

**MINUTES OF THE PLANNING COMMISSION OF THE CITY OF STANTON
REGULAR MEETING
WEDNESDAY, OCTOBER 3, 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 6:31 p.m., Chairman Moua presiding.

2. PLEDGE OF ALLEGIANCE

Led by Commissioner Ash.

3. ROLL CALL

Present: Commissioner Ash, Commissioner Grand, Commissioner Frazier, Vice Chairman Taylor, Chairman Moua

Absent: None.

Excused: None.

Also Present: Community & Economic Development Director Kelly Hart, Associate Planner Rose Rivera and Planning Specialist Tyler Smith

4. SPECIAL PRESENTATION

None.

5. APPROVAL OF MINUTES

The Planning Commission approved minutes of the Special Meeting on May 16, 2018.

Motion/Second: Taylor/Grand

Motion carried (4 - 0) by the following vote:

AYES:	Ash, Grand, Taylor, Moua,
NOES:	None
ABSTAIN:	Frazier
ABSENT:	None

6. PUBLIC COMMENTS

Chairman Moua opened the floor for public comments.

There were no public comments.

7. PUBLIC HEARINGS

7A. PUBLIC HEARING TO CONSIDER PRECISE PLAN OF DEVELOPMENT PPD-795 TO ALLOW FOR FAÇADE IMPROVEMENTS TO AN EXISTING RESTAURANT WITH OUTDOOR SEATING AND CONSTRUCT A NEW MEDICAL OFFICE BUILDING FOR THE PROPERTY LOCATED AT 10441 MAGNOLIA AVENUE IN THE CN (COMMERCIAL NEIGHBORHOOD) ZONE WITH GLMX (GENERAL MIXED USE OVERLAY).

Community and Economic Development Director Kelly Hart introduced the item as Precise Plan of Development PPD-795. She introduced Planning Specialist Tyler Smith to further present the item.

Planning Specialist Tyler Smith presented the staff report for an application for a precise plan of development proposing façade improvements and the construction of a new building at 10441 Magnolia Avenue in the Commercial Neighborhood Zone with a General Mixed Use Overlay.

Planning Specialist Smith noted that existing conditions of the site include a 1,200 square foot quick-serve restaurant on a 12,000 square foot lot with minimal landscaping in the front setback area. An existing conditional use permit allows outdoor seating at the restaurant. The present proposal includes a façade improvement to the restaurant and the construction of a new medical office building with parking lot reconfigurations and landscape improvements along with a reduction in area of the existing restaurant outdoor patio area.

Planning Specialist Smith provided information regarding the surrounding vicinity. The subject parcel is located on the west side of Magnolia Avenue, north of Cerritos Avenue. It is located in a commercial neighborhood zone with a general mixed use overlay. There are surrounding residences to the east and west. There is a dental office to the north and an auto loan center to the south.

Planning Specialist Smith showed pictures of the subject property. He stated the site is primarily hardscaped with two small landscape planters located near the front property line. There is an existing 1,200 square foot restaurant with outdoor patio seating as well as a nonconforming roof-mounted sign that shall be removed as part of the proposal for consideration.

Planning Specialist Smith indicated the project proposal is for the construction of a 1,065 square foot building for use as a medical office and the structure would be built along the northern property line and set back approximately six feet from the front property line. The Stanton Municipal Code requires a five-foot building and landscape setback in the Commercial Neighborhood Zone and to meet this requirement, the existing restaurant with the existing patio would be reduced to accommodate for the new landscape planter.

Planning Specialist Smith explained that in terms of vehicular circulation, there is an existing 25-foot wide drive entrance with a 25-foot wide two-way drive aisle that expands to the end of the property. There is also an indentation to allow for vehicular maneuvers. There is also a vehicular maneuver area near the trash enclosure. The Stanton Municipal

Code requires fourteen parking stalls; as such the applicant is providing thirteen full-size parking stalls and an ADA compliant parking stall.

