

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

March 8, 2011

The regular meeting of the Placentia Planning Commission of March 8, 2011 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, California by Chairman Ebenhoch.

ROLL CALL: Present: Michael Ebenhoch, Commissioner
Floyd Farano, Commissioner
Christine Schaefer, Commissioner
John Scull, Commissioner
Frank Perez, Commissioner
Vic Tomazic, Vice Chairman

Absent: None (one vacancy)

PLEDGE OF ALLEGIANCE: Led by Vice Chairman Tomazic

Others Present: Ken Domer, Assistant City Administrator
Andrew V. Arczynski, City Attorney
Monique Schwartz, Associate Planner
Sara Salazar, Administrative Assistant

Motion by Commissioner Schaefer, seconded by Commissioner Farano to APPROVE THE MINUTES of February 8, 2011 with the correction that former Planning Chairman Green was present for part of the meeting. Passed by a 6-0 vote.

ORAL COMMUNICATIONS: The Chair invited the public to make oral comments on matters not on the agenda, but none were offered.

Public Hearings:

- Applicant: Mike Antimie**
Location: 1921 Mire Loma Avenue

Use Permit (UP) 2011-02:

Request to permit the operation of a church (New Hope Christian Ministries) within a +/- 5,435 square foot industrial suite, located within an existing industrial complex at 720 Monroe Way, Suite A in the Manufacturing (M) District.

The item was recommended by staff for continuance on the April 12, 2011 Planning Commission meeting.

Chairman Ebenhoch opened the Public Hearing for public comment. Having no public

comment the Chairman continued the open Public Hearing to April 12, 2011.

2. **Applicant: Matthew and Patricia Wheeler**
Location: 909 E. Yorba Linda Boulevard, Suites F & G

Use Permit (UP) 2011-03:

Request to permit the operation of a tattoo establishment within a +/- 1,090 square foot commercial/retail suite, located at 909 E. Yorba Linda Boulevard, Suites F & G in the Neighborhood Commercial (C-1) District.

Ms. Schwartz gave the staff report.

Commissioner Farano asked if the State of California has licensing requirements for tattoo artists. Ms. Schwartz responded that there are none she is aware of.

Commissioner Schaefer asked if there are any other tattoo shops in the City. Ms. Schwartz responded that there are currently none. Commissioner Schaefer asked if there were any complaints associated with the former shop and Ms. Schwartz stated that there were none. Commissioner Schaefer asked if this shop will be conducting body piercing and Ms. Schwartz responded that no, they will not be.

Chairman Ebenhoch opened the Public Hearing.

The applicant, Mr. Matthew Wheeler, introduced himself and spoke about his business. He indicated that he wants to cater to a higher caliber of tattoo seeking customers. He stated he is a family man and wants his shop to be a place where his kids could safely visit at any time.

Vice Chairman Tomazic asked the applicant if he resides in the City. Mr. Wheeler responded that he has lived in Fullerton for about 10 years. He also helped to build up the success of the tattoo shop, "Aces High" in Fullerton for the last 13 years.

Commissioner Farano asked what the applicant did at Aces High, besides perform tattoos. Mr. Wheeler indicated that he would run the shop when the owner was out. Commissioner Farano asked if the artists that Mr. Wheeler hires, will be employees or independent contractors. Mr. Wheeler responded they will be independent contractors. Commissioner Farano asked Mr. Wheeler if he has prepared a business plan. Mr. Wheeler responded that he has a large clientele and does not foresee taking a loss in the first year. Commissioner Farano asked how the client base will be built. Mr. Wheeler responded that his clientele has been built on referral. His clients understand that he provides a superior product and they are willing to pay for it. Commissioner Farano asked how many clients he has. Mr. Wheeler responded that he has approximately 300 to 400 clients.

Commissioner Schaefer asked if the artists he hires are required to go to the health department for licensing etc. Mr. Wheeler responded that tattoo artists are not regulated by the health department; however he will insist that his artists become certified in Bloodborne Pathogens and Cross Contamination.

Commissioner Scull asked if Mr. Wheeler ever plans to incorporate body piercing into his business. Mr. Wheeler responded that he will never have body piercing at his shop. Commissioner Scull asked if there is a demand for tattoos in the area. Mr. Wheeler responded that he is confident his current clientele will be sufficient. Commissioner Scull asked if he had any plans to sell miscellaneous merchandise in the shop. Mr. Wheeler responded that he may sell t-shirts that would promote his shop.

