

PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING

August 9, 2016

The regular meeting of the Placentia Planning Commission of August 9, 2016 was called to order at 6:33 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chair Schaefer.

ROLL CALL:

PRESENT: Commissioners Solomonson, Tomazic, Perez, Schaefer

ABSENT: Commissioners Francine, Lee, Schenck

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney
Charles Rangel, Contract Senior Planner
Elsa Villagrana, Senior Administrative Assistant

PLEDGE OF ALLEGIANCE: Commissioner Schaefer

ORAL COMMUNICATIONS:

Mr. John Angley, 1826 E. Taft Lane, Placentia, CA, expressed concerns regarding the Anaheim Sustainability Center and its potential effects on the City of Placentia.

Mr. Carlos Espinoza, 1729 N. Oakwood Avenue, Anaheim, CA, expressed concerns regarding the digester in Anaheim and the odor.

Mr. Eric Padilla, resident of Fullerton, CA, stated he was just made aware of the Anaheim Sustainability Center project last week and is concerned about notification to City of Placentia residents, air quality and property values.

Ms. Julia Espinoza expressed that she is opposed to the Anaheim Sustainability Center due to its proximity to an elementary school.

Mr. Robert Cohen, 428 Normandy Avenue, Placentia, CA, is concerned about the detailed plans and engineering design of the Anaheim Sustainability Center project, including potential hazards and odor.

Senior Planner Charles Rangel addressed public comments, noting that the City of Anaheim has circulated a Mitigated Negative Declaration. Mr. Rangel stated that staff is reviewing the environmental document and is preparing a comment letter to be submitted to the City of Anaheim by August 15, 2016.

Mr. Rangel clarified for Chair Schaefer that the City of Anaheim is the lead agency and is tasked with studying the potential environmental impacts to the environment regarding that project.

CONSENT CALENDAR:

REGULAR AGENDA:

PUBLIC HEARINGS:

1. **Applicant:** **Xue Vai, dba as Massage Eden**
Project Location: **1166 E. Yorba Linda Boulevard**
Use Permit (UP) No. 2016-02: A request to permit a massage establishment inside an enclosed 1,116 square foot suite, within an existing multi-tenant commercial building located at 1166 E. Yorba Linda Boulevard in the Neighborhood Commercial District (C-1).

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

1. Open the public hearing concerning Use Permit No. (UP) 2016-02; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC 2016-11, a resolution of the Planning Commission of the City of Placentia, approving UP 2016-02 and making findings to permit the operation of a massage establishment within a +/- 1,200 square foot commercial suite, located at 1166 E. Yorba Linda Boulevard. "C-1" Neighborhood Commercial Zoning District; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 and the City of Placentia Environmental Guidelines.

Senior Planner Charles Rangel provided the staff report, noting that City Council approved an ordinance requiring all massage establishment applicants to apply for a use permit for the operation of a massage establishment. He stated that staff has begun implementing this ordinance and UP 2016-02 is part of this process.

Mr. Rangel provided the Commissioners a summary of the business, including zoning information, hours of operation, interior layout, parking requirements and Conditions of Approval.

Responding to Commissioner Solomonson's inquiry regarding a discrepancy between the location listed on the Staff Report and that listed on the attached layout, Mr. Rangel stated that the applicant would clarify.

The applicant was not present in the audience.

After discussion, Commissioners recommended continuance of the item to the next meeting to allow for clarification of the location, and correction of the map to be included by the next meeting.

Motion by Solomonson, second by Perez carried on a (4-0-3-0) vote to continue the item to September 13, 2016.

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

2. **Applicant:** Jun Sheng, dba Beauty Bodycare Massage / Spa

Project Location: 1414 Kraemer Boulevard

Use Permit (UP) No. 2016-04: A request to permit a massage establishment to be conducted entirely inside an existing enclosed 1000 square feet multi-tenant commercial building located at 1414 N. Kraemer Boulevard in the Town Center District (T-C). Section 8.44 of the Placentia Municipal Code allows for massage establishment subject to approval of the Use Permit. The Beauty Body Care Massage/Spa is an existing establishment, but the newly enacted ordinance applies to all existing uses and new establishments.

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

1. Open the Public Hearing concerning Use Permit 2016-04; and
2. Receive the Staff Report and consider all public testimony; and
3. Close the Public Hearing; and
4. Adopt Resolution PC-2016-12, A Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2016-04 and making findings to permit the operation of a massage establishment within a +/- 1000 square foot commercial suite, located at 1414 N. Kraemer Blvd. in "T-C" Town Center Commercial Zoning District; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15301 and the City of Placentia Environmental Guidelines.

Senior Planner Rangel presented the staff report and summary of the business operations. Mr. Rangel provided zoning information, hours of operation, interior layout, parking requirements and Conditions of Approval.

Mr. Rangel responded to Chair Schaefer's questions by stating that he has not received notification regarding inappropriate or criminal activity from the Police Department. Mr. Rangel also stated that he will incorporate additional information such as the amount of experience and training an applicant has in future staff reports and clarified how massage establishments are notified regarding the new state regulations.

