Minutes

Planning Commission

July 2, 2012
City of Orange

Monday 7:00 p.m.

PRESENT: Commissioners Buttress, Gladson, Grangoff, and Steiner

ABSENT: Commissioner Cathcart

STAFF

PRESENT: Leslie Aranda Roseberry, Planning Manager

Doris Nguyen, Associate Planner Gary Sheatz, Assistant City Attorney Sandi Dimick, Recording Secretary

ADMINISTRATIVE SESSION

Chair Steiner opened the Administration Session of the Planning Commission Meeting at 6:55 p.m.

Commissioner Buttress stated there appeared to be a page missing from the last agenda item on the minutes from the Planning Commission meeting of June 4, 2012. She suggested they should hold the minutes until the next meeting for corrections. Commissioner Gladson stated she also had a correction at the bottom of page 7; to have a clearer close to the Public Comment portion of the meeting and then have the meeting opened for discussion. Commissioner Buttress stated she may have gone right to comment. There was also some discussion in regards to the motion made on page 8 and if the order of the discussion was documented properly? The tapes would be reviewed and corrections made.

Chair Steiner asked if Commissioner Cathcart would have been recused from any of the agenda items. Planning Manager, Leslie Aranda Roseberry, stated he would not have been recused from any of the items.

Ms. Aranda Roseberry stated Planning Director, Alice Angus, had announced that she would be retiring in September. Assistant City Attorney, Gary Sheatz, stated Ms. Angus had been with the City of Orange for 12 years.

Chair Steiner stated Commissioner Cathcart had made a request to reopen discussion on whether the Planning Commission should hold an Administrative Session; he stated that Commissioner Cathcart was in favor of not holding Administrative Sessions. Chair Steiner stated he would bring that topic up for discussion at a meeting in August. He asked Mr. Sheatz if that discussion could be held during the administrative session. Mr. Sheatz stated the topic would need to be agendized as an item for the Administrative Session, which was open to the public. In the past the City Council had left it to the discretion of the different acting bodies to determine if an Administrative Session would be held; he would check with City Council to verify if that was still their viewpoint. Chair Steiner stated he would check with the Mayor to get her input as well.

Chair Steiner stated the Agenda before them appeared very straight forward and asked if staff had received any comments.

Associate Planner, Doris Nguyen, stated she had received 1 Public Comment on the Dance Studio item.

There was no further discussion.

Administrative Session adjourned @ 7:04 p.m.

PUBLIC PARTICIPATION:

None

REGULAR SESSION:

Consent Calendar:

(1) APPROVAL OF MINUTES FROM THE REGULARLY SCHEDULED MEETING OF JUNE 4, 2012.

Commissioner Buttress made a motion to continue the approval of the meeting minutes from the June 4, 2012 Planning Commission meeting, to allow for corrections and additions of missing information.

SECOND: Commissioner Gladson

AYES: Commissioners Buttress, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioner Cathcart

MOTION CARRIED

New Hearings:

(2) CONDITIONAL USE PERMIT NO. 2854-12-KUMON CENTER OF ORANGE SOUTH

The applicant proposes to host private tutoring for children in an existing commercial center, which currently has a deficit of 35 parking spaces. A CUP is required for the school use and for the code alternative parking standards proposed.

LOCATION: 3532 E. Chapman

NOTE: The proposed project is categorically exempt from the provisions of the

California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1- Existing Facilities) because the project

includes no expansion of the existing building.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution No. 25-12 allowing a private tutoring school with shared parking on Mondays, Tuesdays and Thursdays from 1:00 P.M. to 8:00 P.M.

Associate Planner, Doris Nguyen, presented a project overview consistent with the Staff Report.

Chair Steiner asked if there were any questions for Staff. There were none.

Chair Steiner opened the item for Public Comment and invited the applicant to address the Commission.

Steve Garrison, address on file, stated he was the owner/operator of the facility and he was the original developer and has managed it the entire time. He believed having the tutoring business move in would present the best opportunity for his tenants. He had been approached by a reflexology business that offered massage; and as there was already a chiropractor business that already offered massage, he asked the chiropractor, and the doctor felt it would be too much competition, and would not benefit the existing tenants. He was approached by Kumon and talked to other tenants in the center who said that their kids went to Kumon. The centers tutor elementary students, middle school and high school students. The people associated with Kumon were always professional and courteous.

Kamaljeel Kaur, address on file, stated she was available for questions.

Commissioner Gladson asked Mr. Garrison, since he was the original developer, if he had been able to secure the original entitlement documents for the site, since the staff report stated that the City's records were destroyed?

Mr. Garrison stated he had been unable to locate them. He had included the site plans, which were the original plans for the site, with his application. There were also other new floor plans

that were created by the tenant.

Commissioner Gladson asked if the church was in the process of rectifying their CUP. Mr. Garrison stated that the City bifurcated the two applications at his request and that the church pastor is experiencing some health problems, which had delayed their application to modify the existing CUP. However, the church fully intends on going through the CUP process for their meal distribution.

