



City of Arts & Innovation

PLANNING COMMISSION **DRAFT MINUTES**

THURSDAY, June 23, 2022, 9:00 A.M.
PUBLIC COMMENT IN PERSON /TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

COMMISSIONERS

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

ABSENT: C. Roberts (vacation)

STAFF: M. Kopaskie-Brown, B. Norton, 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 June 9, 2022 were approved as presented.

PLANNING COMMISSION ATTENDANCE

The Commission excused the June 9, 2022 absence of Commissioner Mooney due to business and Commissioner Ridgway was late.

Motion made by Commissioner Rush, Seconded by Commissioner Parker, to approve the consent calendar as presented.

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

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

NOES: None

ABSENT: Roberts

ABSTENTION: None



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PUBLIC HEARINGS

PLANNING CASE PR-2021-000897 – MODIFICATION OF CONDITIONS, CONDITIONAL USE PERMIT, PARCEL MAP, AND DESIGN REVIEW - 19260 VAN BUREN BOULEVARD, WARD4
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. Brian Norton, Senior Planner presented the staff report. Chris Costanzo, 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 Ridgway and seconded by Commissioner Mooney to: 1) Determine that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 (New Construction or Conversion of Structures) and 15315 (Minor Land Divisions) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-000897 (Modification of Conditions, Conditional Use Permit, Parcel Map, and Design Review), based on the findings outlined in the staff report and subject to the recommended conditions.

Chair Kirby advised of the appeal period.

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

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

NOES: None

ABSENT: Roberts

ABSTENTION: None

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



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COMMUNICATIONS

ANNUAL REVIEW OF THE CODE OF ETHICS AND CONDUCT

Susan Wilson, Assistant City Attorney, stated that the annual review process for the Code of Ethics is set in the Riverside Municipal Code. It is an annual review process for revisions to the Code of Ethics. All of the boards and commissions are currently reviewing the Code of Ethics. Any comments that are gathered will be sent to the Board of Ethics to be considered at their August meeting. The comments are then presented to a City Council committee for review. Then it goes to the full City Council for final review.

Commissioner Wilder inquired if the Commission's inquiries/clarifications and receiving a timely response to those, is something that can be addressed in the Code of Ethics.

Chair Kirby explained that with regard to a proposal coming before the Commission, he had requested clarification several meetings ahead of time from the City Attorney as to whether he could participate in the discussion. It wasn't until the day of the meeting that he received confirmation. The Chair asked for clarification on how the Commission may receive a response in a more timely manner.

Ms. Wilson stated that she can provide resources regarding the process. She explained that normally their offices receive the requests in writing from the board or commission staff person and the City Attorney's Office will provide a response within two weeks. She can also provide the resource of the Fair Political Practice Commission. She was not familiar with what happened with that particular opinion, but she can describe the current process in place and formalize it in an email to the Commission.

Ms. Kopaskie-Brown stated that if something comes up for the second meeting in July, this item can be placed on that agenda for further discussion.

There were no comments regarding the Code of Ethics, no formal action was taken.

ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER

Ms. Kopaskie-Brown announced that there were no items for the July 7th meeting.



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ADJOURNMENT

The meeting was adjourned at 9:25 a.m. to the meeting of July 7, 2022 at 9:00 a.m.

The above actions were taken by the City Planning Commission on June 23, 2022. There is now a 10-day appeal period that ends on July 5, 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 July 5, 2022.