



City of Arts & Innovation

PLANNING COMMISSION MINUTES

THURSDAY, MARCH 31, 2022, 9:00 A.M.
PUBLIC COMMENT IN PERSON /TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

COMMISSIONERS

PRESENT: R. Kirby, L. Mooney, J. Parker, T. Ridgway, C. Roberts (virtual), R. Singh, J. Wilder

ABSENT: Rush (Business)

STAFF: M. Kopaskie-Brown, P. Brenes, D. Murray, A. Beaumon, N. Mustafa, C. Scully, F. Andrade

Chair Kirby called the meeting to order at 9:00 a.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no comments from the audience.

CONSENT CALENDAR

The Consent Calendar was unanimously approved as presented below affirming the actions appropriate to each item.

MINUTES

The minutes of the March 17, 2022 were approved as presented.

Motion made by Commissioner Ridgway, Seconded by Commissioner Parker to approve the Consent Calendar as presented.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0Abstention

AYES: Kirby, Mooney, Parker, Ridgway, Roberts, Singh, Wilder

NOES: None

ABSENT: Rush

ABSTENTION: None



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PUBLIC HEARINGS

PLANNING CASE PR-2021-000897 – MODIFICATION OF CONDITION OF PARCEL MAP 30369, CONDITIONAL USE PERMIT, PARCEL MAP AND DESIGN REVIEW - 19260 VAN BUREN BOULEVARD, WARD 4 – CONTINUED TO APRIL 14, 2022

Proposal by Costanzo Investments, LLC to consider the following entitlements for the construction of a restaurant (Panera Bread) with a drive thru lane: 1) Modification of Conditions to modify a Condition of Parcel Map 30369 related to the prohibition of drive-thru facilities; 2) Conditional Use Permit to permit a drive-thru facility; 3) Parcel Map to subdivide a 7.72-acre parcel developed with a commercial building into two parcels; and 4) Design Review of project plans for site plan and building elevations. Danielle Harper-Scott, Associate Planner announced that the applicant is requesting a continuance to April 14, 2022. Following discussion, it was moved by Commissioner Parker and Seconded by Commissioner Singh to Continue Planning case PR-2021-000897 to the April 14, 2022 meeting.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Kirby, Mooney, Parker, Ridgway, Roberts, Singh, Wilder

NOES: None

ABSENT: Rush

ABSTENTION: None



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PLANNING CASE PR-2021-001240 – CONDITIONAL USE PERMIT – 3977 CHICAGO AVENUE, WARD 2

Proposal by Steve Rawlings of Rawlings Consulting to consider the following entitlement:
1) Conditional Use Permit to permit the off-sale of general alcoholic beverages (Type 21 Alcohol License) in conjunction with an existing commercial building for Grocery Outlet Bargain Market. Alyssa Berlino, Associate Planner presented the staff report. She stated that the project was advertised to include a Public Convenience or Necessity Determination (PCORN) for the overconcentration of off-sale alcohol licenses in the census tract, however, the licensing report system of the California Department of Alcoholic Beverage Control, was found to be incorrect. The Census Tract is not overconcentrated and the determination is not required. Steve Rawlings, on behalf of Grocery Outlet, stated they were in agreement with the recommended conditions of approval with a minor change to Condition 23. He read the revision for condition 23: "The business windows shall not be tinted or obscured more than permissible per Chapter 19.620 – General Sign Provisions, including by temporary or painted window signs, and the interior lighting of the building shall remain at adequate levels to clearly see into the business from the exterior of the business." There were no public comments. The public hearing was closed. Following discussion it was moved by Commissioner Ridgway and Seconded by Commissioner Wilder to : 1) Determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061.b.3 (Common Sense Exemption) and 15301 (Existing Facilities) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-001240 (Conditional Use Permit), based on the findings outlined in the staff report and subject to the recommended conditions with the modification to condition 23 as requested by the applicant.

Chair Kirby advised of the appeal period.

