PLANNING COMMISSION
MINUTES

THURSDAY, June 25, 2020, 9:00 A.M.
VIRTUAL MEETING
PUBLIC COMMENT VIA TELEPHONE
3900 MAIN STREET

COMMISSIONERS
PRESENT: R. Kirby, C. Roberts, R. Rubio, K. Parker, S. Mill, L. Allen, J. Teunissen and A. Villalobos
ABSENT: None

STAFF: M. Kopaskie-Brown, P. Brenes, C. Assadzadeh, Brian Norton, M. Taylor, D. Harper-Scott, R. Osorio, K. Smith, 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. There were no public comments received. Motion made by Chair Kirby and seconded by Commissioner Teunissen to approve the Consent Calendar.

MINUTES
The minutes of the meetings of June 11, 2020, were approved as presented.

PLANNING COMMISSION ATTENDANCE
The Planning Commission excused the absence of Christine Roberts from the meeting of June 11, 2020 due to illness.

Motion Carried: 8 Ayes, 0 Noes, 0 Absent, 0 Abstention
AYES: Allen, Kirby, Mill, Parker, Roberts, Rubio, Teunissen, Villalobos
NOES: None
ABSENT: None
ABSTENTION: None

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PUBLIC HEARINGS

PLANNING CASES P19-0570 and P19-0571 – *CONDITIONAL USE PERMIT AND VARIANCE - 5041 SIERRA STREET, WARD 3*
Proposal by Ray Martinez of RAM Designs to consider the following entitlements for the expansion of an existing 3,848 square foot Assisted Living Facility: 1) a Conditional Use Permit to legalize the expansion of the Assisted Living Facility (Blessed Elder Care Inc.) from 6 to 12 individuals; and 2) a Variance to allow fewer parking spaces than required by the Zoning Code. Danielle Harper-Scott, Planning Technician, presented the staff report. Magdalena Gurau, stated she was in agreement with the recommended conditions of approval. There were no public comments for this item. The public hearing was closed. Commissioner Allen stated he was not in support of the parking variance. Commissioner Rubio stated that he knows the area and when school is in session, parking could be an issue and because of this would be opposed to the proposal. Commissioner Teunissen agreed with Commissioners Allen and Rubio. She understood not a lot of visitors are expected but any amount would still impact the neighborhood. Following discussion it was moved by Commissioner Teunissen and seconded by Commissioner Rubio to: 1) Deny Planning Cases P19-0470 and P19-0571. Chair Kirby advised of the appeal period.

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

Motion Carried: 5 Ayes, 3 Noes, 0 Absent, 0 Abstention
AYES: Allen, Kirby, Mill, Rubio, Teunissen
NOES: Parker, Roberts, Villalobos
ABSENT: None
ABSTENTION: None

PLANNING CASE P19-0948 – *ZONING CODE AMENDMENT TO REZONE A PORTION OF THE PROJECT SITE- 2625 DURAHART STREET, WARD 1*

Proposal by Joe Lawrence of Dixieline Pro-Build to consider a Zoning Code Amendment to change the Zone of 0.34 acres of the project site from I-WC – General Industrial and Water Course Overlay Zones to I- General Industrial Zone. Candice Assadzadeh, Senior Planner presented the staff report. Andrew Walcker, Overland Development, representing Dixieline Pro Build, stated they were in agreement with the recommended conditions of approval. There were no public comments on this proposal. The public hearing was closed. Following discussion it was moved by Commissioner Mill and seconded by Commissioner Teunissen to recommend that the City Council: 1) Determine that the proposed project is exempt from the California Environmental Quality Act pursuant to Section 15061b (Common Sense Rule), as there is no possibility that the project will have a significant effect on the environment; and 2) Approve Planning Case P19-0948 (Zoning Code Amendment), based on the findings outlined in the staff report and subject to the recommended conditions. Chair Kirby advised of the appeal period.

City Council public hearing required for final approval.

Motion Carried: 8 Ayes, 0 Noes, 0 Absent, 0 Abstention

AYES:	Allen, Kirby, Mill, Parker, Roberts, Rubio, Teunissen, Villalobos
NOES:	None
ABSENT:	None
ABSTENTION:	None

PLANNING CASES P19-0283, P19-0284, P19-0285 and P20-0295 - *PLANNED RESIDENTIAL DEVELOPMENT, TRACT MAP NO. 37740, DESIGN REVIEW AND VARIANCE FOR A RESIDENTIAL DEVELOPMENT - FOUR CONTINGUOUS PARCELS LOCATED BETWEEN BUSHNELL AVENUE AND HEDRICK AVENUE, WARD 7*

Proposal by Dean Cook on behalf of Bushnell Development, LLC to consider the following entitlements for a residential subdivision: 1) a Planned Residential Development Permit for the establishment of 22 detached single-family dwellings, private streets, and common open space; 2) Tentative Tract Map No. 37740 to subdivide 6.75 acres into 22 single family residential lots ranging in size from 5,776 to 18,191 square feet; 3) Design Review of project plans; and 4) Modification to allow a cul-de-sac street to serve more than 16 lots and to be greater than 600 feet in length. Regine Osorio, Associate Planner, presented the staff report. Andrew Walcker, Overland Development, representing Bushnell Development, stated they were in agreement with the recommended conditions of approval. There was no public comment for this item. The public hearing was closed. Following discussion it was moved by Commissioner Villalobos and seconded by Commissioner Mill to: 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 Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and 2) Approve Planning Cases P19-0283 (Planned Residential Development), P19-0284 (Tract Map No. 37740), P19-0285 (Design Review), and P20-0295 (Modification), 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: 8 Ayes, 0 Noes, 0 Absent, 0 Abstention

