



**CITY OF DUARTE
PLANNING COMMISSION
MINUTES
July 18, 2016**

**Planning Commission
Commissioners**
Shauna Pierce, Chair
Paula Watson-Gardner, Vice-Chair
George K. Farra
Sheryl Lefmann
Sara Vasquez

1. CALL TO ORDER AND NOTATION OF ABSENCES

Chairperson Pierce called the meeting to order at 7:05 p.m.

The following were in attendance:

PRESENT:	Pierce, Farra, Lefmann, Vasquez, Watson-Gardner
ABSENT:	None
STAFF:	Hensley, Johnston, Eoff IV, Hernandez
DEPUTY CITY ATTORNEY:	Alisha Patterson

2. PLEDGE OF ALLEGIANCE

Commissioner Lefmann led the Pledge of Allegiance.

3. APPROVAL OF MINUTES – May 16, 2016

Commissioner Lefmann moved to approve the minutes, seconded by Commissioner Watson-Gardner, Motion approved 5-0-0-0.

4. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Chairperson Pierce opened Oral Communications for Items not on the Agenda. Seeing none, Oral Communications was closed.

5. PUBLIC HEARINGS

Kristen Johnston, Associate Planner presented Conditional Use Permit 16-02: A request from Steven Sharble, business owner of Supreme Social Club located at 1740 Huntington Drive, Suite 311, requesting the approval of a Conditional Use Permit to allow the operation of a new tattoo studio.

Johnston provided project description noting the size and location of the vacant office space proposed for the new tattoo studio, existing businesses in the same shopping center, the parking allowance and potential areas of concern that may impact the surrounding community and create a variety of issues. She addressed staff's concerns such as school proximity, loitering, littering, two letters of opposition and incompatibility with other businesses in relation to the proposed business. She concluded her presentation noting that staff recommends denial of Conditional Use Permit 16-02; to allow the operation of a new tattoo studio.

Chairperson Pierce opened Commissioners Comments.

Commissioner Farra inquired about the lack of concurrence between Staff and Public Safety in reference to the negative impact of the type of business.

Johnston explained that staff observed loitering as a concern at the existing tattoo business however; Public Safety did not receive official calls of complaints.

Chairperson Pierce opened Public Comments.

Steven Sharble introduced several people in support of his proposed business. The following people asked the Commission to allow his business in the City. They discussed personal experiences as business owners along with the many rewards and growth of the tattoo artist profession. Adding, that the popularity of having tattoos now in days is no longer a taboo, therefore, the Commission should not be stereotyping people with tattoos and felt that the lack of experience from the Applicant, as a new business owner should not be held against him opening his dream business.

Christine Frye, 1028 Kellwil Way, Duarte Resident

Robert Yoochana, Property Owner of shopping center

Adriana Faust, Owner of Wild Thyme Pizza

Jim Claude, Veteran of the LA Sheriff's Department

Henry Baltazar, City of Duarte Resident

Pan Jie, Duarte Business Owner of Rainbow Spa

Francis Homs, 1327 Elmhurst Avenue, Duarte Resident

Tom Reyes, Duarte Resident

Thomas Hernandez, applicant's acquaintance and Tattoo Artist

Michelle Meyers, Licensed Body Piercer Professional in Ventura County and Medical Assistant

Commissioner Lefmann asked Mr. Sharble as a prospective business owner, if he had checked for zoning and permit requirements prior to renting the building space. **Mr. Sharble** explained that he spoke with planning staff confirming the zoning allowance for a tattoo shop and discussed the unpermitted office that was built. He added that the additional work done in the location is prep-work for paint and polishing the floors and does not require permits.

Chairperson Pierce requested clarity about the contact the applicant had with staff about opening a tattoo business. **Hensley** clarified that it is unfortunate there was a misunderstanding and that any permit issued may be resolved with staff.

Commissioner Vasquez addressed Mr. Sharble by noting that she does not agree with the implications made by his supporters that the Commission may be stereotyping people with tattoos and clarify the factors the commission takes into consideration when approving a business in the city. She further inquired about the business plan, the artists' background, the proximity of the other tattoo shop, the concern of minors getting tattoos and the expected clientele.

Mr. Sharble explained that the artists that would be working for him are still employed by another business and felt it unreasonable to give their information if it would affect their current employment. **Commissioner Vasquez** asked Mr. Sharble if he was a licensed tattoo artist. He responded that he took the classes but does not have a tattoo artist license. He

added that he is familiar with the other tattoo business owner and explained that they perform two different styles of tattoos. He also explained the measures taken to disallow anyone underage to get a tattoo. He also discussed how the artists that will be working for him already have a backlog of appointments with advertisement being by word of mouth, conventions and social media.

There was discussion amongst Commissioners and **Mr. Sharble** regarding the previous conditions of approval for the existing Duarte tattoo shop concerning the privacy screens, the use of the permitted area and undesirable walk-ins.

Chairperson Pierce closed Public Hearing. And opened Commissioners Comments.

Commissioner Lefmann concurred with Commissioner Vasquez's previous statement of disagreement concerning the implications of stereotyping people with tattoos and explained the facts that are considered on the approval of a new establishment.

Commissioner Watson-Gardner elaborated on the process the commission considers to come into consensus and able to work together with the community. She thanked the people that took the time to attend the meeting and support a new business in the city.

Chairperson Pierce clarified and explained that the Staff Report given is for history and direction and that the Commission has the authority to approve or denied a business based on several other factors, such as the ones she had for his business regarding the location, unpermitted work done and business name.

Commissioner Lefmann motioned to approve with a condition that privacy screens are provided where necessary. Motioned died on lack of second.

Hensley clarified the motion by stating that a resolution will be prepared for next Commission meeting, on August 15, 2016, to show conditions of approval similar to the other tattoo shop such as privacy screens, licensed tattoo artist and art work display outside the business.

Chairperson Pierce re-opened the Public Hearing and continued the item to the next meeting on August 15, 2016.

Commissioner Vasquez requested that the Applicant present a business plan, to show the use of licensed artists, how loitering in front of business will be avoided, and how to avoid children "hanging-out" in front of the shop since an Art School will be opening near the business.

Mr. Sharble expressed his disagreement on the lack of approval for his business and added that he has been paying rent for several months already without able to open his shop.

Alisha Patterson, Deputy City Attorney confirmed the motion and Public Hearing to remain open, also to continue the item to next month's meeting on August 15th and bring back the Resolution with the conditions mentioned beforehand.

6. ITEMS FROM THE DIRECTOR

Hensley reported that Smart and Final is open, Starbucks is expected to open the first week of August, Grocery Outlet is expected to open in the second week of September, and that there will be a presentation of the Town Center Specific Plan at the next Planning Commission meeting.

Commissioner Vasquez inquired information about Harbor Freight. **Hensley** stated that Harbor Freight Corporate decided not to take the space by Harbor Freight.

Commissioner Vasquez inquired about the old Fresh & Easy site. Hensley noted that there is no application for a business at that location and added that the size of the building is restrictive.

Commissioner Farras asked for an update for the new 4th Member for the ARB. **Hensley** indicated that is pending on City Councils' plan to assigned the 4th member.

7. ITEMS FROM COMMISSIONERS

Commissioner Vasquez relayed an inquiry from residents on the Hacienda vicinity to install a pool in the park. **Hensley** stated that there are some Edison limitations on the power lines; however, a discussion with golf course would be an easier process than the park.

8. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Craig Hensley, Secretary