Chair Steiner stated he had read through the documents and found the Kumon tutoring method to be forthright and impressive.

Chair Steiner brought the item back to the Commission for further discussion or action.

Commissioner Buttress made a motion to adopt PC Resolution No. 2854-12-Kumon Center of Orange South, subject to the conditions contained in the Staff Report and noting that the item is categorically exempt from CEQA.

Commissioner Gladson stated she would be happy to second the motion and share that she could support the motion and approval of the CUP specifically because of the fact that the use fits lovely and it accommodates nicely with the shared parking plan specifically since the church operates basically at a heavy time on Sundays; there won't be an impact with operating during the weekdays of Monday, Tuesday and Thursday. She can support it as a fine use in this shopping center. I did have a chance to go there yesterday and think it will be a nice addition to the center. She felt it would have no impact on the site and she was in support of the proposed use.

SECOND: Commissioner Gladson

AYES: Commissioners Buttress, Gladson, Grangoff, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioner Cathcart

MOTION CARRIED

(3) CONDITIONAL USE PERMIT NO. 2861-12-DANCE ACADEMY OF ORANGE COUNTY

The applicant proposes to host dance, music, and voice lessons for children and adults in an industrial center. A CUP is required for the school use.

LOCATION: 1751 N. Batavia

NOTE: The proposed project is categorically exempt from the provisions of the

California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1- Existing Facilities) because the project

includes no expansion of the existing building.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution No. 26-12 approving a CUP

allowing a dance, music and voice school.

Associate Planner, Doris Nguyen, presented a project overview consistent with the Staff Report.

Chair Steiner opened the item for any questions for Staff.

Chair Steiner asked if there was not a question of shared parking for this CUP.

Ms. Nguyen stated that was correct, that each parcel parks itself, there is no shared parking agreement required for this school.

Commissioner Buttress stated the applicant had been creative in adding extra spaces and she understood that one of the spaces could not be used on Tuesday due to that being a trash pick up day.

Ms. Nguyen stated that trash is typically picked up on Tuesday mornings when there are no classes. The 2 business owners may be there, but they would not park in that spot so the trash can be picked up. The applicant originally requested to have less students; however, with the additional parking, staff made them aware that they could request to have more students under the City's parking Code.

Commissioner Gladson stated for Condition No. 9, it was her understanding that it would allow Staff to review the parking situation on an annual basis and it would allow Staff to work with the applicant on parking solutions if the dance studio student population grew.

Ms. Nguyen stated that was correct.

Chair Steiner opened the hearing for Public Comment and invited the applicant to address the Commission.

Gabe Potyondy, address on file, stated he was one of the owners of Elite Dance Studios and they had been in business for 35 years. The business had been previously owned and operated by Christine Shaffer, who had taught his wife and sister-in-law to dance. When Christine retired 6 years ago they purchased the business and had been in operation with 3 classrooms for dance. They had been looking to expand. The facility in Orange would allow for 5 classrooms and amenities for the girls, their dance students, plus storage. He was pleased to keep the dance school in the City of Orange and there were benefits of a dance curriculum for girls. Many of their dance students went on to enter college; and with all of the cuts in public education to music and fine arts programs he was pleased to offer those things to the community.

Commissioner Gladson stated that Mr. Potyondy had made reference to girls during his presentation and she asked if the studio had programs that were offered to boys?

Mr. Potyondy stated yes, they currently had 3 boys who took dance classes. He wanted to expand their class offerings to attract more boys to the dance classes. The boys seemed to be more interested in Hip Hop and those types of dance classes. He wanted to be able to offer more classes that interested boys.

Commissioner Gladson stated in reviewing the floor plan of the proposed studio she had noticed the restrooms were noted as women's restrooms and there was also a handicap restroom, she asked if there would be a unisex restroom available for the boys?

Mr. Potyondy stated there would be a girls only locker room. At their current facility they had just one open locker room and they wanted to have a separate locker room just for the girls with a restroom for the girls. The other 2 restrooms which would accommodate handicap students would be used as unisex restrooms.

Chair Steiner stated there were many of us who loved Billy Elliot and he was pleased the class offerings would expand.

He brought the item back to the Commission for further discussion or action.

Commissioner Grangoff made a motion to adopt PC Resolution No. 26-12, approving CUP No. 2861-12 Elite Dance Academy of Orange County, subject to the conditions contained in the Staff Report, noting that the item is Categorically Exempt from CEQA.

SECOND: Commissioner Buttress

AYES: Commissioners Buttress, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioner Cathcart

MOTION CARRIED

(4) **ADJOURNMENT**:

Commissioner Buttress made a motion for adjournment to the next regular scheduled meeting of the Planning Commission on Monday, July 16, 2012.

SECOND: Commissioner Gladson

AYES: Commissioners Buttress, Gladson, Grangoff, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioner Cathcart

MOTION CARRIED

Meeting adjourned at 7:28 p.m.