Planning Specialist Smith indicated the medical office is located six feet from the property line which contributes to the reduction in visibility of the building that is on the neighborhood parcel to the north for vehicles that are traveling northbound on Magnolia Avenue. Visibility to the south of the parcel is partially obstructed, the neighborhood utilizes monument and temporary signage, and these are also available to the neighbor to the north.

According to the Stanton Municipal Code, the landscaping in a Commercial Neighborhood Zone shall provide at a minimum, 15% of the overall site and the applicant provides for landscaping providing 16½%. The site is compliant with minimum landscaping standards for setbacks and coverage. Additional landscaping is provided within the parking area with the proposed installation of a landscape figure between parking spaces in the northern parking aisle and a large landscape planter to the south of the trash enclosures. The planters would be reconfigured to provide the minimum 5-foot wide landscape buffer at the rear, which would then shift the parking over by two feet. Planning Specialist Smith explained how this would not get in the way of parking.

Planning Specialist Smith then focused on the restaurant and the outdoor patio landscape and a trash enclosure that will be provided to serve both the restaurant and medical office.

Planning Specialist Smith then described to the medical office floor plan, there is an entrance to the south side of the building with a waiting room and a front desk receptionist area, three patient rooms, a restroom, staff room, and staff office.

Planning Specialist Smith identified the change to the exterior of the existing restaurant is proposed as façade improvements. The improvements would be a sand finish stucco with corrugated metal siding on the lowest three feet of the restaurant. The west elevation of the building would not include the corrugated metal siding as it is mostly a loading area and is not visible from the public right of way. The existing metal mansard roof would be changed to a new cement plaster parapet to provide a clean modern look to the building. The existing nonconforming roof sign would be removed as part of the proposal.

Planning Specialist Smith spoke about the massing of the building which provides the appearance of a two-floor building, the majority of the building is also stucco façade. The façade has exaggerated scoring lines and vertical fins that extend to the top of the building and the metal canopies over the building on the east and south elevations with a modern architectural experience. At the top, there is a painted metal ledger where the east and south building façade meet.

He showed site renderings of the proposal. He noted the recommended action before the Commission tonight is to conduct a public hearing, declare that the project is categorically exempt per the California Environmental Quality Act section 15332, Class 32 (In-Fill Development Projects); and to approve resolution number 2476 approving Precise Plan of Development PPD-795.

Commissioner Frazier asked regarding restroom access from the outside of the building of the existing restaurant, and the need to make a five-foot correction on the walkway on the backside.

Planning Specialist Smith stated the Building Division would make necessary corrections regarding footage of the walkway.

Director Hart explained it is an existing building with existing conditions and there is no proposal to do a modification to the existing requirements. She stated there are situations in which existing conditions for restrooms and access may maintain an existing building, but even if the trash enclosure was moved, there is still enough maneuverability to provide access to the restroom and that would then be under the purview of the Building Department to identify.

[PORTIONS OF COMMISSIONER FRAZIER'S COMMENTS WERE UNINTELLIGIBLE]. Commissioner Frazier then asked about the dollar valuation requirement for retrofitting an existing establishment to comply with ADA requirements.

Director Hart explained that dollar valuation may exist but is not relevant at the conception phase which is presented to the Planning Commission.

Planning Specialist Smith stated this project had been previously submitted in 2017 and then withdrawn and subsequently resubmitted and in each iteration, the building height was in the mid-20's with the parapet walls being about five to six feet because it creates more of a presence at the location.

Commissioner Ash asked about signage that can't be seen.

Planning Specialist Smith clarified that the location of the medical office and its six-foot setback from the property line, and the adjacent property is set further back so vehicles traveling northbound on magnolia might not be able to see the property. This can be utilized as the opportunity to use monument signage.

Chairman Moua opened the floor for public comment.

Andrew Vu, property owner to the north of the property, spoke about customers going into their lot because they have difficulty going into the property parking lot because it is narrow so he asked for the purpose behind the design.

Director Hart addressed his concerns and let him know the site itself meets all the compliance requirements regarding access into the site. She explained that access through Mr. Vu's neighboring site will actually be completely cut off so vehicles who miss the entrance, will not be able to drive through Mr. Vu's site and will have to make a safe U-turn. She also explained the height of the building meets the code requirements.

