

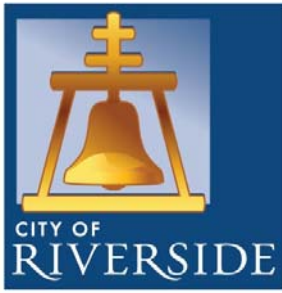
City of Arts & Innovation

**CITY PLANNING COMMISSION**  
**DRAFT MINUTES**

THURSDAY, OCTOBER 3 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
Chair Rossouw called the meeting to order at 9:00 a.m. with all members.										
Staff Present: M. Kopaskie-Brown, P. Brenes, K. Smith, C. Scully, N. Mustafa, V. Hernandez, F. Andrade										
The Pledge of Allegiance was given to the flag.										
<b>PLANNING/ZONING MATTERS FROM THE AUDIENCE</b> There were no oral comments at this time.										
<b><u>PUBLIC HEARINGS</u></b>										
<b><u>PLANNING CASES P18-0849, P18-0850 and P19-0512 – 3740 PARK SIERRA DRIVE, WARD 6 - CONTINUED TO OCTOBER 17, 2019</u></b> Chair Rossouw announced that the applicant has requested continuance to October 17, 2019. There was no one in the public to speak to the continuance. The Planning Commission continued Planning Cases P18-0849 (Conditional Use Permit), P18-0850 (Variance), and P19-0512 (PCORN) to the meeting of October 17, 2019.	Motion Second All Ayes		X			X	X	X	X	X
<b><u>PLANNING CASES P17-0494, P17-0495, P18-0986, P18-0987, P19-988, P19-0989, P18-0990 and P18-0991 – GENERAL PLAN AMENDMENT, REZONING, CONDITIONAL USE PERMITS, PARCEL MAP, VARIANCE, DESIGN REVIEW AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY – 9501 LINCOLN AVENUE, WARD 5</u></b> Proposal by Steve Berzansky of Steven Walker Communities, to consider the following entitlements for the construction of a vehicle fuel station and a 5,250 square foot multi-tenant commercial building, including a drive-thru restaurant: 1) a General Plan Amendment to change the General Plan land use designation from VHDR – Very High Density Residential to C - Commercial; 2) a Zoning Code Amendment to change the zone from R-4 – Multiple Family Zone to CR – Commercial Retail Zone; 3) a Conditional Use Permit to permit a vehicle fuel station consisting of a 3,062 square foot convenience store with off-sale of beer/wine (Type 20 Alcohol License); 4) a Conditional Use Permit to permit a 1,960 square foot drive-thru restaurant; 5) a Parcel Map to subdivide 1.49 acres into two lots; 6) Design Review of project plans; 7) Variances to allow alcohol sales within 100 feet of property zoned for residential uses and a reduced landscape setback along the west property line; and 8) a Determination of Public Convenience or Necessity to allow the off-sale of beer/wine.										



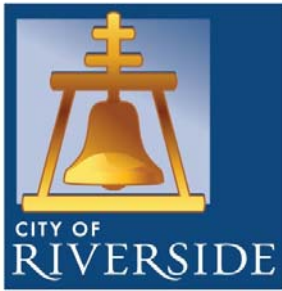
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WARDS	1	2	3	4	5	6	7	C W 3	C W 3
<p>Candice Assadzadeh, Senior Planner, presented the staff report. She stated that five comment letters were received and copies have been provided to the Commission this morning. Steve Berzansky, Steven Walker Communities, spoke and stated they were in agreement with the recommended conditions. Comments from the audience: Pamela &amp; John Mackie; Gregory Jacobson; Paul Schmitz; Deleo Heckman; David McKellips; Rocio Mejia; Hector Casas and Imelda Moreno; Perry Couello; and Jane Trieu spoke before the Commission. They expressed their concerns regarding: traffic and safety, environmental emissions from the gas station close to the residences; financial impacts to the neighborhood; current lack of sidewalks homeless related issues; no need for restaurant or convenience store with the existing shopping center so close; liquor sales at the proposed site. Commissioner Mills asked about the transient issues brought up by the community. Ms. Kopaskie-Brown indicated that the applicant has submitted a security plan and is working with the Police Department. Commissioner Allen inquired about any street improvements to be made. Chris Scully, Acting Engineering Manager, replied that the applicant will be improving Van Buren to full width and installing curbs. The public hearing was closed. Following discussion the Planning Commission recommended that the City Council: 1) Determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record, and recommend that the City Council adopt a Mitigated Negative Declaration (MND) and Mitigation and Monitoring Reporting Program (MMRP); and 2) Approve Cases P17-0494 (General Plan Amendment), P17-0495 (Zoning Code Amendment), P18-0986 (Conditional Use Permit), P18-0987 (Conditional Use Permit), P18-0988 (Parcel Map), P18-0990 (Design Review), P18-0989 (Variance), and P18-0991 (Determination of Public Convenience or Necessity), based on the findings outlined in the staff report and subject to the recommended conditions.</p> <p>Motion Carried: 4 Ayes – 2 Noes</p> <p><u>PLANNING CASE PP18-0020, P18-0021, P18-0022 and P18-0023 – REZONING, TENTATIVE TRACT MAP, CONDITIONAL USE PERMIT AND DESIGN REVIEW – 3444 CENTER STREET, WARD 1 Proposal by Joel Farkas of Kings Co., LLC to consider the following entitlements for the establishment of a 99-unit Mobile Home Park: 1) a Zoning Code Amendment to rezone the 12.88-acre project site from R-1-7000 – Single-Family Residential Zone to R-1-7000-MH – Single-Family Residential and Mobile Home Park Overlay Zones; 2) a Tentative Tract Map for a one lot</u></p>									
Motion								X	
Second						X			
Ayes					X		X		
Noes		X							X



