

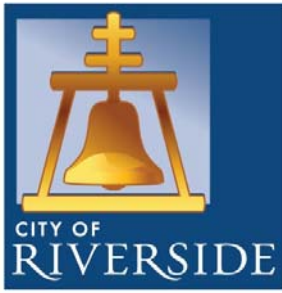
City of Arts & Innovation

CITY PLANNING COMMISSION MINUTES

THURSDAY, OCTOBER 17, 2019, 9:00 A.M.
ART PICK COUNCIL CHAMBER, CITY HALL
3900 MAIN STREET

PLANNING COMMISSIONERS

	WARDS	K I R B Y	R O B E R T S	R U B I O	P A R K E R	M I L L	A L L E N	R O S S O U W	T E U N I S S E N	Z A K I
		1	2	3	4	5	6	7	C W 3	C W 3
Roll Call:	Present	X	X	X	X	X	X	X	X	X
Chair Rossouw called the meeting to order at 9:00 a.m. with all members.										
Staff Present: M. Kopaskie-Brown, D. Murray, K. Smith, A. Berlino, F. Andrade										
The Pledge of Allegiance was given to the flag.										
PLANNING/ZONING MATTERS FROM THE AUDIENCE										
There were no oral comments at this time.										
Chair Rossouw acknowledge the delegation from Can Tho, our sister city in Vietnam.										
D Dayton, UCR Extension, introduced the delegation from Can Tho and stated they were present to observe the open meeting and public participation process.										
<u>PUBLIC HEARINGS</u>										
<u>PLANNING CASE P19-0461 – STREET VACATION – SEGMENT OF DIANA AVENUE AND EMILY COURT BETWEEN WILMA COURT AND ADAMS STREET – CONTINUANCE TO NOVEMBER 14, 2019, Ward 5</u>										
Chair Rossouw announced that the applicant has requested a continuance to November 14, 2019. There was no public comment regarding the continuance. A motion was made to continue Planning Case P19-0461 to the meeting of November 14, 2019.	Motion Second All Ayes	X	X	X	X	X	X	X	X	X
<u>PLANNING CASE P19-0382 – CONDITIONAL USE PERMIT – VEHICLE RENTAL SALES WITH OUTDOOR DISPLAY OF VEHICLES – 7807 INDIANA AVENUE – CONTINUANCE TO OCTOBER 31, 2019, WARD 4</u>										
Chair Rossouw announced the Commission would take P19-0382 out of order as the applicant was requesting a continuance. A motion was made to continue Planning Case P19-0382 to the meeting of October 31, 2019.	Motion Second All Ayes	X	X	X	X	X	X	X	X	X
<u>PLANNING CASES P18-0849, P18-0850, P19-0512 – CONDITIONAL USE PERMIT, VARIANCE AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY – TO PERMIT A DANCE STUDIO, SOCIAL MIXERS AND BANQUET FACILITY IN CONJUNCTION WITH A TYPE 42 ALCOHOL LICENSE – 3740 PARK SIERRA DRIVE</u>										



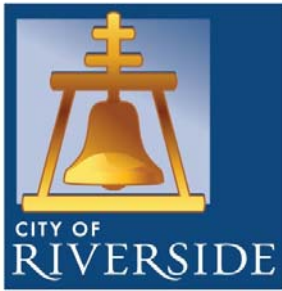
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WARDS	1	2	3	4	5	6	7	C W 3	C W 3
<p>Proposal by David Vanderzell, on behalf of THVS Investments, LLC to consider the following entitlements: 1) a Conditional Use Permit to permit a dance studio, social mixers, and banquet facility (Assemblies of People-Entertainment), in conjunction with a Type 42 Alcohol License (On-Sale of Beer and Wine – Public Premises) within an existing 10,666 square foot building; 2) Variance to allow the on-sale of alcoholic beverages within 600 feet of a hospital; and 3) Determination of Public Convenience or Necessity to allow the on-sale of beer and wine in an over concentrated census tract. Alyssa Berlino, Assistant Planner, presented the staff report. She indicated that four letters were received and letters were distributed this morning. David Vanderzell, applicant, described the day to day operations and stated he had 30 years experience in this business. Wendell Tucker, reiterated that this was not a night club and expressed their understanding of the conditions. Comments from the audience: David Gilmore, David Saunders, Calvin Flores, and Adrian Hernandez, spoke in opposition of the proposal. They expressed concerns regarding: parking and the overlap of prime business hours between the proposal and the existing businesses, problems with entertainment with alcohol sales and comparison with InCahoots. References were made to the existing CC&Rs and an unreasonable burden to the neighboring businesses, as well as conflicts with the future development of the vacant parcel. Jenniemarie Ramirez, Paige Gosney, Ken Gutierrez, Dwight Tate, and Sue Johnson spoke in support of the proposed project supporting the reciprocal parking agreement in the CC&Rs, positive comments with regard to Mr. Vanderzell and his business experience as well as indicating the proposed project would be good fit for the community. Chair Rossouw pointed out a conflict with conditions: condition 6 indicates operating hours 6:00 p.m. to 1:00 a.m. and Police Department condition 36 indicating 2:00 a.m. as cut off for alcohol sales. Staff concurred and suggested modifying condition 36 to change to 1:00 a.m. Chair Rossouw noted that per the applicant’s prepared project description, Exhibit 9, page 3, Security and Safety During Events: number “2. Any alcohol sales during banquet operations will be at the direction of an outside catering service with proper and current permits in place.” If the caterer has a license for hard liquor, potentially this could be available at a banquet event. The applicant stated they would have the ability to request extra security if this were the case at the time of the contract signing. Following discussion the Planning Commission recommended that the City Council: 1) Determine the project is exempt from the California Environmental Quality Act (CEQA) subject to Section 15301 (Existing Facilities), as this project will not have a significant effect on the environment; and; 2) Approve the following Planning Cases, based</p>									