Michael Kim, with A&E Consultants, spoke on behalf of the Applicant, Ms. June Sheng of Beauty Bodycare Massage. Mr. Kim stated that the Applicant was not present. Mr. Kim stated that this a request to continue the operation of an existing massage business that

was established in 2012, noting that all his massage therapists are State certified. Mr. Kim continued to state that a valid business license has been obtained.

Mr. Kim requested a correction regarding the hours of operation stated on the staff report. Mr. Kim stated that the hours are 10:00 a.m. to 9:00 p.m. instead of 9:00 a.m. to 10:00 p.m. Mr. Kim clarified for the Commission the days of operation.

Mr. Robert Cohan, 428 Normandy Avenue, Placentia, CA, expressed concerns regarding the amount of massage establishments in the City and possible legal issues.

Assistant City Attorney Yolanda Summerhill noted that in the event the Commission's inclination is to move toward a denial of a use permit for an existing massage establishment, her recommendation is to start a revocation process for a given establishment.

In response to questions from Chair Schaefer, Mr. Kim stated that he has reviewed the Conditions of Approval with his client and that the Applicant has full understanding of conditions and is prepared to comply.

Motion by Solomonson, second by Perez carried on a (4-0-3-0) vote to approve the recommended actions.

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

3. **Applicant:** Hui Wang, dba as Violet Moon Spa

Project Location: 909 E. Yorba Linda Boulevard

Use Permit (UP) No. 2016-04: A request to permit for a massage establishment to be conducted entirely inside an enclosed 956 square foot (sq. ft.) multi-tenant commercial building located at 909 E. Yorba Linda in the "C-1" Neighborhood Commercial Zoning District. Section 8.44 of the Placentia Municipal Code allows for massage establishment subject to approval of a Use Permit. The applicant is actually an existing establishment, but the newly enacted ordinance applies to all existing uses and any new proposed establishments.

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

1. Open Public Hearing, concerning Use Permit (UP) No. 2016-04; and
2. Receive the Staff Report and consider all Public Testimony; and
3. Close the Public Hearing; and

4. Adopt Resolution PC-2016-15, A Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2016-04 and making findings to permit the operation of a massage establishment within a +/- 956 square foot commercial suite, located at 909 E. Yorba Linda in the "C-1" Neighborhood Commercial Zoning District; and making Findings that the project is categorically exempt pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15301 and the City of Placentia Environmental Guidelines.

Senior Planner Charles Rangel presented the staff report and provided the Commissioners with a site plan, operational characteristics of the business and a description of adjacent commercial uses.

Mr. Rangel stated the hours of operation and days that the establishment will be open for business. Mr. Rangel described the floor plan and parking requirements. Mr. Rangel noted that he has not received notification regarding inappropriate or criminal activity from the Police Department.

Dah Cheng, served as a translator for the Applicant, Hui Wang Dah Cheng. Mr. Cheng stated that this is an existing business, which was established three years ago. Mr. Cheng stated that the Applicant is requesting permission to continue operations.

In response to questions from Chair Schaefer, Mr. Cheng stated that the Applicant understands and accepts the Conditions of Approval for the Use Permit.

Motion by Perez, second by Tomazic carried on a (4-0-3-0) vote to approve the recommended actions.

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

4. **Applicant:** Franco & Madeline Diaddezio dba Fit Body Boot Camp

Project Location: 1434 N. Kraemer Boulevard

Use Permit No. UP 2016-09: To request a Use Permit for a fitness studio within a +/- 1450 square foot commercial suite located at 1434 N. Kraemer Boulevard in the T-C Town Center District. Additionally, the applicant intends to offer sales of taxable fitness products (foam rollers, wrist wraps, wrist bands, jump ropes, etc.) and apparel (t-shirts, tank tops, hats, jackets), and nutritious food and drink products such as Fit Pro protein shakes, FitAid recovery beverages and focus beverages, water, protein powder, protein bars such as Balance Bars and Quest Bars. Section 23.27.040 (4) of the Placentia Municipal Code allows for health clubs including, but not limited to, racquetball clubs, swim clubs, tennis clubs and gymnasiums subject to approval of a Use Permit. A fitness studio is therefore similar in land use characteristics to health clubs.

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

1. Open the public hearing concerning Use Permit (UP) No. 2016-14; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2016-14, A Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2016-09 and making findings to permit the operation of a fitness studio within a +/- 1,450 square foot commercial suite located at 1434 N. Kraemer Boulevard in the T-C Town Center Commercial and making Findings that the project is categorically exempt pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15301 and the City of Placentia Environmental Guidelines.

Senior Planner Charles Rangel presented the staff report, noting that the applicant will also provide sales of various retail items. Commissioners were provided with a site plan, land use matrix and parking requirements.

Mr. Rangel clarified the hours of operation with the applicant.

The Applicant, Madeline Diaddezio dba Fit Body Boot Camp, 1434 N. Kraemer Boulevard, Placentia, CA, stated that they currently operate another fitness facility in Anaheim, which was established in 2015. Ms. Diaddezio described their fitness training plan and gave examples of client success stories.