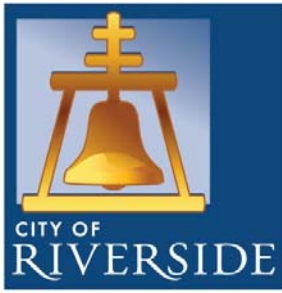
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WARDS	1	2	3	4	5	6	7	C W 3	C W 3
<p>subdivision for condominium purposes; 3) a Conditional Use Permit to permit ground leases for 99 mobile home spaces; and 4) a Design Review of project plans. Veronica Hernandez, Associate Planner, presented the staff report. She stated that two comment letters were received and distributed to the Commission this morning. Staff is recommending revisions to the Conditions; delete condition 41. <del>Prior to Building Permit Issuance, the Developer shall complete a lot line adjustment to consolidate the project site parcels to the satisfaction of the Planning Division and Public Works Department. Storm Drain construction will be contingent on engineer's drainage study. Size, number and location of driveways to Public Works specifications and replace with 3 separate conditions:</del> 41. Prior to Building Permit issuance, the Developer shall complete a Lot Line Adjustment to either consolidate the project site parcels or to adjust the existing three lots to avoid the proposed building locations. In the case of adjusting the existing lots lines, the Developer shall process certificate of compliances for city review and determination if the lots are legal. 42. Storm Drain construction will be contingent on engineer's drainage study. and 43. Size, number and location of driveways to Public Works specifications. There were no public comments at this time. Following discussion the Planning Commission recommended that the City Council: 1) Determine 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) Approve Planning Cases P18-0020 (Zoning Code Amendment), P18-0022 (Conditional Use Permit), and P18-0023 (Design Review), based on the attached findings and subject to the conditions as modified by staff.</p> <p>Motion Carried – 6 Ayes</p> <p><u>CONSENT CALENDAR</u> The following items were approved by one motion affirming the actions appropriate to each item.</p> <p>The Minutes of the Planning Commission Meeting of September 19, 2019 were approved as presented.</p> <p>Planning Commission Attendance – The Planning Commission excused the absence of Kerry Parker due to vacation and Judy Teunissen and</p>									
Motion					X				
Second									X
Ayes		X				X	X	X	
Noes									
Ayes		X			X	X	X	X	X



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	KIRBY	ROBERTS	RUBIO	PARKER	MILL	ALLEN	ROSSOUW	TEUNISSEN	ZAKI
WARDS	1	2	3	4	5	6	7	CW3	CW3
Richard Kirby due to illness from the September 19, 2019 meeting of the Planning Commission									
<u>COMMUNICATIONS</u>									
Items For Future Agendas And Update From City Planner: Mary Kopaskie-Brown, City Planner, announced an APA workshop for Planning Commissioners on November 7, 2019. She asked if anyone was interested to contact Frances Andrade. She reported on upcoming Planning Commission items.									
Commissioner Teunissen announced that Commissioner Kirby's surgery went well and he is doing well.									
<u>ADJOURNMENT</u>									
The meeting was adjourned at 10:20 a.m. to the meeting of October 17, 2019 at 9:00 a.m. in the Art Pick Council Chamber.									

The above actions were taken by the City Planning Commission on October 3, 2019. There is now a 10-day appeal period that ends on October 14, 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. In the absence of an appeal or referral, the Commission's decisions and conditions become final after 5:00 p.m. on October 14th.

2. P18-0849 (CUP), P18-0850 (VR), P19-0512 (PCORN) – continued to October 17, 2019
3. P17-0494 (GPA), P17-0495 (RZ), P18-0986 (CUP), P18-0987 (CUP), P18-0988 (PM), P18-0989 (VR), P18-0990 (DR), and P18-0991 (PCORN) – to City Council for final review and approval.
4. P18-0020 (RZ), P18-0021 (TM), P18-0022 (CUP) and P18-0023 (DR) – to City Council for final review and approval.