



City of Arts & Innovation

PLANNING COMMISSION DRAFT MINUTES

THURSDAY, MAY 12, 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, R. Singh (L, LE) J. Wilder

ABSENT: Rush (business),

STAFF: M. Kopaskie-Brown, P. Brenes, D. Murray, M. Taylor, D. Harper-Scott, A. Beaumon, P. Nitollama, 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 April 28, 2022, were approved as presented.

PLANNING COMMISSION ATTENDANCE

The Commission excused the April 28, 2022 absence of Commissioner Rush due to vacation.

Motion Carried: 6 Ayes, 0 Noes, 0 Absent, 0 Abstention

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

NOES: None

ABSENT: Rush, Singh

ABSTENTION: None



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PUBLIC HEARINGS

PLANNING CASE PR-2021-000897 – MODIFICATION OF CONDITIONS (PM-30369),
CONDITIONAL USE PERMIT, PARCEL MAP, DESIGN REVIEW – 19260 VAN BUREN
BOULEVARD, WARD 4

Proposal by Costanzo Investments, LLC to consider the following entitlements for the construction of a 3,740 square-foot 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 June 9, 2022. There were no public comments. Following discussion it was moved by Commissioner Parker and seconded by Commissioner Ridgway to Continue Planning Case PR-2021-000897 to the meeting of June 9, 2022

Motion Carried: 6 Ayes, 0 Noes, 0 Absent, 0 Abstention

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

NOES: None

ABSENT: Rush, Singh

ABSTENTION: None

PLANNING CASE PR-2021-001151 - REZONING, DESIGN REVIEW, VARIANCE – 3845 LA
SIERRA AVENUE, WARD 6

Proposal by Jimmy Lee of T.J. Build to consider the following entitlements to convert an existing office building into a mixed-use development consisting of 4 residential units and a dental office: 1) Zoning Code Amendment to change the zone from CR-SP – Commercial Retail and Specific Plan (Magnolia Avenue) Overlay Zones to MU-V-SP – Mixed-Use Village and Specific Plan (Magnolia Avenue) Overlay Zones; 2) Design Review of project plans; and 3) Variance to allow an existing smaller parcel than the parcel size required in the MU-V Zone to be developed with a mixed use development. Danielle Harper-Scott, Associate Planner presented the staff report. Jimmy Lee, stated they were in agreement with the recommended conditions of approval. There were no public comments. The public hearing was closed. Following discussion it was moved by Commissioner Wilder and seconded by Commissioner Mooney to recommend that the City Council: 1) Determine that the proposed project is exempt from the California



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Environmental Quality Act pursuant to Sections 15301 (Existing Facilities), 15332 (In-fill Development Projects) and 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-001151 (Rezone, Design Review, Variance), 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: 6 Ayes, 0 Noes, 0 Absent, 0 Abstention

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

NOES: None

ABSENT: Rush, Singh

ABSTENTION: None

PLANNING CASE PR-2022-001313 - AMENDMENT TO TITLES 17, 18, AND 19 OF THE MUNICIPAL CODE - ADDRESS, ALL WARD

Proposal by the City of Riverside to amend Titles 17 (Grading), 18 (Subdivision), and 19 (Zoning) of the Riverside Municipal Code, including but not limited to Chapter 17.28 (Minimum Grading Standards and General Requirements) of Title 17; Articles III (Maps and Permits), IV (Requirements for Filing and Approval Process), V (Permit Provisions) and VI (Definitions) of Title 18; and Articles III (Nonconforming Provisions), V (Base Zones and Related Use and Development Provisions), VI (Overlay Zones), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), IX (Land Use Development Permit Requirements and Procedures) and X (Definitions) of Title 19. The proposed amendments are intended to:

- 1) Align the City's development regulations with recent changes to State law relating to two-unit developments and urban lot splits (also known as Senate Bill 9);
- 2) Streamline and clarify the City's development regulations related to Accessory and Junior Accessory Dwelling Units to reduce barriers and increase housing production;
- 3) Clarify and improve existing Objective Design Standards for multi-family and mixed-use development as an implementing action of the recently adopted 6th Cycle Housing Element;
- 4) Align the Parking Requirements Table with the Base Zones Permitted Land Uses



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Table for clarity and ease of use; and

5) Complete clean-up items for Title 19 to:

a) Align required findings of fact for granting a Variance to comply with applicable State standards;

b) Adjust time frames to consider appeals of land use entitlement decisions to better serve applicants, appellants, decisionmakers and the community; and

c) Fulfill Condition of Approval #9 of Tract Map No. 28756 for the application of the RL – Residential Livestock Overlay Zone to the existing 10-lot single-family residential subdivision, located at 11171-11234 Lindy Street.

Matthew Taylor, Senior Planner, presented the staff report. Commissioner Singh joined the meeting virtually at this time. Mr. Taylor noted corrections to presentation slide 8, 19.085 should be 18.085 and correction to presentation slide 9 instead of “urban lot splits”, should be “2-unit developments”. Public comments: Nancy Magi stated that although this is State legislation, there are some things that the City can do. She urged the Commission to study the recommendations closely and to vote no to Mobile Accessory Dwelling Units. The public hearing was closed. Commissioner Singh left the meeting due to technical difficulties. Following discussion it was moved by Chair Kirby and seconded by Commissioner Wilder to recommend that the City Council: 1) Determine that Planning Case PR-2022-001313 is exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (General Rule), as it can be seen with certainty that approval of the project will not have an effect on the environment; and further that the adoption of an ordinance to implement Sections 65852.21 and 64411.7 of the California Government Code (SB 9) is not a Project and therefore not subject to CEQA; and 2) Approve Planning Case PR-2022-001313 (Zoning Text Amendment and Rezoning), as recommended by staff, based on the findings outlined in the staff report. As part of the motion the Commission recommended that with regard to parking, a covered parking space be required; with regard to Accessory Dwelling Units and SB9, only one-story structures; recommended owner occupancy for SB9 two-units. There was a divided opinion regarding SB9 notifications. There was a general agreement to allow Mobile Accessory Dwelling Units.

Chair Kirby advised of the appeal period.

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Motion Carried: 6 Ayes, 0 Noes, 0 Absent, 0 Abstention

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

NOES: None

ABSENT: Rush, Singh

ABSTENTION: None

COMMUNICATIONS

ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER

Ms. Kopaskie-Brown announced that there were no items scheduled for the May 26, 2022 meeting and that the meeting would be canceled.

ADJOURNMENT

The meeting was adjourned at 9:50 a.m. to the meeting of June 9, 2022 at 9:00 a.m.

The above actions were taken by the City Planning Commission on May 12, 2022. There is now a 10-day appeal period that ends on May 23, 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 May 23, 2022.