AYES:	Allen, Kirby, Mill, Parker, Roberts, Rubio, Teunissen, Villalobos
NOES:	None
ABSENT:	None
ABSTENTION:	None

PLANNING CASES P20-0179, P20-0190 and P20-0191 - *ZONING CODE AMENDMENT TO IMPLEMENT PROPOSED UPDATES TO THE GOOD NEIGHOBOR GUIDELINES AND SPECIFIC PLAN AMENDMENTS - CITYWIDE, ALL WARDS*

Proposal by the City of Riverside to amend the following regulations to implement the proposed policies of the revised Good Neighbor Guidelines for Siting New and/or Modified Industrial Facilities NG-2020): 1) Title 19 (Zoning) of the Riverside Municipal Code, including, but not limited to, Articles V (Base Zones and Related Use and Development Provisions), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), and X (Definitions); 2) the Hunter Business Park Specific Plan (HBPSP); and 3) the Sycamore Canyon Business Park Specific Plan (SCBPSP). Proposed amendments include, but are not limited to: 1) revisions to Industrial Zones chapter to modify building setback and height requirements and to establish maximum building size within certain proximities to residential land uses; 2) revisions to the Base Zones Permitted Land Uses Permitted Use Table to modify the required entitlements to establish warehousing and distribution facilities; 3) addition of a new chapter establishing specific use regulations including site location, development and operational standards for warehousing and distribution facilities of varying sizes; 4) modifications to outdoor storage and truck yard screening requirements; 5) addition of a definition for warehousing and distribution facilities; 6) amendments to Chapter 3.0 (Development Standards and Criteria) of the SCBPSP to conform to the proposed Zoning Code Amendments; 7) amendments to Chapter III (Development Standards and Design Guidelines) of the HBPSP to conform to the proposed Zoning Code Amendments; and 8) other minor, non-substantive changes and technical corrections required to provide clarity or remove redundancies, as needed.

MOTION: Commissioner Mill motioned to continue this item to an undetermined date when the Commission is meeting in person and not by video. He stated that this is a major change in development policy and should have an extensive set of study sessions allowing the commission to hear from everyone impacted by the policy in less formal and more informational/educational setting. He would like to hear directly from builders, developers, business community and environmental groups as well as have a full staff presentation which he believes could not be done during a public hearing. He stated that three minutes is not adequate time to address major policy changes. Seconded by Commissioner Allen.

PUBLIC COMMENT: Ricardo Olan, Center for Community Action and Environmental Justice, addressed the Commission and noted that there are areas in the updates that need to be enhanced. He addressed the tiered approach between sensitive receptors and warehousing and distribution centers and suggested 1000 feet buffer regardless of the warehouse size. A Cumulative Impact Health Risk Assessment should be required for warehouse facilities within 2000'.

SUBSTITUTE MOTION: A substitute motion was made by Commissioner Villalobos, Seconded by Commissioner Roberts to proceed with the staff presentation on this project.

Motion FAILED: 4 Ayes, 4 Noes, 0 Absent, 0 Abstention
AYES: Kirby, Parker, Roberts, Villalobos
NOES: Allen, Mill, Rubio, Teunissen,
ABSENT: None
ABSTENTION: None

Chair Kirby announced the substitute motion failed and restated the previous motion to continue this item to an undetermined date when the Commission is meeting in person and not a virtual meeting.

PUBLIC COMMENTS: Bill Blankenship, NAIOP Inland Empire, and Cindy Roth, Greater Riverside Chambers of Commerce spoke in support of the continuance.

Motion CARRIED: 6 Ayes, 2 Noes, 0 Absent, 0 Abstention
AYES: Allen, Mill, Parker, Rubio, Teunissen, Kirby
NOES: Roberts, Villalobos,
ABSENT: None
ABSTENTION: None

DISCUSSION CALENDAR

CODE OF ETHICS & CONDUCT REVIEW - Planning Commission to consider the Code of Ethics and Conduct and forward any recommendations to the Board of Ethics.

Chair Kirby asked the commissioners if they had any concerns or recommendations to forward to the Board of Ethics.

Commissioner Roberts asked if other commissioners have received calls and emails from developers regarding their projects. She stated she did not feel comfortable speaking to these individuals usually did not speak with them.

Following discussions many commissioners indicated that they have had conversations with developers in the past. The key to these conversations is to remain open minded and not to form any decision before the Planning Commission hearing. This conversation should just be informational and the commissioner doesn't not voice opinions nor agree to an outcome. It is also a practice at the Planning Commission meetings to disclose the fact that a conversation was had with the developer at the time of the public hearing.

The Planning Commission did not have any recommendations to forward to the Board of Ethics. No formal action was taken.

COMMUNICATIONS

ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER AND PLANNING COMMISSION

Ms. Kopaskie-Brown updated the Commission on upcoming Planning Commission and City Council items.

Commissioner Allen requested that the Planning Commission Rules for the Transaction of Business and the Conduct of Hearings be agendized at the next Planning Commission meeting for discussion.

Commissioner Parker announced he would not be available for the July 9th meeting. He will be on vacation.

ADJOURNMENT

The meeting was adjourned at 10:43 a.m.

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The above actions were taken by the City Planning Commission on June 25, 2020. There is now a 10-day appeal period that ends on July 6, 2020. 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 6, 2020.

Minutes approved as presented at the July 9, 2020 meeting.