpenter stated that he has been interested in this space for five (5) years now and for him, it is the perfect location as it is located on a busy street and the space fits the needs of his studio.

Vice Chairman Tomazic asked about the applicants experience in running a dance studio. Mr. Carpenter stated he has worked for 11 different studios in Orange County, four (4) of which he managed for one (1) year each.

Commissioner Schaefer asked if the social dances will exceed 60 people including staff and security and if alcohol will be allowed. Mr. Carpenter responded that they will not exceed 60 people and neither alcohol nor persons who have consumed alcohol will be permitted on the premises. The intention is not to turn the facility into a night club.

Commissioner Schaefer asked who would be likely to attend a social dance. The applicant indicated that current students as well as students of surrounding studios. Commissioner Schaefer asked the applicant about the age ranges of his students. He indicated the current clientele consists of 25 adults (over 18), 14 teens (13-17) and four (4) who are younger. However he desires to expand on all age groups.

Chairman Ebenhoch asked if there will be competitions with local studios. Mr. Carpenter stated that there could be.

Nancy Stephens, (nitenanc@sbcglobal.net) a nearby resident of Placentia, expressed support for the studio.

Frank Rodriguez, 161 Orangethorpe Avenue space 29, Placentia, expressed support for the studio.

Roland Harper, a supporter of the dance studio, indicated he had recently attended one of their social dances and it was an extremely wholesome environment that he supports for the community.

Brenda Palazzo, a resident of Mission Viejo whose daughter is a student of Mr. Carpenter, expressed her support for the proposed use.

General discussion was held regarding similarities of various uses in the C-M zone and the proposed social dance studio.

Chairman Ebenhoch closed the public hearing.

Commissioner Scull expressed that Placentia is very business friendly and that staff works hard to give applicants a business opportunity within the City. He recommended that staff find the necessary findings to recommend approval. The recommendation was supported by Commissioner Schaefer and Vice Chairman Tomazic as well.

Chairman Ebenhoch added that the Commission would like to approve the use but as it stands they cannot do that. He then echoed what Commissioner Scull, Schaefer and Vice Chairman Tomazic expressed.

Mr. Domer asked for clarification that staff is being directed to do two (2) things; one (1), find a way to make the proposed use work within the Commercial Manufacturing District and two (2), continue the item and provide findings at the May 8 meeting. Chairman Ebenhoch confirmed the Commissions directives and requested the applicant be temporarily approved to begin business operations. Mr. Domer indicated the City cannot allow that. He stated that staff will bring findings to the next meeting, based on discussions held during the Public Hearing, to support the proposed use in the Commercial Manufacturing District.

**Motion by Commissioner Scull, seconded by Commissioner Schaefer TO CONTINUE THE ITEM TO MAY 8, 2012 WITH THE DIRECTION TO COME BACK WITH FINDINGS THAT SUPPORT RECOMMENDATION OF A USE PERMIT APPROVAL. Passed by a 4-0 vote.**

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## **DEVELOPMENT REPORT**

Mr. Domer advised the Commission that the City is working on a signage policy to mandate that signage on businesses clearly states the nature of their business in English. This is to ensure that no offensive language or unallowable types of business are advertised. Chairman Ebenhoch asked if the City can require the use of English on business signage. Mr. Arczynski responded that no, the City cannot require English, but signage will require certified translation and a small portion to be legible in English.

## **PLANNING COMMISSION REQUESTS:**

Chairman Ebenhoch adjourned the Planning Commission meeting at 7:26 p.m. to the next regularly scheduled meeting on May 8, 2012 in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Ken Domer  
Assistant City Administrator