Mr. Vu asked if there will be a three-foot fence around the planter area.

Planning Specialist Smith stated the proposal does not include a fence but a fence could be obtained through a different approval process.

Mr. Vu expressed concern over parking and suggested a fence.

The applicant was not present and neither was the property owner.

Chairman Moua closed public comments and the public hearing.

Commissioner Ash appreciated Mr. Vu's concerns regarding traffic. She asked whether vehicles can turn right into it. She believes Mr. Vu's concerns will be addressed.

Commissioner Grand asked if it's the one just north of it.

Commissioner Ash thanked the developer for trying to meet all the parking requirements.

Commissioner Frazier asked if all the containers in the back would go away.

Director Hart explained those should go away naturally because they are code enforcement violations.

Commissioner Grand commented on the artistic part of the building.

Motion/Second: Grand/Taylor

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

AYES:	Ash, Taylor, Moua, Grand
NOES:	Frazier
ABSTAIN:	None
ABSENT:	None

ACTION TAKEN:

The Planning Commission conducted a public hearing, declared that the project is categorically exempt per California Environmental Quality Act, Public Resource Code Section 15332, Class 32 (In-Fill Development Projects), and adopted Resolution No. 2476 approving Precise Plan of Development PPD-795.

Chairman Moua 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.

7B. PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT C18-04 TO ALLOW FOR THE OPERATION OF A CREMATION FACILITY IN CONJUNCTION WITH AN EXISTING MORTUARY AT 8351 KATELLA AVENUE IN THE IG (INDUSTRIAL GENERAL) ZONE.

Community and Economic Development Director Kelly Hart introduced the project.

Associate Planner Rose Rivera presented the staff report for the proposal to allow for the operation of a cremation facility in conjunction with an existing mortuary. She provided background information regarding the proposal and stated that the subject site consists of

a 28,000 square foot parcel improved with an existing 12,000 square foot building which currently houses a mortuary and parking garage for the business. She continued, in 2016, Heaven's Gate Funeral Home obtained a business license which allowed for the operation of a mortuary business which is a permitted use according to the Code. The applicant is now requesting to add cremation services to the existing mortuary within the same building and a crematorium requires the approval of a conditional use permit.

Associate Planner Rivera noted the vicinity map and stated the site is located in a large industrial site at the northeast corner of Katella and Boatman Avenues. The site is located in the Industrial General Zone and carries a General Plan Use designation of Industrial.

She stated surrounding uses are a broad range of industrial businesses including an automotive paint and body repair shop, a recycling center, a sign manufacturing company, building materials yards, and an industrial business park. She noted there is an adult daycare program adjacent to the industrial business park. The daycare program operates fully within the building. The nearest residential use properties are approximately 800-feet east of the site.

Associate Planner Rivera displayed several photos of the site from various viewpoints. She also identified the site plan which shows the site is accessible from two locations and includes a total of forty-nine parking spaces. She noted staff's parking analysis required fifty parking spaces. The applicant has specified the additional parking space can be provided adjacent to the south drive aisle, on the western portion of the property. She stated staff has included a condition of approval, which would require the applicant to provide a total of fifty parking spaces prior to issuance of a business license for the new use.

Associate Planner Rivera noted in response to comments received during the public comment period regarding parking, staff included an additional condition which requires the applicant to provide and implement a parking management plan when parking is near full capacity. She noted the revised Resolution which includes this condition can be found on the dais.

Associate Planner Rivera showed the floor plan and noted the existing funeral home is comprised of a receptionist area, a show room, three viewing rooms, an embalming room, and a storage room. She stated the office is used to meet with clients to arrange funeral and memorial services. The showing room is utilized to display caskets and others items. The viewing rooms provide a place for family and friends of the deceased to gather and pay their respects. The applicant is proposing to convert an existing storage room to a cremation chamber where transporter vans would enter through the rollup door for delivery of the remains. The cremation process consists of a traditional incineration process using a modern machine that is used to eliminate any smoke or odor and is compliant with EPA standards.