The Applicant responded to the Commissioners' questions by stating that the location was selected due to the proximity to their Anaheim facility. Ms. Diaddezio also noted the number of employees, hours of operation, and discussed details regarding sales revenue.

In response to questions from Chair Schaefer, the Applicant stated her understanding and acceptance of the Conditions of Approval for the Use Permit and Development Plan Review.

Motion by Solomonson, second by Tomazic carried on a (4-0-3-0) vote to approve the recommended actions.

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

5. **Applicant:** Mahin Sofia Rastegari

Project Location: 431 Palm Avenue

Use Permit No. UP 2016-08: To request a Use Permit for rehabilitating a previous

but now vacant one-story house used for preschool and operation of a 60-student maximum preschool/Montessori school in a 3,345 square foot (SF) building located at 431 Palm Ave. in the C-O Commercial Office Zoning District. Section 23.87 of the Placentia Municipal Code allows for schools subject to approval of a Use Permit.

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

1. Open the public hearing, concerning Use Permit 2016-08; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2016-13, A Resolution of the Planning Commission of the City of Placentia, approving Use Permit No. 2016-08 and Making Findings to Permit the Operation of a 60 student maximum private preschool/Montessori school in a 3,345 square foot (SF) building located at 431 Palm Ave. in the C-O Commercial Office Zoning District and adopt Resolution PC-2016-1, a Resolution of the Planning Commission of the City of Placentia, Variance 2016-16 approving a variance for less than the parking stall required by Code and make Findings that the project is categorically exempt pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR § 15301 and the City of Placentia Environmental Guidelines.

Senior Planner Charles Rangel presented the staff report, describing the history and unique challenges of this parcel. Mr. Rangel also stated that the Police Department provided a lengthy history of calls for service involving this property, which has been neglected for a long period of time.

Mr. Rangel clarified the State requirements and regulations regarding school facilities. Mr. Rangel also stated morning drop off times would be staggered to mitigate the impacts of traffic congestion. The school will provide students with transportation to the afternoon programs. Mr. Rangel continued by describing the parking requirements and requested variance, due to the irregularly shaped parcel.

Mr. Rangel continued by discussing the costs involved for street improvements, landscaping and the rehabilitation of the existing structure. The Commissioners were provided with a site plan and photographs showing the existing condition of the property. Mr. Rangel noted that the Oak tree on the property is diseased and will require removal.

Mr. Rangel answered questions from the Commissioners regarding street improvement plans, improvement costs and the City's lien on the property.

The Applicant, Mahin Sofia Rastegari, 35512 Aragon Way, Yorba Linda, CA, discussed her experience working with children, noting that she has the required credentials and that the teachers would also need to meet certain requirements.

Ms. Rastegari responded to the Commissioners' questions regarding basement access, licensing requirements and the age of the students.

In response to questions from Chair Schaefer, the Applicant stated her understanding and acceptance of the Conditions of Approval for the Use Permit.

Mr. Soon Choi 401 E. Rockaway Drive, Placentia, CA, expressed concerns regarding noise, parking, property values, traffic and security.

Mr. Robert Cohan, 428 Normandy Avenue, Placentia, CA, expressed concerns regarding the pickup and drop off times, speed limit and parking.

Mr. Rangel and the Applicant addressed public concerns and clarified points regarding the pickup and drop off times, noise barriers and street parking options. Staff will review State speed limit requirements for private schools. Assistant City Attorney Yolanda Summerhill added that special conditions can be incorporated in the Conditions of Approval to address specific concerns.

The Applicant responded to Chair Schaefer's question, regarding possibly continuing this item to next month by stating that Escrow has already been delayed and that further delay would be problematic.

Mr. Rangel clarified for the Commission the Conditions of Approval regarding mitigation that addresses street parking concerns. Ms. Summerhill confirmed that modifications can be made to the Conditions of Approval, if deemed necessary by the Commission.

Motion by Solomonson, second by Perez carried on a (4-0-3-0) vote to approve the recommended actions.

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

OLD BUSINESS:

NEW BUSINESS:

DEVELOPMENT REPORT:

DIRECTOR'S REPORT:

Senior Planner Charles Rangel provided updates regarding the Metrolink Station and The Bruery.

PLANNING COMMISSION REQUESTS:

Chair Schaefer requested that staff provide the Commission with the following information when presenting use permit applications for massage establishments:

- Number of massage establishments in the City of Placentia
- A description of how staff is communicating with the businesses to comply with the new ordinance
- New proposals for massage establishments
- An analysis of the number of massage establishments allowed
- The possible limitations in zoning codes or General Plan
- Police Department history for each business to be included in the staff report
- Length of time the establishment has been in business
- Site plan

ADJOURNMENT:

Chair Schaefer closed the Planning Commission Regular Meeting at 7:36 p.m. to the regular meeting Tuesday, September 13, 2016 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

Submitted by,


Secretary to the Planning Commission