

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
MAY 9, 2017**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, May 9, 2017 at 7:00 p.m.

CALL TO ORDER:

Chairperson Ricky Choi called the Planning Commission meeting to order at 7:00 p.m.

SWEAR-IN: City Clerk

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Larry Sullivan, Delario Robinson, Members, Theresa Amador, Ricky Choi and Eric Brossy De Dios

Board Members Absent: None

ALSO PRESENT: Karl H. Berger, Assistant City Attorney, Michael A. Huntley, Director of Community and Economic Development, Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS: None

[1.] PRESENTATIONS: None

[2.] CONSENT CALENDAR:

2-A. REORGANIZATION OF THE MONTEREY PARK PLANNING COMMISSION

Action Taken: The Planning Commission (1) appointed Commissioner Larry Sullivan as the Chair pursuant to Monterey Park Municipal Code (MPMC) § 2.78.030; and (2) took additional, related, action that may be desirable.

Motion: Moved by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and De Dios

Noes: Commissioners: None

Absent: Commissioners: None

Abstain: Commissioners: None

Action Taken: The Planning Commission (1) appointed Commissioner Robinson as the Vice-Chair pursuant to Monterey Park Municipal Code (MPMC) § 2.78.030; and (2) took additional, related, action that may be desirable.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

Motion: Moved by Commissioner Amador and seconded by Commissioner Choi, motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and De Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

2-B. FOOD TRUCK OVERVIEW

Attorney Berger provided a brief summary of the overview. Attorney Berger stated that at the last Planning Commission meeting, the Commission asked for an overview of food truck regulations, which are included in the staff report. The City of Monterey Park does have some regulations in place with regards to them. These are mainly traffic regulations. The Planning Commission can provide some opinion to the City Council with regards to the food trucks, but the actual regulation is not a land use function and so it is outside the scope of authority for the Planning Commission.

The Planning Commission expressed concerns about several items, including traffic, financial impacts to adjacent businesses, and survey of other cities' regulations.

Commissioner Robinson stated that he had reservations about requiring consumer toilet and hand washing facilities unless there is seating provided by the food trucks.

Chairperson Sullivan inquired about the location of available restrooms within 200 feet of the food trucks. Attorney Berger replied that according to City staff there have been no complaints from any of the adjacent businesses regarding the food trucks aside from the observations from the Planning Commission regarding the crowding of the food trucks along Atlantic Boulevard. Along those lines, the Public Works Department is looking into line-of-sight issues with regards to those food trucks, taking some surveys, and making recommendations to the Traffic Commission. Beyond that the Police Department has stepped up efforts to drive by to observe that all parking restrictions are being enforced and other restrictions with regards to pedestrian traffic along the sidewalks, encroachments upon the sidewalks that all those are within acceptable perimeters for public safety.

Chairperson Sullivan stated that this discussion is purely a discussion. The City Council could if it chose to adopt additional or clarify existing regulations. The items that the Planning Commission feels need to be taken a look at falls back to the City Council.

Commission Amador stated that the Planning Commission needs more information.

Chairperson Sullivan stated that according to State law food trucks have the right to make a living on public streets. Attorney Berger replied that if this is something that the Commission is interested in having the City to examine the Commission should make a request to the City Council to direct the City Manager and staff to make those types of inquiries.

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Chairperson Sullivan stated that the Planning Commission asks the City Council for an opinion on food trucks.

Action Taken: The Planning Commission (1) Received and filed the report providing an overview of the food truck regulations; and (2) took additional, related, action that may be desirable.

[3.] PUBLIC HEARING:

3-A. CONDITIONAL USE PERMIT TO ALLOW A MASSAGE ESTABLISHMENT – 1480 MONTEREY PASS ROAD (CU-17-03)

Planner Tewasart provided a brief summary of the staff report.

Commissioner De Dios stated that according to Chapter 5.28 separate dressing and separate toilet facilities must be provided for male and female patrons. Planner Tewasart replied that that is something that can be captured during plan check.

Commissioner Choi inquired if any complaints have been received on existing massage businesses.

Chairperson Sullivan opened the public hearing.

Representative Simon Chan inquired if the customers do not need to change clothes will the dressing rooms still be required. Director Huntley replied that the item should be continued so that the applicant can modify the floor plan and resubmitted for Planning Commission review. The application was circulated to the Police Department and they do take a look at the background history of applicant. Staff does share the same concerns as the Planning Commission and the operation of these types of uses and Police Department does a thorough job of going through the application.

Commissioner Robinson inquired if there will ever be a point where the number of massage establishments will be limited. Attorney Berger replied that to some extent the City's ability to regulate massage establishments is limited by State law. The legislature has determined that as long as massage establishments are being treated and certified similar to medical assistants and medical facilities that the ability of cities to regulate massage businesses is significantly limited. The laws have shifted. It was very in favor of local control many years ago. Then the laws changed and the legislature took away all control from the cities, so all local control was lost with regards to massage establishments and permitting massage technicians. Within the past three years the law changed back to a somewhat more liberal approach, but the city still does not have the ability to limit the number of permits that are issued or the locations because massage establishments for the most part can be nestled in with medical offices and be put into strip malls.

Commissioner Robinson stated that he wanted to look at both sides of the equation and did not want to pass judgment on a business and deal with people respectfully.

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Chairperson Sullivan closed the public hearing.

Action Taken: The Planning Commission (1) opened the public hearing; (2) received documentary and testimonial evidence; (3) closed the public hearing; and (4) continued the requested Conditional Use Permit (CU-17-03) application to the May 23, 2017 meeting to allow the applicant time to address the comments provided by the Planning Commission.

Motion: Motion carried by the following vote:

Ayes: Commissioners: Sullivan, Robinson, Amador, Choi, and De Dios
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] **OLD BUSINESS:** None.

[5.] **NEW BUSINESS:** None.

[6.] **BOARD COMMUNICATIONS AND MATTERS:** None

[7.] **STAFF COMMUNICATIONS AND MATTERS:**

Directory Huntley provided an update on the major development projects.

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 8:07 p.m.

Next regular scheduled meeting on May 23, 2017 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

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