She further commented, the cremation business would service their own clients in addition to other funeral homes that cannot perform cremation services. Cremations for the funeral home's clients would be conducted between the hours of 8:00 a.m. 9:00 p.m. daily. Cremations for outside clients would be performed after 6:00 p.m. and are

proposed to take place through the night depending on the workload. Associate Planner Rivera clarified, in regards to noise generated by the operation, the applicant states the noise level is lower than average city traffic noise due to the machine and attenuation. According to the applicant, a cultural custom for some of their clients involves friend and families of the deceased observing the cremation service which includes placing the body in a wood casket into the cremation chamber. In order to accommodate this custom, the operator is proposing to install a window between the cremation center and viewing room number three.

Associate Planner Rivera stated in regards to the collection of remains, they are collected by a refrigerated transporter vans which are owned by the business operator. Remains would be delivered to the facilities by the vans which will enter to the building through the rollup door at the rear of the unit. Remains would then be placed in an onsite refrigerated storage unit until they can be processed by staff.

During the public noticing period, comments were received and copies have been provided to the Commission. A letter in support and letters in opposition were submitted to City Staff. Points of opposition include parking issues, and also that the proposal will have a negative impact on the surrounding area.

In response to parking concerns, several conditions of approval have been issued. Associate Planner Rivera outlined the conditions which include prohibiting loading and unloading or storage of business vehicles on neighboring streets, providing fifty parking spaces in compliance with the Stanton Municipal Code, and implementing a parking management system when the parking lot is reaching maximum capacity.

Conditions also include that if complaints are received, the City could require modifications of the business operation. Associate Planner Rivera noted no more than one viewing service will be scheduled in any given time period and services are scheduled a minimum of two hours between services.

Associate Planner Rivera responded to concerns regarding the proposal having a negative impact on the surrounding area. She stated specific findings must be made prior to the approval of a conditional use permit. These take into account the suitability of location, compatibility with the surrounding uses and whether the use would be detrimental to neighboring properties. Staff took into account all the requirements of the finding and determined the findings could be made and the project is consistent with the General Plan and it complies with zoning requirements. The site is already a mortuary and surrounding uses are industrial in nature.

Documents in opposition to a crematorium and mortuary in Garden Grove, where the conditional use permit was denied were provided to the Commission. In that case, the conditional use permit was denied based on the site being adjacent to a residential neighborhood and in the immediate vicinity of a school.

Associate Planner Rivera noted no supporting evidence was provided to suggest the proposed use would lower property values because the articles provided making this assertion referenced crematories neighboring residential properties. She pointed out the proposed crematorium is adjacent to industrial businesses and conditions of approval

have been provided so the use does not interfere with the use or enjoyment of surrounding properties.

Associate Planner Rivera noted the proposed crematorium is subject to state licensing by the Cemetery and Funerals Bureau as well as the South Coast Air Quality Management District. The applicant will be required to obtain all necessary permits prior to obtaining a business license and commencing operations. Further, she stated the Orange County Fire Authority has reviewed the proposal to make sure the use meets Fire requirements. Associate Planner Rivera stated there do not appear to be significant issues with these requirements.

Associate Planner stated Air Quality Management District requires that what is released into the environment meet the threshold requirements established by them and a permit will be issued only if they determine the emissions associated with the use comply with Air Quality Management District and they perform annual compliance inspections and inspections after complaints.

Associate Planner Rivera noted the recommended action before the Commission is to conduct a public hearing, declare that the project is categorically exempt per the California Environmental Quality Act section 15301, Class 1 (Existing Facilities); and to adopt Resolution No. 2482 approving the project. She noted the applicant and business owner were present to answer questions.

Commissioner Grand asked whether air quality testing would have to be done before licensing allowed them to operate. She confirmed that even if the Commission approved the project, they would not begin operations until they complied with the requirements.

Associate Planner Rivera confirmed testing would be done.

Commissioner Grand asked whether annual inspections would be conducted and whether they would include a test.