Commissioner Farano asked if Mr. Wheeler will be conducting a background check on his artists. Mr. Wheeler responded that artists will be referred to him by upper end shops; however he will have the ability to do back ground checks if he chooses to. Commissioner Farano asked if the artists he will be working with are of good moral character. Mr. Wheeler responded that yes they are and he is working to change the negative stigma associated with tattoo artists. Commissioner Farano expressed concern with the lack of control Mr. Wheeler will have over his independent contract tattoo artists. Mr. Wheeler explained that his artists will be expected to hold regular business hours and follow shop rules.

Commissioner Schaefer asked Mr. Wheeler if there will be private areas for tattooing. Mr. Wheeler responded that yes there will be a private area.

The co-applicant, Mrs. Patricia Wheeler addressed the Commission concerning Mr. Wheeler's current clientele. She explained that Mr. Wheeler will be taking all of the clients he currently works with at Aces High, with him, to the new shop. She clarified the relationship between a contracted tattoo artist and a shop owner.

Commissioner Farano asked Mrs. Wheeler if the independent contractors will be under contract. Mrs. Wheeler responded that nothing has been written up as of yet. Commissioner Farano asked if Aces High is still in business and if Mr. Wheeler is taking all their customers. Mrs. Wheeler responded that Mr. Wheeler is taking his customers only and Aces High will remain in business.

Chairman Ebenhoch invited comments from the community.

Mr. Eric Humboldt, 1037 Fuchsia Circle Placentia, has 2 children who attend classes at Action Kids, which is in the same shopping center as the proposed tattoo shop. He expressed concerns with there already being heavy traffic and not enough parking in the center. He also asked what the front windows of the tattoo shop will look like.

Ms. Kim Summers, 150 Paularino Avenue Costa Mesa, an employee of the center's landlord spoke in support of the tattoo shop. She explained the center has rules concerning window signage and the shop will look similar to what it looks like now once the tenant has taken occupancy. She noted this use will use minimal parking and additional parking is available in the back of the center.

Chairman Ebenhoch asked if anything could be done to enhance the parking available in the back of the center. Ms. Summers responded that employees are asked to park in the back of the center to leave parking in front open for customers.

Ms. Barbara Mulgar, 16442 Lymon Avenue Placentia, stated she lives in the neighborhood

behind the center. She was not in support of the tattoo shop as she felt it will attract the wrong kind of people to the area and may lower the value of her home.

Mr. Cameron Heath of Action Kids was not in support of the tattoo shop. He expressed concerns about the negative impact which may result from his business being placed between a tattoo shop and Kelly's Korner (a sports bar). Chairman Ebenhoch asked Mr. Heath if he reviewed the potential uses of the vacant shops before signing his lease in the center. He responded that no, he did not.

Vice Chairman Tomazic asked Mr. Heath if he had addressed his concerns with the landlord. Mr. Heath responded that besides a brief conversation today, no he had not spoken to them prior.

The Chair invited the applicant to respond to the concerns expressed by those from the community in attendance.

Mrs. Wheeler responded to the parking concern stating that any business is going to utilize parking and that cannot be avoided, however their parking use will be minimal. She also invited Mr. Heath of Action Kids to please let her or her husband know if something occurs that is cause for concern as she respects the image that his business is trying to uphold.

Chairman Ebenhoch closed the Public Hearing.

Chairman Ebenhoch thanked the members of the community for coming to express their concerns.

Commissioner Farano expressed that he did not feel the location is right for the use.

Commissioner Schaefer commented that Special Condition no. 32 states that the Use Permit will be reviewed at one (1) year or sooner if the need should arise. She also thanked staff for consulting with the Police Department on the proposed use who noted no immediate concerns.

Motion by Commissioner Schaefer, seconded by Vice Chairman Tomazic TO ADOPT RESOLUTION NO. PC-2011-05 APPROVING USE PERMIT (UP) 2011-03, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-1 vote (Farano voted No).

Old Business:

None

New Business:

None

PLANNING COMMISSION REQUESTS:

Commissioner Schaefer announced that she will not be able to attend the April meeting.

Chairman Ebenhoch adjourned the Planning Commission meeting to the next regularly scheduled meeting on April 12, 2011 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,



Ken Domer
Assistant City Administrator