The Planning Commission decision is final unless appealed to City Council.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Kirby, Mooney, Parker, Ridgway, Roberts, Singh, Wilder

NOES: None

ABSENT: Rush

ABSTENTION: None



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PLANNING CASE PR-2021-001082 - ZONING TEXT AMENDMENT, MINOR CONDITIONAL USE PERMIT - 7920 LINDBERGH DRIVE, WARD 4

Proposal by Adam Kooienga, of Hofman Planning Associates to consider the following entitlements: 1) Amendment to Zoning Text to allow for Vehicle Sales, Rental and Leasing – New and Used (With Outdoor Display. Indoor Vehicle Repair when associated with Clean Energy Uses in the BMP – Business and Manufacturing Park Zone; and 2) Minor Conditional Use Permit to permit a Tesla dealership with outdoor display and indoor vehicle repair facility. Candice Assadzadeh, Senior Planner, presented the staff report. Staff received two comment letters one in support and one in opposition of the project. The letter in opposition expressed concern regarding the site lighting associated with the proposed outdoor display of vehicles. The parking lot is currently developed with light standards. At this time, Tesla is not proposing to add additional light standards in the parking lot. Should they wish to do so in the future, staff will review the light standards for compliance with the development standards in the Zoning Code. Adam Kooienga, Hoffman Planning Associates, stated they were in agreement with the recommended conditions of approval. Public Comment: Cindy Roth spoke in support. The public hearing was closed. Following discussion it was moved by Commissioner Ridgway and Seconded by Commissioner Singh to recommend that the City Council: 1) Determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061.b.3 (Common Sense Exemption) and 15301 (Existing Facilities) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-001082 (Zoning Code Amendment and Minor Conditional Use Permit), based on the findings outlined in the staff report and subject to the recommended conditions.

Chair Kirby advised of the appeal period.

A City Council public hearing is required for final approval.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Kirby, Mooney, Parker, Ridgway, Roberts, Singh, Wilder
NOES: None
ABSENT: Rush
ABSTENTION: None



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PLANNING CASE PR-2021-000896 – SITE PLAN REVIEW – 3001 IOWA AVENUE, WARD 1
Proposal by Seritage Growth Properties to consider a Site Plan Review of project plans for a mixed-use development consisting of 300 multi-family residential units and 1,386 square feet of commercial retail space. Danielle Harper-Scott, Associate Planner presented the staff report. A letter in support has been received and distributed to the Commission. She noted that the General Plan 2025 analysis in the staff report, page three has been marked as inconsistent and consistent as a clerical error and should be marked consistent. John Reischl, Seritage Growth Properties, stated they were in agreement with the recommended conditions of approval. Public Comment: Cindy Roth spoke in support. Nick representing Duke's Bar and Grill spoke regarding parking for the surrounding businesses. Virtual: Philip, 1321 Massachusetts unit 201 asked if there would be any pedestrian walkway along the secondary access to the proposed project. The public hearing was closed. Following discussion it was moved by Commissioner Kirby and Seconded by Commissioner Singh to: 1) Determine that the project has been assessed under streamlining procedures, pursuant to Section 15183.3 - Streamlining for Infill Projects, and is consistent with the Final EIR for the 2014-2021 Housing Element Update/Housing Implementation Plan certified in December 2017 (SCH No. 2017041039), pursuant to Public Resources Code Section 21094.5 , subject to compliance with the approved Mitigation Monitoring and Reporting Program; and 2) Approve Planning Case PR-2021-000896 (Site Plan Review), based on the findings outlined in the staff report and subject to the recommended conditions.

Chair Kirby advised of the appeal period.

The Planning Commission decision is final unless appealed to City Council.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Kirby, Mooney, Parker, Ridgway, Roberts, Singh, Wilder

NOES: None

ABSENT: Rush

ABSTENTION: None



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COMMUNICATIONS

ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER

Ms. Kopaskie-Brown updated the Commission on items for the April 14, 2022.

ADJOURNMENT

The meeting was adjourned at 10:06 a.m. to the meeting of April 14, 2022 at 9:00 a.m.

The above actions were taken by the City Planning Commission on March 31, 2022. There is now a 10-day appeal period that ends on April 11, 2022. 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 April 11, 2022.

The minutes were approved as presented at the April 14, 2022 meeting.