

DRAFT

**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF WEST COVINA
Tuesday, April 25, 2023**

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina City Council Chambers, 1444 West Garvey Avenue, West Covina, California.

MOMENT OF SILENT PRAYER/MEDITATION

The Commission observed a moment of silent prayer/meditation.

PLEDGE OF ALLEGIANCE

Commissioner Gutierrez led the Pledge of Allegiance.

ROLL CALL

Present: Lewis, Gutierrez, Williams, Heng, Becerra
City Staff Present: Bettenhausen, Morales, Burns, Machado,

APPROVAL OF MINUTES

1. Regular meeting, April 11, 2023

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes.

Kathy Novarro - Project 9/11 update regarding food distribution and invitation to their Open House.

PUBLIC HEARINGS

2. **CODE AMENDMENT NO. 23-02**

CEQA EXEMPTION TYPE

APPLICANT: Mohsen Karimi

LOCATION: City Wide

REQUEST: The proposed code amendment consists of an amendment to Chapter 26 (Zoning) of the West Covina Municipal Code to allow and regulate off-sale (retail sales for off-site consumption) of beer and wine as an accessory use to a service station.

Planning Manager Jo-Anne Burns presented the staff report. Ms. Burns stated that one letter in favor had been received from Herb Redholtz and one letter in opposition had been received from Robert Torres.

Discussion by the Commission.

Chairman Lewis opened the public hearing.

PROPONENTS:

Mohsen Karimi, applicant, Sue Augino, Jeff Augino and Glenn Kennedy spoke in favor of the code amendment.

OPPONENTS:

Angie Gillingham, Theresa Cozad spoke in opposition.

REBUTTAL:

Mr. Karimi rebutted testimony by the opponents and answered questions from the Commission.

Chairman Lewis closed the public hearing.

Discussion by the Commission.

Motion by Gutierrez, seconded by Heng, recommending to the City Council, denial of Code Amendment No. 23-02, exemption from CEQA and presenting the following alternative options to the Council:

- Option to put this matter on the General Election ballot/cost to include on the ballot
- Policing: crime impact
- Economic Impacts: sales tax
- Research on 2,000 square foot minimum/what other cities are doing

City Council and future Planning Commissions are able to obtain relative relevant crime statistics to better understand starting point and life of Conditional Use Permit/reports of increases or decreases in the area to determine if the conditional use permit should be allowed to continue or be terminated in a non-arbitrary process.

Motion failed, 2-2-1, Williams, Lewis opposed, Becerra abstained.

Further discussion by the Commission.

Motion by Becerra, seconded by Gutierrez, to reconsider the motion and vote. Motion carried 3-2 (Williams, Lewis opposed).

Motion by Gutierrez, seconded by Heng, to waive further reading and adopt Resolution No. 23-6126, recommending to the City Council, denial of Code Amendment No. 23-02. Motion carried 3-2, (Williams, Lewis opposed).

Chairman Lewis stated this matter will be heard by the City Council on a date to be determined.

NON-HEARING ITEMS - None

TEN-DAY APPEAL PERIOD: Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME. If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendize the matter for a future meeting.

3. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

Community Budget Workshop - Wednesday, April 26, 2023 at 6:00 pm. in the Council Chambers

Small Business Week Events, Wednesday, May 3, 2026, Council Chambers,

Thursday, May 4, 2026 Small Business Week Mixer at Temple Bar, West Covina.

Community Budget Workshop - May 1, 2026 at 6:00 pm at the Cameron Park Community Center

Cancellation of May 9, 2023 Planning Commission meeting due to lack of business.

4. CITY COUNCIL ACTION:

This is an oral presentation of City Council matters and actions, which are in the Commission's area of interest

City Council approved extension of the Moratorium on Drive Through Restaurants for 10 months and 15 days.

ADJOURNMENT

Chairman Lewis adjourned the meeting at 9:04 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant