City of Orange
Planning Commission Meeting
Agenda

MONDAY, AUGUST 6, 2012

ADMINISTRATIVE SESSION
6:45 PM • Weimer Conference Room
(located behind the Council Chambers)

The Commission holds an Administrative Session to receive general information from the staff and conduct an initial review of the Minutes of prior meetings. The Session is open to the public; however, no public testimony is taken and no decisions are made. Following the Administrative Session, the Regular Session will begin at 7:00 p.m. in the City Council Chambers.

REGULAR SESSION
7:00 PM • City Council Chambers

If you are interested in addressing the Planning Commission on any item on this agenda, please **PRINT** today's date, your full name, address (with zip code) and phone number (optional) as well as the agenda item number on a yellow card provided on the table at the front door. Submit the completed card to the recording secretary at the front of the chambers. The Chair will call your name and allow you to speak when the item is considered. When you speak to the Commission, state your full name and address for the record. Members of the public must direct their questions to the Chair and not to other members of the Commission, the staff, or the audience. Speaking time is limited to three (3) minutes per person, so please organize your comments accordingly.

Regular Planning Commission meetings will be broadcast live on Time Warner Cable, Channel 3 and AT&T U-Verse, Channel 99 on the 1st and 3rd Mondays. You may also stream the meeting LIVE on the internet by logging onto the City of Orange website at www.cityoforange.org, clicking on Council Online; scroll down to find the meeting date & click on Video to watch. Upcoming event dates will become "In Progress" video links when the meeting begins. Click the link to watch the live event.

If a legal holiday falls on the 1st or 3rd Monday, the meeting will be held on Wednesday of that week.

NOTE: Any public record that is distributed less than 72 hours prior to the Planning Commission meeting will be made available at the Planning Commission meeting and at the City Clerk counter at City Hall, 300 E. Chapman Avenue, Orange, CA 92866.

PLEASE SILENCE ALL ELECTRONIC DEVICES

Commissioners:

William G. Steiner, Chair
Patricia "Pat" Buttress, Vice Chair
William "Bill" Cathcart
Adrienne Gladson
Raymond Grangoff

Staff:

Leslie Aranda Roseberry,
Planning Manager

Gary Sheatz,
Assistant City Attorney

Sandi Dimick,
Recording Secretary

Chad Ortlieb,
Senior Planner

Robert Garcia,
Associate Planner

Doris Nguyen,
Associate Planner

Location:

300 E. Chapman Avenue
Orange, CA 92866
City Council Chambers

Mailing Address
P.O. Box 449
Orange, CA 92866-1591

Telephone Number:
(714) 744-7220

ADMINISTRATIVE SESSION – WEIMER ROOM

- Review of Agenda
- Policy/Procedural information
- Discussion regarding continuation of administrative sessions
- Review of minutes
- Adjourn to Regular Session in Council Chambers

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Please contact the Planning Division either in person at 300 E. Chapman Ave., Orange, CA. or by calling (714) 744-7220 no later than 10:00 AM on the City business day preceding the scheduled meeting. If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 744-5500. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title 11].

REGULAR SESSION – COUNCIL CHAMBERS

1. OPENING

1.1 Call to Order:

1.2 Flag Salute:

1.3 Roll Call:

1.4 Public Participation:

Opportunity for members of the public to address the Commission on matters <u>not</u> listed on this agenda.

1.5 Continued or Withdrawn Items: None

1.6 Announcement of Appeal Procedures (details found on last page of this agenda)

2. CONSENT CALENDAR

2.1 APPROVAL OF MINUTES FROM THE REGULAR SCHEDULED MEETING OF JUNE 4, 2012

2.2 APPROVAL OF MINUTES FROM THE REGULAR SCHEDULED MEETING OF JULY 2, 2012

All matters listed under the Consent Calendar are considered to be routine by the Planning Commission and will be enacted by one motion. There will be no separate discussion of said items unless members of the Planning Commission, staff or the public request specific items removed from the Consent Calendar for separate action.

3. NEW HEARINGS

3.1 CONDITIONAL USE PERMIT NO. 2855-12 - WINGSTOP RESTAURANT – TUSKATELLA LLC

The applicant proposes to sell beer and wine under a California Department of Alcoholic Beverage Control Type 41 license in association with an approximately 2,400 square foot restaurant use.

LOCATION: 1541 East Katella Avenue

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 (Class 1 – Existing Facilities) because the project only involves the licensing of alcohol sales and no new construction is proposed in association with the request.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 28-12 to allow an ABC Type 41 license for a proposed restaurant.

3.2 CONDITIONAL USE PERMIT NO. 2857-12 – VALIANT BREWING

The applicant proposes to operate a small beer manufacturer facility requiring a Type 23 (Small Beer Manufacturer) Alcoholic Beverage Control (ABC) license. In addition, the applicant is requesting an accessory tasting area of about 200 square feet for customers to sample and purchase the specialty beer.

LOCATION: 2294 North Batavia Street, Unit C

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) 15301 (Class 1 – Existing Facilities) because the project consists of the operation and licensing of an existing private structure.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 31-12 to allow a Type 23 Alcoholic Beverage Control License to operate a small beer manufacturer and to allow an accessory tasting area with limited hours.

3.3 CONDITIONAL USE PERMIT NO. 2870-12 AND DESIGN REVIEW COMMITTEE NO. 4634-12 - TILTED KILT

The applicant proposes to expand the outdoor patio from 774 SF to 1,836 SF and exterior improvements to the building. They are also proposing to modify the existing Conditions of Approval for the Alcoholic Beverage Control (ABC) Type 47 License (On-Sale General for a Bona Fide Public Eating Establishment) and to expand the CUP to include the larger patio. They are also voluntarily surrendering CUP 2821-11 which permitted 12 amusement devices.

LOCATION: 1625 West Katella

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) 15301 (Class 1 – Existing Facilities) because the project consists of the operation and licensing of an existing private structure.

RECOMMENDED ACTION:

Review and take action by the Planning Commission. A Resolution will be provided for approval or denial at the next Planning Commission meeting.

3.4 CONDITIONAL USE PERMIT NO. 2859-12 - FORSDICK RESIDENCE

The applicant proposes to add a 22 SF bathroom with plumbing facilities (toilet, sink and shower) within an existing detached 286 square foot accessory structure used as a recreation/pool room.

LOCATION: 2294 North Batavia

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project is to construct a 22 square foot bathroom with a toilet, sink and shower within an existing 286 square foot accessory structure.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 30-12 approving the construction of a toilet, sink and shower within a 286 square foot detached accessory structure upon property zoned R-1-8.

3.5 CONDITIONAL USE PERMIT NO. 2862-12 - OC MARTIAL ARTS

The applicant proposes martial arts and fitness classes for children and adults in a commercial center. A Conditional Use Permit is required for the school use.

LOCATION: 3126 East Chapman

NOTE: The proposed project is categorically exempt from the provisions of the California Environment Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project includes no expansion of the existing building.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 29-12 approving the allowance of a martial arts and fitness school.

4. ADJOURNMENT:

Adjourn to the next regularly scheduled meeting on Monday, August 20, 2012.

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed, and such appeal must be filed within 15 calendar days after the Planning Commission action. This appeal shall be made in written form to the Community Development Department, accompanied by an initial appeal deposit of $1,000.00.

The City Clerk, upon filing of said appeal, will set petition for public hearing before the City Council at the earliest date. All owners of property located within 300 feet of the project site will be notified by the City Clerk of said hearing. For additional information, please call (714) 744-7220.

If you challenge any City of Orange decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.