Associate Planner Rivera stated she spoke to an engineer at Air Quality Management District who told her the compliance department handles all regular inspections.

Commissioner Ash confirmed whether the Garden Grove conditional use permit got denied because it was near a residence.

Director Hart stated based on the documentation it appears the main focus was from the residents not wanting the crematorium adjacent to a residential area.

Commissioner Ash stated she had a lot of questions regarding the documentation provided.

Director Hart noted the Air Quality Management District is the one who regulates the air quality coming from different sources based on their standards. Through their risk assessment process and their requirements, they identify if the permit is issued, that means the air quality produced is within a safe category.

[PORTIONS OF CHAIRMAN MOUA'S COMMENTS WERE UNINTELLIGIBLE]

Director Hart stated the City does not have the engineers or technical expertise to identify compliance.

[PORTIONS OF CHAIRMAN MOUA'S COMMENTS WERE UNINTELLIGIBLE]

Director Hart stated the City staff can request the annual report.

Commissioner Frazier asked whether there are two separate bodies from who testing can come from.

Associate Planner Rivera stated it is regulated by the Air Quality Management District and the California Funeral and Cemetery Bureau.

Commissioner Frazier asked about additional agencies who have to license and permit the project.

Associate Planner Rivera confirmed permits will also be issued by Building and the Safety Division.

Vice Chairman Taylor asked about other cities.

Various commissioners noted some cities with similar projects.

Chairman Moua opened the floor for a public hearing.

Director Hart introduced Doug Browne, the Applicant.

Doug Browne, Applicant, noted he is experienced in dealing with Stanton and building projects. He spoke of some buildings on Chestnut and Monroe, which he built. He also designed the business that used to be house in the present building. He noted the day he applied for the permitted funeral business, he was welcomed with open arms and that the operator of the business was happy to be issued a business license. He also noted he is the building designer and contractor. Mr. Browne stated he learned after research that sixty percent of funeral services are cremation.

Mr. Browne noted the project consists of adding a crematorium chamber to an existing business that has been up and running over a year without any Code Enforcement issues. He explained the vans would deliver remains four or six time per day and do not require parking spaces. He noted there will not be physical change from what is present right now.

Vice Chairman Taylor asked how many parking spaces are currently on site.

Mr. Browne stated there are forty-nine and there will be fifty but when he designed it, he put in an extra handicap space so technically he has fifty-one spaces.

Tuan Nguyen, 8351 Katella Avenue, noted there is a crematorium down the street on Louis and Alba and on Melrose and Chapman and Loma Vista. He stated there is another one in the City of Santa Ana and another in the City of Long Beach and in Buena Park.

Steve Abraham, Newport Beach, stated he is a real estate broker and he can assure the project would not affect the property value of the surrounding area and that previous use of a gentlemen's club is more perceived as detrimental to the surrounding area. He noted the funeral home invites calm and respectful patrons. He noticed an animal crematorium close to his business and stated it has no negative effect.

Brian Wilson, [PORTIONS OF MR. WILSON'S COMMENTS WERE UNINTELLIGIBLE] opposed the project because it will disturb the peace of the people around the area. He spoke of the mercury in the ashes and emissions. He noted the City of Garden Grove only inspects their crematories every three years. Mr. Wilson noted he owns the building next door and parking is an issue because of the business. He noted Mr. Abraham is from Newport Beach and another supporter of the project is from Corona. He stated the project will lower the property values of surrounding parcels and he introduced letters from property owners in the vicinity.

Mr. Wilson stated the majority of the people on Katella are opposed to the project. He stated more and more vans will show up and they can't be kept out of his parking lot. He stressed the other tenants on the block do want the business.

Vice Chairman Taylor asked Mr. Wilson whether he has reported the parking issues to the City.

Mr. Wilson stated it does no good because the City cannot stand there and monitor.

Vice Chairman Taylor noted a complaint could go to the Code Enforcement Department.

Mr. Wilson asked whether Code Enforcement will sit on the property to observe parking issues all day. He stated he and others have had complains and he has asked them to leave many times. He stated he knows the business does not have enough room for their parking.

