

DRAFT

MINUTES REGULAR MEETING OF THE PLANNING COMMISSION CITY OF WEST COVINA Tuesday, January 23, 2024

The regular meeting of the Planning Commission was called to order at 7:02 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 and meditation

PLEDGE OF ALLEGIANCE

Planning Manager Jo-Anne Burns led the Pledge of Allegiance.

ROLL CALL

Present: Gutierrez, Williams, Heng, Becerra, Lewis

City Staff Present: Bettenhausen, Burns, Machado, Rivera

APPROVAL OF MINUTES

1. Regular meeting, December 12, 2023

The minutes were adopted as submitted.

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.

West Covina resident - asked about status of Spotless Burger, spoke about lack maintenance of the property.

PUBLIC HEARINGS

2. CONDITIONAL USE PERMIT NO. 23-09 CATEGORICAL EXEMPTION

APPLICANT: Valeria Salampessy

LOCATION: 1209 S. Sunset Avenue

REQUEST: The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow for the off-site sale of beer and wine within an existing 2,482 square foot convenience store at a service station (Chevron Extra Mile) located in the "Neighborhood Commercial" (N-C) Zone.

Associate Planner Miriam Machado presented the staff report. During her presentation she told the Commission a letter in opposition had been received from Robert Torres. His letter was distributed to the Commission. Copies were available for those in attendance.

Chair Gutierrez opened the public hearing.

PROPONENTS:

Sodhi S. Shoker, applicant, and Gregory Hann spoke in favor of the request and answered questions from the Commission.

OPPONENTS:

West Covina resident spoke in opposition to the request.

Chair Gutierrez closed the public hearing.

There was a lengthy discussion by the Commission.

Motion by Lewis, seconded by Williams, to waive further reading and adopt Resolution No. 24-6141, approving Conditional Use Permit No. 23-09.

Discussion by the Commission regarding a possible subsidiary motion.

Motion by Lewis, seconded by Becerra, to waive further reading and adopt Resolution No. 24-6141, denying Conditional Use Permit No. 23-09 and recommending waiver of the fee to appeal the denial to the City Council. Motion fails 3 (abstain), 2 (no).

Further discussion by the Commission.

Chair Gutierrez requested the applicant and his representative answer questions from the Commission.

Discussion by the Commission regarding separation of non-alcoholic beverages from alcoholic beverages for the safety of minors and monitoring of children while in the store. The applicant agreed to keep alcoholic beverages separate from non-alcoholic beverages and monitor children while in his store.

Motion by Gutierrez, to waive further reading and adopt Resolution No. 24-6141, approving Conditional Use Permit No. 23-09, as amended. Motion died for lack of a second.

Further discussion by the Commission.

Motion by Heng to waive further reading and adopt Resolution No. 24-6141, approving Conditional Use Permit No. 23-09, as amended by the Planning Commission to require the issuance of an ABC license, an initial review of the use within 12 months after issuance of the ABC license, and requiring a yearly review thereafter.

Discussion by the Commission regarding the required review.

Motion by Heng, seconded by Becerra, to waive further reading and adopt Resolution No. 24-6141, approving Conditional Use Permit No. 23-09, as amended by the Planning Commission to require the issuance of an ABC license, an initial review of the use within 15 months after issuance of the ABC license, and requiring a yearly review thereafter. Motion failed 2-2-1 (Gutierrez abstained).

Gutierrez proposed continuing the public hearing on the next agenda, or calling a special meeting, to allow for a site visit by the Commission.

Discussion by the Commission.

Commissioner Heng read a letter from a resident requesting that this application be denied.

Commissioner Becerra expressed her opposition to continuing the hearing.

Discussion by Chair Gutierrez and the applicant regarding armed security guards. The applicant agreed to provide a security guard on the weekends.

Chair Gutierrez called a recess at 9:08 p.m.

The meeting reconvened at 9:14 p.m.

Chair Gutierrez recalled Conditional Use Permit No. 23-09 and continued the discussion.

Commissioner Lewis expressed concern that periodic reviews would place a burden on service station owners.

Motion by Lewis, seconded by Williams, forward Conditional Use Permit No. 23-09 to the City Council for a decision due to an impasse with the Planning Commission. Motion carried 4-1, (Gutierrez abstained.)

Commissioner Heng commented on the resident's opposition and the appeal fee.

3. **CONDITIONAL USE PERMIT NO. 23-10 (AMENDING CUP NO. 19-11)
CATEGORICAL EXEMPTION**

APPLICANT: Joe Ghougassian

LOCATION: 928 S. Glendora Avenue

REQUEST: The applicant is requesting approval of an amendment to Conditional Use Permit (CUP) No. 19-11 to allow a spray booth (auto-body painting) for an existing automobile repair shop located in the Service Commercial (S-C) Zone.

Planning Manager Jo-Anne Burns presented the staff report. During her presentation, she explained the amendment to the existing conditional use permit, and a letter in opposition to the request received from a neighbor. The letter was distributed to the Commission and copies were made available to the public.

Staff recommended adoption of Resolution No. 23-10, approving Conditional Use Permit No. 23-10.

Chairman Gutierrez asked about mitigation of fumes by the exhaust fans shown in the plans.

Chairman Gutierrez opened the public hearing.

PROPONENT:

Joe Ghougassian, applicant, spoke in favor of the request and answered questions from the Commission.

OPPONENTS;

There were no opponents.

Chairman Gutierrez closed the public hearing.

Discussion by the Commission.

Motion by Gutierrez, seconded by Becerra, to waive further reading and adopt Resolution No.24-6142, approving Conditional Use Permit No. 23-10, amending Conditional Use Permit No. 19-11. Motion carried 4-1, Becerra opposed.

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 agendaize the matter for a future meeting.

Chairman Gutierrez requested staff provide the Commission with possible alternatives for conditional use permits allowing beer and wine sales in service station convenience stores.

4. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Saturday, February 10, 2024 - Free paper-shredding event at Cortez Park Community Center & Senior Center, 9 am to 1 pm

Saturday, February 10, 2024 - Free electronic waste round-up at City Maintenance Yard, 825 S Sunset Avenue.

5. CITY COUNCIL ACTION

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

Development Code Update was introduced at the January 16, 2024 City Council meeting. Second reading is scheduled for February 20, 2024 City Council meeting.

ADJOURNMENT

Chairman Gutierrez adjourned the meeting at 9:37 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant