



*City of Arts & Innovation*

## CITY PLANNING COMMISSION MINUTES

THURSDAY, APRIL 4, 2019, 9:00 A.M.  
ART PICK COUNCIL CHAMBER, CITY HALL  
3900 MAIN STREET

### PLANNING COMMISSIONERS

		K I R B Y	R O B E R T S	R U B I O	P A R K E R	M I L L	A L L E N	R O S S O U W	T E U N I S S E N	Z A K I
	WARDS	1	2	3	4	5	6	7	C W 3	C W 3
Roll Call:	Present	X	X	X	X	X		X	X	X
Chair Rossouw called the meeting to order at 9:00 a.m. with all members.										
Staff Present: M. Kopaskie-Brown, D. Murray, K. Smith, A. Berlino, F. Andrade										
The Pledge of Allegiance was given to the flag.										
Colleen Nicol, City Clerk, administered the oath of office to the newly appointed Commissioner, Larry Allen, representing Ward 6.							X			
PLANNING/ZONING MATTERS FROM THE AUDIENCE There were no oral comments at this time.										
<u>PUBLIC HEARINGS</u>										
<u>PLANNING CASES P18-0246, P17-0638, P18-0247, P18-0248, P19-0160 and P17-0639 – REZONING, CONDITION USE PERMITS, DESIGN REVIEW AND VARIANCE TO CONSTRUCT COMMERCIAL DEVELOPMENT AT THE SOUTHWEST CORNER OF VAN BUREN BOULEVARD AND JURUPA AVENUE, WARD 7</u> Proposal by Eric LeVaughan of Sater Oil Group, LLC to consider the following entitlements: 1) a Zoning Code Amendment to rezone 9.54 acres from BMP – Business and Manufacturing Park Zone and PF - Public Facilities Zone to CR – Commercial Retail Zone; 2) a Conditional Use Permit to permit the construction of a vehicle service station consisting of a 4,872 square foot canopy with 16 fuel stations, a 1,152 square foot automated carwash, and a 3,800 square foot convenience store in conjunction with the off sale of beer and wine (Type 20 alcohol license); 3) a Conditional Use Permit to permit the construction of a 3,750 square foot drive-thru restaurant; 4) a Conditional Use Permit for the construction of 4,990 square foot multi-tenant building with a drive-thru; 5) a Variance to allow off-sale of alcohol within 600 feet of a public park; and 6) a Design Review of project plans. Alyssa Berlino, Assistant Planner, presented the staff report. She read into the record modifications to conditions 30 and 41 as requested by the applicant. She stated that staff was in agreement with the modifications. Condition 30. An exterior lighting plan shall be submitted to staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall be consistent with Chapter 19.556- Outdoor Lighting. Light										



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	WARDS	1	2	3	4	5	6	7	C W 3	C W 3
poles shall not exceed twenty (20) feet in height, including the height of any concrete or other base material. Freestanding light standards within 50 feet of residentially zoned property shall be no more than 14 feet in height. Condition 41. Operations outside the vehicle fuel station building shall be limited to automobile vacuuming and the dispensing of gasoline, oil, air and water. Ed Hale, Barghausen Consulting Engineers, representing the applicant, stated they were in agreement with the modified conditions. Comments from the audience: John Williams and Heike McInally expressed their concerns regarding improvements to Doolittle adjacent to the site and issues with the homeless in the area. Following discussion the Planning Commission recommended that the City Council: 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 Section 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and 2) Approve Planning Cases: P18-0246 (Rezone), P17-0638 (Conditional Use Permit-Vehicle Service Station), P18-0247 (Conditional Use Permit-Drive Thru Restaurant), P18-0248 (Conditional Use Permit-Commercial Building with Drive Thru), P17-0639 (Design Review), and P19-0160 (Variance), based on the findings outlined in the staff report and subject to the recommended conditions.	Motion Second All Ayes	X	X	X	X	X	X	X	X	X
<u>CONSENT CALENDAR</u> The following items were approved by one motion affirming the actions appropriate to each item.  The Minutes of the Planning Commission Meeting of March 21, 2019 were approved as presented.  Planning Commission Attendance - That the Planning Commission excuse the absence of Omar Zaki, Kerry Parker and Sean Mill due to business, from the March 21, 2019 regular meeting of the Planning Commission.	All Ayes	X	X	X	X	X	X	X	X	X
<u>DISCUSSION CALENDAR</u>  PLANNING COMMISSION RULES FOR THE TRANSACTION OF BUSINESS AND THE CONDUCT OF HEARINGS The Planning Commission approved the Rules for the Transaction of Business and the Conduct of Hearings as presented.	Motion Second All Ayes	X	X	X	X	X	X	X	X	X



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WARDS	1	2	3	4	5	6	7	C W 3	C W 3
Commissioner Rubio left the meeting at this time.									
<b>BROWN ACT, CONFLICT OF INTEREST AND ETHICS TRAINING</b> Kristi Smith, Chief Assistant City Attorney, presented the training. The Commission thanked Ms. Smith, no formal action was taken.									
Commissioner Mill left the meeting at this time.									
<b><u>COMMUNICATIONS</u></b>									
<b>ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER AND PLANNING COMMISSIONERS</b> Mary Kopaskie-Brown, City Planner, reported on the recent City Council actions.									
<b><u>ADJOURNMENT</u></b> The meeting was adjourned at 10:20 a.m. to the meeting of April 18, 2019 at 9:00 a.m. in the Art Pick Council Chamber.									

The above actions were taken by the City Planning Commission on April 4, 2019. There is now a 10-day appeal period that ends on April 15, 2019. 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 15, 2019.

*PLANNING CASES P18-0246, P17-0638, P18-0247, P18-0248, P19-0160 and P17-0639 are not final at Planning Commission and will require a public hearing before the City Council.*

*Minutes Approved as presented at the April 18, 2019 meeting.*