Director Hart agreed with Mr. Wilson that Code Enforcement cannot sit on the property and regulate parking but that a complaint would make the City aware of the problem. She noted the Planning Department was not made aware. She stated the parking issues can be addressed by posting signs on the other tenant's property stating the parking lot is for the respective business only and working with a tow company to tow vehicles not associated with the businesses and finally, to work with the business to regulate parking.

She explained the current business is a permitted use and it is entitled to be at the location however, the addition of the crematorium requires a conditional use permit and is subject to approval and therefore further concerns should be brought to Planning's attention so they can work with the applicant.

Mr. Wilson explained it is difficult to monitor where a car owner is headed after a car is parked in the lot but he is not aware of who they are. He spoke about the effect on property values.

Janet Slinkard resident of Long Beach, employed by Beverly Services Group, Inc. at 8381 Katella Avenue, spoke against the project because of the negative impacts of

crematorium emissions and the heavy metal associated. She stated the emissions would create chronic health risks. She noted cremation rates are projected to rise and the true rate cannot be ascertained. She stated inspections every three years by the Air Quality Management District is less than adequate. Janette spoke about the effects of being exposed to emissions and stressed one inspection every three years is not adequate and the City is not ready to take on the financial burden. She stated this proposal is better suited for a less densely populated area, for example, in Corona because the project would create long term damage to the environment.

Commissioner Ash noted the speaker did not provide sources for her information and asked the speaker to provide sources.

Ms. Slinkard stated she obtained information from a graph from Air Quality Management.

John De La O stated there are residents and homes in the immediate area adjacent to the auto body place and across the street from the lumber yard. He also noted there are restaurants around the area and he does business at 8381 Katella Ave. He noted his real concern is the parking situation because he was there while the strip club business was there and there were no parking problems but now he has parking areas since the mortuary opened.

Mr. De La O asked the Commission not to declare the project categorically exempt from CEQA because it is a very involved.

Amy Wong, works at the business adjacent to the mortuary. She noted in 2005, her business had forty-eight clients and now they are to 112 and normally they have about 160 people during operating hours. She noted concerns with air quality because they are close to their building and they have susceptible clients between the ages of twenty-two and sixty-five who are ill. She noted these clients are there all day. She stated her business and their clients recycle or have activities in the alley adjacent to the mortuary and she is concerned because her clients' health is frail.

Linda Smith, stated she doesn't understand how a strip club and mortuary are in an industrial zone. She stated her business has complained about the parking to Code Enforcement and her neighbors across the street have also complained. She stated the mortuary has attempted to keep people out of their parking lot but the mortuary has asked for permission to use her business parking lot when they are not operating. She stated she is concerned about air quality because they have forty employees. She stated she is concerned about the odor and the toxins and supervision every three years is not fair. Ms. Smith stated she does not understand how the business obtained a permit for the mortuary with fifty parking spots because it's not enough and adding a crematorium will create additional parking spaces.

Director Hart noted Code Enforcement did not identify any parking issues through internal process and assured Ms. Smith she would follow up. She also clarified the right for the mortuary to operate at the location is a First Amendment right identified by the Federal government. Direct Hart stated mortuary use is a permitted use by right as long as the business can meet parking requirements identified by the Code. However, a crematorium requires a conditional use permit.

Ms. Smith stated the crematorium has to affect the property value of the neighboring business.

Director Hart stated the mortuary is requesting to operate at the location so the City must consider it. She also clarified the Air Quality Management District regulates the standard for emissions because the City cannot regulate this.

Ms. Smith stressed other cities have complained about the smell and asked whether the City can regulate smell.

Mr. Browne addressed the issue of contaminants leaving the property. He noted the contaminants that would be involved and stated these would be thirty feet above grade. He outlined the different types of discharges possible and compared the discharges of the crematorium to those of surrounding businesses. He noted the crematorium discharges are approved at the government level and go to the atmosphere.

