

**CITY OF LA VERNE  
PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
Wednesday, April 13, 2016**

1. Acting Chairperson Norm Faustini called the regular meeting of the La Verne Planning Commission to order at 6:30 p.m.

**ROLL CALL:** Planning Commissioners present: Norm Faustini, Norman Smith, and Wendy Lau. Planning Commissioners absent: Gilbert Ivey and Phil May. Advisory personnel present: Community Development Director Hal Fredericksen, City Attorney Bob Kress, Principal Planner Eric Scherer, and Administrative Secretary Darleen Foye.

2. **PLEDGE OF ALLEGIANCE**

Commissioner Smith led the pledge of allegiance.

3. **PUBLIC COMMENT**

None

4. **CONSENT CALENDAR**

It was moved by Commissioner Smith seconded by Commissioner Lau to approve the minutes of the March 9, 2016 Planning Commission meeting as submitted. Motion carried by a 3-0 vote (Ivey and May absent).

## **PUBLIC HEARINGS**

**5. CASE NO. 12-16CUP  
MESSAGE ESTABLISHMENT – HEALTHFUL FOOT SPA  
2451 FOOTHILL BLVD.**

This being the time and place advertised to consider the above case and all legal requirements having been met, Acting Chairperson Faustini asked for the staff report.

Principal Planner Eric Scherer presented his staff report which was a request by Wei Dong Chen, owner of Healthful Foot Spa, for a conditional use permit to continue the operation of the existing massage establishment.

Mr. Scherer stated that the business has been in operation since 2014, when the state law prohibited cities to require a conditional use permit. He stated that the state adopted AB1147 which allows local agencies to require a conditional use permit with conditions in 2015.

Mr. Scherer stated the City amended municipal code to update the massage ordinance in order to be consistent with the new state law and amended the specific plans to allow massage establishments with a conditional use permit.

Mr. Scherer stated that the ordinance allows up to three years for existing massage businesses to obtain a conditional use permit.

Mr. Scherer stated that Ms. Chen is looking at options to possibly sell her massage business and decided to go through the conditional use permit process to make it more marketable.

Mr. Scherer stated that the business is currently opened 10 a.m. to 10 p.m. He noted that Planning Commission could impose further conditions, although staff is not recommending any changes at this time. He also noted that there have been no complaints regarding this business.

Mr. Scherer stated that property owners were noticed within 300 feet of this public hearing. He stated that staff received no written correspondence.

Mr. Scherer stated that staff and the Development Review Committee are recommending approval of Case No. 12-16CUP.

Mr. Scherer stated that the applicant was present to answer questions.

Commissioner Faustini asked how many massage establishments are located in the City. Mr. Scherer stated that there are 12 to 15, but some such as Massage Envy, Massage Green, Wild Earth, and My Health have conditional use permits.

Commissioner Faustini asked if the conditional use permit runs with the land. Mr. Scherer stated yes, but they have to apply for Certificate of Use and Occupancy when they change ownership. He noted that they must go through the Police Department and obtain their operators permit. He also noted they are required to follow the conditions of approval as set forth in the Resolution.

Acting Chairperson Faustini opened the public hearing.

There was no one who wished to speak on this item.

Acting Chairperson Faustini closed the public hearing.

It was moved by Commissioner Lau, seconded by Commissioner Smith to approve Resolution No. 1168. Motion carried by a 3-0 vote.

## **STAFF REPORTS**

### **6. CAPITAL IMPROVEMENT PROGRAM**

Community Development Director Hal Fredericksen presented his staff report for the Capital Improvement Program for 2016-17 and 2017/18-2021/22 for consistency with adopted General Plan.

Mr. Fredericksen stated the Planning Commission is being asked to review the Capital Improvement Program per State law.

Mr. Fredericksen stated that the Capital Improvement Program lists all capital improvements and special projects to undertaken in the proposed current year as well as five years.

Mr. Fredericksen stated that the list is a representation of all departments, with Public Works leading. He noted that the Planning Commissioner's roll is to determine that the list is consistent with the adopted General Plan.

Mr. Fredericksen gave some examples off the list that staff will be more proactive such as Fire Station II maintenance, traffic signs, drought tolerant landscaping, Old Town street lights, and stage at Mainiero Square.

It was moved by Commissioner Lau, seconded by Commissioner Smith to adopt Resolution No. 1169, certifying that the proposed Capital Improvement Program, for 2016-2017 and 2017/18-2021/22, and is consistent with adopted General Plan. Motion carried by a 3-0 vote.

**ADJOURNMENT**

The meeting was adjourned at 6:50 p.m. to the regular meeting to be held May 11, 2016 at 6:30 p.m.

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Chairperson, Planning Commission

ATTEST:

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Secretary, Planning Commission