



APPROVED: August 14, 2017

MINUTES OF THE REGULAR MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

July 10, 2017

1. CALL TO ORDER

Chair Arnold called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Arnold called upon Commissioner John Mora to lead everyone in the Pledge of Allegiance.

3. ROLL CALL

Members present:

Chairperson Arnold
Vice Chairperson Jimenez
Commissioner Aranda
Commissioner Mora
Commissioner Ybarra

Staff:

Yolanda Summerhill, City Attorney
Wayne M. Morrell, Director of Planning
Cuong Nguyen, Senior Planner
Luis Collazo, Code Enforcement Officer
Teresa Cavallo, Planning Secretary
Jimmy Wong, Planning Consultant
Vince Velasco, Planning Intern
Camilla Martinez, Planning Intern
Mike Crook, Fire Chief
Christa King, Fire and Environmental Safety Inspector II

Members absent:

None

4. ORAL COMMUNICATIONS

No speakers.

5. ELECTION OF OFFICERS FOR 2017-2018

The bylaws require the election of Planning Commission Officers.

Chair Arnold announced his intention to vacate the office of Chairman effective immediately and called for nominations for the office of Chairperson. Commissioner Mora nominated Commissioner Aranda; a second was not received. The nomination

was not confirmed. Vice Chair Jimenez nominated Commissioner Mora, a second was not received. Therefore, the nomination was not confirmed. Former Chair Arnold nominated Vice Chair Jimenez; Commissioner Ybarra seconded the nomination, which was approved by the following vote:

Ayes: Arnold, Aranda, Mora, Jimenez, and Ybarra

Nayes: None

Chair Jimenez vacated his office of the Vice Chair effective immediately and opened the nominations for Vice Chair. Commissioner Arnold nominated Commissioner Aranda; Commissioner Ybarra seconded the nomination. No other nominations were received. The nomination for Commissioner Aranda as the new Vice Chair was approved by the following vote:

Ayes: Arnold, Aranda, Mora, Jimenez, and Ybarra

Nayes: None

PUBLIC HEARINGS

PUBLIC HEARING

6. Conditional Use Permit Case No. 783

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 783, and thereafter close the Public Hearing; and
- Find and determine that the proposed project is a categorically-exempt project pursuant to Section 15301 (Class 1, Existing Facilities) of the California Environmental Quality Act (CEQA); consequently, no other environmental documents are required by law; and
- Deny the request for Conditional Use Permit Case No. 783 based on the findings within this report in accordance with Section 155.724 (E) of the Santa Fe Springs Zoning Code.

Chair Jimenez opened the Public Hearing at 6:08 p.m. and called upon Code Enforcement Officer Luis Collazo to present Conditional Use Permit Case No. 783 before the Planning Commission. Present in the audience was the applicant and owner Garrett Biggs for Mi Amor Massage. Also, present were Detectives John Draper and Jess Bonavente from the Whittier Police Department.

Commissioner Ybarra commented that the findings in the Staff report were disturbing. Commissioner Ybarra further inquired if any complaints had been received. Mr. Collazo indicated that the surrounding businesses did not have any idea what was going on within the property location.

Commissioner Aranda inquired as to the validity of the massage certifications, which Mr. Collazo replied when he verified the validity of the massage certifications came back as invalid.

Commissioner Arnold inquired about Exhibit A and if a business license was issued the same day that the applicant applied for such license and why a CUP was not required at the time. Mr. Collazo replied that a business license was issued the very same day;

however, very specific wording was written on the business license that stated that all therapist must be certified by the California Massage Therapy Council.

Chair Jimenez invited anyone from the audience to speak on this matter. Mr. Garrett Biggs, the owner and applicant of Mi Amor, addressed the Planning Commission. Mr. Garrett Biggs provided a brief history of his business and the continued contact with City Staff. Mr. Biggs also indicated that the events described in the staff report occurred while Mr. Biggs was out of the country on vacation. Mr. Biggs further acknowledged that he has mismanaged his business and apologized for his employees' actions.

Commissioner Ybarra inquired about the number of employees that are employed. Mr. Biggs replied that he currently employs two (2) licensed therapists and hopes that they are willing to return to work since he has been closed.

Mr. Biggs further stated that he received a voicemail from Mr. Collazo congratulating him about his business and played it for the Planning Commission. It was confirmed by the Planning Commissioners that no such congratulations could be heard on the recording.

A discussion ensued regarding the CUP process.

Commissioner Aranda commented that a CUP would not do Mi Amor any good since the business license specifically states that Mi Amor was to have certified staff on the premises to conduct business. Mr. Biggs replied that both he and his wife are both certified and he has two other certified employees.

Commissioner Aranda further inquired if Mr. Biggs' manager was on the premises during the different site inspections. Mr. Biggs replied that he takes responsibility for the mismanagement of his business and will make sure that moving forward his business is operating in strict accordance with the City's rules and regulations.

Commissioner Aranda inquired how would a Conditional Use Permit allow this business to operate moving forward. Mr. Collazo indicated that Conditions of Approval would be implemented and part of those conditions would require Mr. Biggs's employees to be certified therapists.

Commissioner Arnold inquired about licensing requirements and if a license is required to be posted and visible for the public to see. Mr. Collazo indicated that yes the license is required to be posted and visible. Mr. Collazo further stated that the business was open to the public and that the person on the premises was not certified. Mr. Collazo stated that anytime a massage business is open for business must have a certified staff person on the premises.

Commissioner Ybarra commented that based on staff's findings and what has been presented before the Planning Commission is very concerning and cannot move forward with approving the Conditional Use Permit at this time. Commissioner Ybarra would entertain hearing the CUP again once the business owner can prove to City Staff that they can operate the business with proper management and with certified therapists.