Mr. Browne present an Air Quality Management District printout showing the emission levels and introduced it as an exhibit. [PORTIONS OF MR. BROWNE'S COMMENTS WERE UNINTELLIGIBLE]

Mr. Browne address parking concerns and stated the comments have been concerning overflow parking and questioned whether anyone can verify if the parking issues are indeed created by the mortuary.

Mr. Browne submitted Exhibits B and C showing a typical event and the way parking is managed at the business. He noted the business is professionally run and there is no substantial change from the current business. He invited one of the business administrators to address the parking overflow.

He noted a property owner has to be proactive in the way he administers his business. He stated various business owners could place parking signs and make arrangements with a tow company as provided by the Vehicle Code to move vehicles. He noted there must be an appointed property manager, whose name is registered with the towing company and with law enforcement, to call the towing company. He stressed this is an immediate solution.

He addressed the Garden Grove Planning Commission article and noted this article was presented to show its non-relevance to this current application because the current zone is an approved zone and the business has the right to operate under condition.

Mr. Browne clarified emissions are reviewed yearly and not every three years and noncompliance will be addressed quickly. He stated the business owner, Mr. Nguyen understands the cultural needs and has operated a successful business and in order to maintain his business, he needs a cremation facility. Mr. Browne stressed no facts have been presented showing the crematorium would not comply with standards but on the other hand, facts have been presented the crematorium would comply with required standards.

Betty Davis, Katella Avenue, stated there are some problems with parking. She stated

she walked over across the street to a funeral home during an event where there were parking issues and spoke to them as a friendly neighbor and told them of the parking issues. She noted she once asked funeral home staff if it would be fine for her family to park in their parking lot and she said they stated no one can park in their parking lot, they would have to move their cars or they would be towed. [PORTIONS OF MS. DAVIS' COMMENTS WERE UNINTELLIGIBLE] Ms. Davis spoke of her own businesses' parking management through valet parking. She confirmed parking is a problem with the mortuary. Ms. Davis also addressed air pollution.

Commissioner Ash asked Ms. Davis when her business began valet parking.

Ms. Davis stated valet parking began last month. She further explained their parking management.

Commissioner Ash noted the meeting should not address parking because the concern is the conditional use permit for the crematorium and asked the Planning Commission move on from parking.

Goulade Farrah, a real estate broker, spoke about his business who hired a consulting company. He noted it is very difficult to build a mortuary with a cremation facility where it is populated. He noted a different city with a crematorium in the middle of a cemetery. He noted he has never found anyone who has asked him to buy a house next to a mortuary. He spoke of "green" mortuaries who use less chemicals. Ultimately, he noted this applicant should have hired a consultant and done more research regarding appropriate locations to place a mortuary with a crematorium.

Mr. Wilson addressed the parking problems at the location and how difficult it is to monitor parking. He noted how many businesses are around the property and that supporters of the project are not local. He stressed the City of Garden Grove blocked the application for the crematorium.

Mr. Browne stated only new information should be considered and submitted three more evidentiary documents comprised of charts prepared by the State showing the number of required handicap parking spaces required. The documents also show the schedule of funeral services through the last two months and asked Code Enforcement complaints associated with the services to be brought forth.

Mr. Browne stressed this is a permitted use with conditions and the Planning Commission needs to make findings and the Commission has to decide if it agrees with the findings of staff.

Mr. De La O stated the parking lot at the mortuary is strictly for their business and the other parking lot is shared.

Mr. Farrah spoke regarding inspections as required by the State of California. He noted State inspections are not reliable.

Mr. Browne noted he isn't sure why Mr. Farrah would be speaking against the project.

Mr. Farrah stated he is concerned about the well-being of the community. He noted his research yielded optimal results for establishing a mortuary, mindful of the community.

Ms. Aguilar, [PORTIONS OF MS. AGUILAR'S COMMENTS WERE UNINTELLIGIBLE] spoke regarding growth in the City of Stanton and her concern with the mortuary's effect on the environment.

[SPEAKER'S NAME WAS UNINTELLIGIBLE] a manager for a neighboring business spoke about parking concerns and the number of people they have caught parking where they are not supposed to.

