

*City of Arts & Innovation*

## PLANNING COMMISSION MINUTES

THURSDAY, May 13, 2021, 9:00 A.M.  
VIRTUAL MEETING  
PUBLIC COMMENT VIA TELEPHONE  
3900 MAIN STREET

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### COMMISSIONERS

PRESENT: L. Allen, J. Parker, T. Ridgway, C. Roberts, J. Rush, R. Singh, J. Teunissen and  
A. Villalobos

ABSENT: R. Kirby

STAFF: M. Kopaskie-Brown, P. Brenes, K. Smith, N. Mustafa, C. Scully, F. Andrade

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

### ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no public comments.

### CONSENT CALENDAR

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

### MINUTES

The minutes of the meetings of April 29, 2021, were approved as presented.

Motion by Commissioner Allen, Seconded by Commissioner Rush, to approve the Consent Calendar.

Motion Carried: 8 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Allen, Parker, Ridgway, Roberts, Rush, Singh, Teunissen, Villalobos

NOES: None

ABSENT: Kirby

ABSTENTION: None



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### PUBLIC HEARINGS

PLANNING CASE PR-2020-000427 – CONDITIONAL USE PERMIT AND DESIGN REVIEW – 18651 VAN BUREN BOULEVARD, WARD 4

Proposal by Ali Harb of Harb Group, Inc. to consider the following entitlements to facilitate a remodel of an existing vehicle wash facility (Splash Car Wash & Detail Center). Candice Assadzadeh, Senior Planner, presented the staff report. Ali Harb, stated they were in agreement with the recommended conditions of approval. There was no public comment. The public hearing was closed. Following discussion it was moved by Commissioner Ridgway and seconded by Commissioner Singh to: 1) Determine that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2020-000427 (Conditional Use Permit and Design Review), based on the findings outlined in the staff report and subject to the recommended conditions. Vice Chair Teunissen advised of the appeal period.

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

Motion Carried: 8 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Allen, Parker, Ridgway, Roberts, Rush, Singh, Teunissen, Villalobos

NOES: None

ABSENT: Kirby

ABSTENTION: None

PLANNING CASES PR-2021-001057 – CONDITIONAL USE PERMIT, VARIANCE AND DESIGN REVIEW – 16681 WOOD ROAD, WARD 4

Proposal by Clifford Sessum of Bethesda Revival Center to consider the following entitlements for the expansion of a church campus: 1) Conditional Use Permit to permit a 1,920 square foot addition consisting of two 960 square foot modular buildings and associated site improvements; and 2) Variance to allow a reduced landscape setback along Woodcrest Lane, where the Zoning Code requires a minimum 15-foot landscape setback; and 3) Design Review of project plans. Judy Egüez, Associate Planner, presented the staff report. Ken Arharokh, architect, representing the applicant, stated they were in agreement with the recommended conditions of approval. Public Comment: Pastor Clifford Sessum, stated he was agreement with architect. David



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Broido, stated he was in opposition to a driveway directly across from his driveway, and additional gravel dust from the business traffic. The public hearing was closed.

Chris Scully, Public Works, Engineering and Land Development, stated that when the applicant submits street improvement plans to Public Works, additional paving could be request on the other side of centerline, perhaps an additional 12', to allow for two-way traffic to be on paved surface. He felt that asking for curb and gutter on the other side may be excessive but staff would be willing to add this if the Commission feels this is a suitable solution.

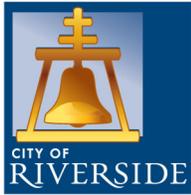
Mr. Arharokh suggested both driveways along Woodcrest Lane and Wood Road have rolling gates. The rolling gate can be opened in one direction, so that traffic comes in from Wood Road and exits on Woodcrest Lane so that they are exiting onto asphalt and do not create dust.

Nathan Mustafa, Deputy Public Works Director, stated that while it's good to consider paving improvements on the other side of the street, but because the residents are not here to discuss it and because there may be some impacts depending on how drainage is configured which may require a berm along the edge of pavement, it could be restrictive of their existing parking. He suggested being mindful of actually engaging the residents before considering improvements on what would be their side of Woodcrest Lane.

Following discussion it was moved by Commissioner Allen to: 1) Determine that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-001057 (Conditional Use Permit, Variance and Design Review) based on the findings outlined in the staff report and subject to the recommended conditions. With the recommendation that the paving be extended beyond centerline.

Commissioner Roberts suggested perhaps continuing the matter to allow the applicant to work with staff and the neighbors.

Kristi Smith, Interim City Attorney, suggested that the Commission can condition the project to consult with the neighbors. If the neighbors are not in favor of additional



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paving beyond the centerline, staff can have the option and flexibility to modify this as necessary. The Commission can allow staff to work this out without having to continue the matter.

Motion failed due to lack of second.

SUBSTITUTE Motion by Commissioner Villalobos, Seconded by Commissioner Parker, to: 1) Determine that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as the proposed project will not have a significant effect on the environment; and 2) Approve Planning Case PR-2021-001057 (Conditional Use Permit, Variance and Design Review) based on the findings outlined in the staff report and subject to the recommended conditions. With the recommendation that the paving be extended beyond centerline as suggested by Public Works. That staff have the flexibility to work with the neighbors and the applicant and move ahead / modify this as necessary.

Vice Chair Teunissen advised of the appeal period.

Motion Carried: 8 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Allen, Parker, Ridgway, Roberts, Rush, Singh, Teunissen, Villalobos  
NOES: None  
ABSENT: Kirby  
ABSTENTION: None

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Vice-Chair Teunissen announced a conflict of interest as she owns property nearby and recused herself from the following proposal.

Chair Pro Tem Roberts presided.

PLANNING CASES P20-0476 and P20-0477 - CONDITIONAL USE PERMIT AND DESIGN REVIEW – 3729 AND 3745 VAN BUREN BOULEVARD, WARD 5

Proposal by Clarence Vong of One Design Lab to consider the following entitlements to facilitate the construction of a vehicle wash facility: 1) Conditional Use Permit to permit a self-automated vehicle wash facility; and 2) Design Review of project plans. Alyssa Berlino, Associate Planner, presented the staff report. Clarence Vong, 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 Rush to Deny Planning Cases P20-0476 and P20-0477.

Ms. Smith advised the Commission that in connection with the motion findings must be made by the Commission as to why the Conditional Use Permit will be denied.

Commissioner Rush withdrew his motion.

Motion by Commissioner Villalobos and seconded by Commissioner Parker to Deny Planning Cases P20-0476 (Conditional Use Permit) and P20-0477 (Design Review), based on findings: That the proposal does not meet the Objectives 35, 36 and 37 and Policies 37.4 of the Land Use and Urban Design Element.

Motion Carried: 6 Ayes, 1 Noes, 2 Absent, 0 Abstention

AYES: Parker, Ridgway, Roberts, Rush, Singh, Villalobos

NOES: Allen

ABSENT: Kirby, Teunissen

ABSTENTION: None

Chair Pro Tem Roberts advised of the appeal period.

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Vice-Chair Teunissen returned to the meeting.

### COMMUNICATIONS

#### ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER

Ms. Kopaskie-Brown updated the Commission on upcoming items for the May 27, 2021 meeting.

### ADJOURNMENT

The meeting was adjourned at 10:10 a.m. to the meeting of May 27, 2021 at 9:00 a.m.

The above actions were taken by the City Planning Commission on May 13, 2021. There is now a 10-day appeal period that ends on May 24, 2021. 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 24, 2021

*The minutes were approved as presented at the May 27, 2021 meeting.*