

**MINUTES OF THE PLANNING COMMISSION OF THE CITY OF STANTON
REGULAR MEETING
WEDNESDAY, AUGUST 15, 2018**

1. CALL TO ORDER

The members of the Planning Commission of the City of Stanton met in regular session in the City Council Chambers at 6:30 p.m., Chair Greer presiding.

2. PLEDGE OF ALLEGIANCE

Led by Council Member Al Ethans.

3. ROLL CALL

Present: Commissioner Ash, Commissioner Grand, Commissioner Taylor, Vice Chair Moua, Chair Greer

Absent: None.

Excused: None.

Also Present: Community & Economic Development Director Kelly Hart and Associate Planner Rose Rivera

4. SPECIAL PRESENTATION

None.

5. APPROVAL OF MINUTES

The Planning Commission approved minutes of the March 28, 2018 Special Meeting.

Motion/Second: Ash/Moua

Motion unanimously carried (5 - 0) by the following vote:

AYES: Ash, Grand, Taylor, Moua, Greer

NOES: None

ABSTAIN: None

ABSENT: None

6. PUBLIC COMMENTS

Council Member Ethans thanked Chair Greer and Mrs. Debbie Greer for their service to the City and the community.

7. PUBLIC HEARINGS

7A. PUBLIC HEARING TO CONSIDER THE REVOCATION OF CONDITIONAL USE PERMIT C16-12 FOR A MASSAGE ESTABLISHMENT LOCATED AT 10499 BEACH BOULEVARD IN THE CG (COMMERCIAL GENERAL) ZONE.

Commissioner Grand recused herself from the discussion as her residence is within 500 feet of the subject property. She left her seat at the dais and exited the Chamber.

Associate Planner Rose Rivera presented the staff report. She provided the project background and noted that on March 1, 2017, the Planning Commission held a public hearing to consider Conditional Use Permit C16-12 to allow for the continued operation of the massage establishment located at 10499 Beach Boulevard. At that meeting, the Commission approved the Conditional Use Permit subject to conditions of approval.

On April 16, 2018, City staff received a letter from the attorney representing the property owner, 7-Eleven, Inc., requesting the City terminate the Conditional Use Permit which allowed for the massage establishment. She noted that per the Stanton Municipal Code, a public hearing may be set by the Planning Commission to consider revocation of the Conditional Use Permit.

Associate Planner Rivera explained the subject property is located on the northwest corner of Beach Boulevard and Cerritos Avenue and the site is located in the Commercial General (CG) Zone and carries a General Plan land use designation of General Commercial. Surrounding use includes the indoor swap meet to the north, retail, restaurants and auto repairs to the east and south, all within the Commercial General Zone. Residential uses are located south and west of the subject site.

The Planning Commission may consider revocation of a Conditional Use Permit, as allowed by the Stanton Municipal Code, if certain findings are made. Associate Planner Rivera noted in this case, two of the five required findings have been met. Specifically, Finding No. 3, states one or more of the conditions of the original permit have not been substantially fulfilled or have been violated. Also, Finding No. 5 states the approved use or structure has ceased to exist or has been suspended for a period of of at least 180 days.

Associate Planner Rivera stated that upon review of the conditions of approval for the Conditional Use Permit, it was found that Planning Condition No. 62 states that upon approval, the Permit shall become null and void 180 days after such time the approved use at the approved location ceases to exist. According to City business license records, the massage establishment has been inactive since November 30, 2017.

Associate Planner Rivera noted the property owner is also requesting the termination of the Conditional Use Permit which allowed for the operation of the massage establishment. In order to revoke a Conditional Use Permit, the Planning Commission must be able to make at least one of the findings presented. Based on the cease of operations for more than a period of six months, and the triggering of the specific conditions for Permit termination, the Planning Commission would be able to make the findings for revocation based on the findings presented within this report.

Associate Planner Rivera noted the action before the Commission tonight is to conduct a

public hearing, declare the project is categorically exempt per the California Environmental Quality Act Section 15321, which pertains to enforcement actions by regulatory agencies, and adopt Resolution No. 2484 revoking Conditional Use Permit C16-12 and making the corresponding findings.

Commissioner Ash inquired as to the property owner's request.

Community and Economic Development Director Hart explained that as the property owners they are entitled to request an entitlement to be removed from their property file.

Commissioner Taylor inquired whether the Commission could act on its own to revoke the Conditional Use Permit if the property owner did not make the request.

Director Hart noted that through observation of a lack of business license, if the City identified that the business was closed for a period of 180 days or more, it could take the action on its own. However, the subject request before the Commission this evening was submitted by the property owner.

Chair Greer inquired whether "Southland" was the owner of 7-Eleven.

Associate Planner Rivera confirmed the letter received from the attorney indicated it was "7-Eleven, Inc."

[PORTIONS OF COMMENTS WERE UNINTELLIGIBLE]

Director Hart and Associate Planner Rivera stated Southland may still be involved in the project. Director Hart then noted that the attorney who wrote the letter identified 7-Eleven, Inc. as the owner but it may or may not show the full corporate identification.

Chair Greer opened the public hearing and public comments. Noting there were no members of the public who elected to speak, Chair Greer closed public comments and the public hearing.

Chair Greer opened the discussion to the Commission.

Commissioner Ash noted this item has been one of the easiest to review.

Motion/Second: Ash/Taylor

Motion carried (4 - 1) by the following vote:

AYES:	Ash, Taylor, Moua, Greer
NOES:	None
ABSTAIN:	Grand (recused)
ABSENT:	None

ACTION TAKEN:

The Planning Commission conducted a public hearing, declared that the project is categorically exempt per the California Environmental Quality Act (CEQA), Section 15321 (Enforcement Actions by Regulatory Agencies); and adopted Resolution No. 2484 revoking Conditional Use Permit C16-12 and made the corresponding finding. Director Hart announced the 10-day period during which the Planning Commission's decision on this matter may be appealed to the City Council via written appeal submitted at the City Clerk's Office.

Commissioner Grand returned to the Chamber and resumed her seat at the dais for the remainder of the meeting.

8. NEW BUSINESS

None.

9. OLD BUSINESS

None.

10. PLANNING COMMISSION COMMENTS

Commissioners Ash, Grand, and Taylor and Vice Chair Moua expressed best wishes and thanks to Chair Greer for his service and noted his varied accomplishments.

Chair Greer spoke regarding the Citizen's Academy and the opportunity it provided for himself and his wife, Debbie Greer.

Commissioner Grand stated she has served on the Commission since 2012 and spoke regarding her experiences as a Commissioner.

11. DIRECTOR'S REPORT

Community and Economic Development Director Hart relayed comments about her experience working with both Chair Greer and Mrs. Greer and wished them well on their next endeavors.

12. ADJOURNMENT

The meeting adjourned at 6:52 p.m.



Kelly Hart
Community & Economic Development Director