Commissioner Aranda commented that Staff is requesting denial of the CUP in its entirety based on the facts of what has occurred and requested what the process is for denial.

Code Enforcement Officer Luis Collazo explained the Appeal Process to both the Planning Commissioners and the applicant.

Director of Planning Wayne Morrell explained the three decision options that City Council can take as well.

A discussion ensued regarding the appeal process and the reason why a CUP is required for such a use.

Having no further questions or comments, Chair Jimenez closed the Public Hearing at 6:46 p.m. and requested a motion on this matter. It was moved by Commissioner Ybarra, seconded by Commissioner Arnold to deny Conditional Use Permit Case No. 783, and the recommendations regarding this matter, which passed by the following vote:

Ayes: Arnold, Aranda, Jimenez, Mora and Ybarra

Nayes: None

PUBLIC HEARING

7. Development Plan Approval Case No. 923 and Lot Line Adjustment Case No. 2017-01

Recommendation: That the Planning Commission:

- Open the public hearing and receive any comments from the public regarding Development Plan Approval Case No. 923, Lot Line Adjustment Case No. 2017-01, and thereafter, close the public hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
- Find that the applicant's request meets the criteria set forth in §155.739 of the City's Zoning Regulations, for the granting of Development Plan Approval; and
- Find that Lot Line Adjustment No. 2017-01 is consistent with the City's General Plan, Zoning Regulations and Building Code, and will not create a greater number of parcels than originally existed; and
- Find and determine that the project is categorically exempt pursuant to Section 15332, Class 32 (In-Fill Development Projects), of the California Environmental Quality Act (CEQA); therefore, no additional environmental analysis is required by law; and
- Find that Lot Line Adjustment No. 2017-01 meets the criteria for "Minor Alterations to Land Use Limitations", pursuant to the California Environmental Quality Act (CEQA). Specifically, the proposed project is a categorically-exempt project, pursuant to Section 15305, Class 5, of CEQA; consequently, no other environmental documents are required by law; and
- Approve Development Plan Approval Case No. 923 and Lot Line Adjustment Case No. 2017-01, subject to the conditions of approval as contained within the staff report.

Chair Jimenez opened the Public Hearing at 6:56 p.m. and called upon Planning

Consultant Jimmy Wong to present Item No. 7 before the Planning Commission.

Commissioner Aranda inquired about the truck flow and truck circulation access within the parking lot. Director of Planning Wayne Morrell replied that there is an existing condition allowing the current truck circulation that shows parking within that area. The City does not have that practice anymore; however, because it was existing the City continued to allow it under this DPA.

Commissioner Arnold inquired about complaints regarding truck flow and circulation. Code Enforcement Officer Luis Collazo indicated that he periodically drives within that area and does not see any violations nor has he received any complaints.

Having no one wishing to speak on this matter, Chair Jimenez closed the Public Hearing at 7:06 p.m. and requested a motion on this matter. It was moved by Commissioner Aranda, seconded by Commissioner Arnold to approve Conditional Use Permit Case No. 923 and Lot Line Adjustment Case No. 2017-01, and the recommendations regarding this matter, which passed by the following vote:

Ayes: Arnold, Aranda, Jimenez, Mora and Ybarra

Nayes: None

CONSENT ITEMS

8. CONSENT ITEM

A. Conditional Use Permit Case No. 641-3 & Zone Variance Case No. 68-3

Recommendation: That the Planning Commission:

- Approve a five (5) year extension of time for CUP Case No. 641 and ZV Case No. 68 until July 10, 2022, subject to the conditions of approvals as contained within the latest approval dated July 24, 2012.

B. Conditional Use Permit Case No. 770-1 & Modification Case No. 1265

Recommendation: That the Planning Commission:

- Find and determine that granting a one (1) year time extension of Conditional Use Permit Case No. 770, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
- Approve a one (1) year time extension of Conditional Use Permit Case No. 770 (until July 10, 2018), subject to the conditions of approval as contained within this staff report.

It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve Consent Item Nos. 8A and 8B and the recommendations regarding these items, which passed by the following vote:

Ayes: Arnold, Aranda, Jimenez, Mora and Ybarra

Nayes: None

ANNOUNCEMENTS

9. The following announcements were made:

Commissioners made the following announcements:

- Vice Chair Aranda thanked Commissioner Arnold for his service as Chairman this past year and the great job he has done. Commissioner Aranda also requested if Staff could label the attached Exhibits with a description within their staff reports.
- Commissioner Arnold thanked staff and everyone for all of their help and making things run so smoothly for him. He also comments that he knows Chair Gabriel will do a great job.
- Commissioner Ybarra inquired about the trees planted along Parkmead Street and the contract that the City holds with the contractor. Code Enforcement Officer Luis Collazo replied that both the City Manager and the Public Works Director are aware of the conditions of the trees along that street.
- Chair Jimenez thanked everyone and to bear with him as he becomes acclimated to his new position.

Staff made the following announcements:

- Senior Planner Cuong Nguyen announced that a third Poke place has opened within the City. This Poke place is located next the Starbucks on Telegraph Road and Gunn Avenue.

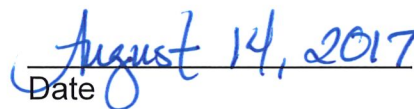
ADJOURNMENT

Chair Jimenez adjourned the meeting at 7:15 p.m.

ATTEST:


Teresa Cavallo
Planning Secretary


Ken Arnold
Commissioner


Date