Chairman Moua asked the owner if crematorium will bring other business outside of clients of the mortuary.

Mr. Nguyen confirmed other business would be brought to the mortuary.

Chairman Moua asked whether there is enough space for storage.

Mr. Nguyen confirmed there is enough room.

Chairman Moua asked about the time required.

Mr. Nguyen informed the new machine will require about an hour and explained the process between the old and new machines. He noted he has been in business for over twenty years. He stressed he is not there to make money but rather, for the community.

Vice Chairman Taylor asked whether the business was planning on having twenty to thirty cremations per month.

Mr. Nguyen stated the reality is that is what the business expects but he calculated three to four services per week and maybe twenty-some and clarified the machine can cremate up to 700 people per year.

Mr. Browne noted he provided factual information versus information based on opinions.

Mr. Farrah noted things change and today's decision will affect the future.

Commissioner Ash noted a lot more information not previously provided now has to be reviewed.

Director Hart noted the date for consideration can be postponed.

Commissioner Ash asked for more information about the pollutants. She noted other cities have opened similar facilities with no apparent issues. She would like Air Quality Management Division to speak to the council.

Director Hart and Vice Chairman Taylor noted the agency cannot attend a Planning Commission hearing.

Commissioner Frazier asked the issue is to decide what the funeral home needs to do to move forward and then they will still need to obtain licenses and permits from other agencies. He stressed parking is not an issue for the Commission.

Director Hart stressed the conditional use permit considers the use and parking can be

considered because it is a site characteristic issue. She stated Code Enforcement has now been contacted to address parking issues.

Vice Chairman Taylor stated he has a problem with the location because there may be a better location available because the area is small and a lot of people work there. He is also concerned about the opposition present at the hearing. He clarified he is concerned only with the crematorium.

Commissioner Ash commented on other crematoriums that have been approved.

Director Hart noted she is concerned with the issue of whether this particular site is appropriate for a crematorium and other cities should not be compared.

Commissioner Grand asked whether this motion includes amendments to address parking concerns.

Commissioner Frazier clarified the motion is for the proposal without amendments.

Director Hart clarified the motion before the Commission is to approve the resolution as revised to approve the conditions for the parking management plan.

Commissioner Grand confirmed this is the first step and other government agencies will decide whether to approve the project.

Director Hart asked whether the motion contains the revised resolution with added condition for the parking management plan, as provided on the dais.

Commissioner Frazier confirmed it is the revised motion.

Motion/Second: Frazier/Ash

Motion carried (3 - 2) by the following vote:

AYES:	Frazier, Ash, Grand
NOES:	Moua, Taylor
ABSTAIN:	None
ABSENT:	None

ACTION TAKEN:

The Planning Commission conducted a public hearing, declared that the project is categorically exempt per California Environmental Quality Act, Public Resource Code Section 15301, Class 1 (Existing Facilities), and adopted Resolution No. 2482 approving Conditional Use Permit C18-04.

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.

8. **NEW BUSINESS**

None.

9. **OLD BUSINESS**

None.

10. **PLANNING COMMISSION COMMENTS**

Commissioner Frazier noted he sees street vendors selling corn up and down Cerritos Avenue.

Director Hart asked at what time.

Commissioner Frazier noted he will call Code Enforcement to report the activity next time he sees the street vendors.

Director Hart noted the State of California passed a Bill allowing street vending in cities that becomes effective January 1, 2019.

Commissioner Frazier stated he is concerned about a small child with the vendor who is at risk.

Commissioner Grand inquired about the fee for street vending.

Director Hart stated she does not know the exact fee.

11. **DIRECTOR'S REPORT**

Community and Economic Development Director Hart stated there will be a meeting on October 17, 2018.

Director Hart reported that this will be Mr. Tyler Smith's last Planning Commission Meeting as he has accepted a new job opportunity in northern California.

12. **ADJOURNMENT**

Commission adjourned at 8:56 p.m.



Kelly Hart
Community & Economic Development Director