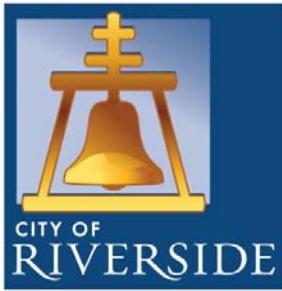
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WARDS		1	2	3	4	5	6	7	C W 3	C W 3
<p>on the findings outlined in the staff report, and subject to the recommended conditions: a. P18-0849 – Conditional use Permit for the following: a. Dance Studio, Banquet Facility (Assemblies of People – Entertainment), Social Mixers (Assemblies of People – Entertainment), On-Sale of Beer and Wine – Public Premises; b. P18-0850 – Variance; c. P19-0512 – Determination of Public Convenience or Necessity. With modification to the conditions: condition 36 indicating 1:00 a.m. as cut off for alcohol sales; and a new condition with regard to added security as deemed necessary by the applicant.</p> <p><u>PLANNING CASES P17-0689, P17-0688 and P19-0278 – CONDITIONAL USE PERMIT, DESIGN REVIEW, AND GRADING EXCEPTION – VEHICLE WASH FACILITY - 18806 VAN BUREN BOULEVARD, WARD 4</u></p> <p>Proposal by Andrew Paszterko of Gasoline Retail Facilities Consulting to consider the following entitlements for the construction of a Use Permit to permit a 5,440 square foot automated vehicle wash facility; 2) Design Review of project plans; and 3) Grading Exception for retaining walls higher than permitted by Code. Judy Egüez, Associate Planner, presented the staff report. She stated that a letter was received from a consulting tribe in agreement with the proposed mitigation measures recommended in the Mitigated Negative Declaration and a copy was provided to the Commission this morning. She noted that correspondence was also received in opposition due to the number of car washes already existing along Van Buren. The project was analyzed against the applicable development standards in the Zoning Code, which do not include a separation requirement for vehicle wash facilities. Yoonku Byun, applicant, Comments from the audience: Walter and Pamela Thornten expressed their concerns regarding the view of this property from their front door, the number of vacuums and the noise generated from these. They also noted the number of existing car washes in the area. Following discussion the Planning Commission: 1) Determined that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), pursuant to Section 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and, 2) Approved Planning Cases P17-0689 (Conditional Use Permit), P17-0688 (Design Review), and P19-0278 (Grading Exception), based on the findings outlined in the staff report subject to the recommended conditions; with modification to condition 28 adding a last sentence: Light poles shall not exceed fourteen (14) feet in height, including the height of</p>	<p>Motion Second Ayes Noes</p>	X	X	X	X			X	X	X
<p>Motion Second All Ayes</p>	X	X	X		X		X	X	X	X



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<p>any concrete or other base material, within fifty (50) feet of any residentially zoned property; and a new condition: Landscaping along Van Buren Boulevard shall be enhanced and subject to the satisfaction of staff.</p> <p><u>CONSENT CALENDAR</u> The following items were approved by one motion affirming the actions appropriate to each item.</p> <p>Planning Commission Attendance - That the Planning Commission excuse the absences of Richard Kirby due to illness, Kerry Parker due to business and Richard Rubio due to vacation from the October 3, 2019 regular meeting of the Planning Commission.</p> <p>The Minutes of the Planning Commission Meeting of October 3, 2019 were approved as presented.</p> <p><u>COMMUNICATIONS</u></p> <p>Items For Future Agendas And Update From City Planner: Mary Kopaskie-Brown, City Planner, reported on upcoming City Council and Planning Commission items.</p> <p><u>ADJOURNMENT</u> The meeting was adjourned at 10:49 a.m. to the meeting of November 14, 2019 at 9:00 a.m. in the Art Pick Council Chamber.</p>	All Ayes	X	X	X	X	X	X	X	X	X

The above actions were taken by the City Planning Commission on October 17, 2019. There is now a 10-day appeal period that ends on October 28, 2019. During this time, any interested person may appeal this action to the City Council by submitting a letter of appeal and paying the appeal fee. Also, during this time, the Mayor or any member of the City Council can refer the case for review on the Council's discussion calendar. In the absence of an appeal or referral, the Commission's decisions and conditions become final after 5:00 p.m. on October 28, 2019.

2. Planning Case P19-0461 (VC) – Continued to November 14, 2019.
3. Planning Cases P18-0849 (CUP), P18-0850 (VR), P19-0512 (PCORN) – Approved - Final at Planning Commission.
4. Planning Case P19-0382 (CUP) – Continued to October 31, 2019.
5. Planning Cases P17-0689 (CUP), P17-0688(DR) and P19-0278 (GE) – Approved – Final at Planning Commission.

Minutes approved as presented at the October 31, 2019 meeting.