

DRAFT

MINUTES REGULAR MEETING OF THE PLANNING COMMISSION CITY OF WEST COVINA Tuesday, February 13, 2024

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 and meditation.

PLEDGE OF ALLEGIANCE

Deputy City Attorney Rosemary Koo led the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF MINUTES

1. Regular meeting, January 23, 2024

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.

Suleima Flores requested information about the Planning Commission.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Planning Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

2. **RESOLUTION FORWARDING CONDITIONAL USE PERMIT NO. 23-09 (SALES OF BEER AND WINE FOR OFF-SITE CONSUMPTION WITHIN A SERVICE STATION ACCESSORY CONVENIENCE STORE) AT 1209 S. SUNSET AVENUE FOR CITY COUNCIL REVIEW AND CONSIDERATION**

Chair Gutierrez made a statement regarding his visit to the location and requested that the CUP be reconsidered.

Motion by Becerra, seconded by Gutierrez, to reconsider the request. Motion carried 4-1 (Williams opposed.)

PUBLIC HEARINGS

3. **CONDITIONAL USE PERMIT NO. 23-09
CATEGORICAL EXEMPTION
APPLICANT: Valeria Salampessy
LOCATION: 1209 S. Sunset Avenue
REQUEST: A Conditional Use Permit (CUP) to allow for the off-site sale of beer and wine (Type 20) within an existing 2,482 square foot convenience store at a service station, known as Chevron Extra Mile, located in the "Neighborhood Commercial" (N-C) Zone.**

Associate Planner Miriam Machado presented the staff report and informed the Commission that the public hearing had been re-noticed for this evening. Staff recommended approval of the application.

PROPONENTS:

Sodhi Shoker, the applicant, and Mario Sobazvarro spoke in favor of the application. Mr. Shoker also spoke about measures he will take to prevent the sales of alcohol to minors.

OPPONENTS:

None

Chair Gutierrez closed the public hearing and opened Commission discussion.

There was a discussion by the Commission regarding reconsideration of this matter after it had been denied.

The City Attorney said there is a process in the Municipal Code that allows for reconsideration of actions that have been denied, rescinded or amended. There was further discussion by the Commission.

Motion by Gutierrez, seconded by Heng, to adopt Resolution No. 24-6141 approving Conditional Use Permit No. 23-09. Motion carried 5-0.

Chair Gutierrez said this motion is final unless appealed to the City Council in writing, within ten days.

4. **CONDITIONAL USE PERMIT NO. 23-11**

CATEGORICAL EXEMPTION

APPLICANT: Mohsen Karimi

LOCATION: 246 N. Citrus Street

REQUEST: A Conditional Use Permit (CUP) to allow for the off-site sale of beer and wine (Type 20) within an existing 2,787 square foot convenience store at a service station, known as Mobil Mart, located in the "Regional Commercial" (R-C) Zone.

Associate Planner Miriam Machado presented the staff report.

Chair Gutierrez opened the public hearing.

PROPONENT:

Mohsen Karimi, Ken Kang and Mario Sobazvarro spoke in favor of the request.

Mr. Karimi said he has been in business since 1980. He also agreed to follow the safety procedures recommended by staff.

OPPONENTS:

No one spoke in opposition.

Chair Gutierrez closed the public hearing.

There was a discussion by the Commission regarding denial of a license to the applicant due to undue concentration. Planning Manager Jo-Anne Burns said the City of West Covina could provide a letter addressing public convenience and necessity to the Department of Alcoholic Beverage Control.

Motion by Gutierrez, seconded by Lewis, to adopt Resolution No. 24-6144. Motion carried 4-1 (Williams opposed.)

Chair Gutierrez said this action is final unless appealed to the City Council in writing, within ten days.

5. **ZONE CHANGE NO. 23-02**

GENERAL EXEMPTION

LOCATION: City Wide

REQUEST: The proposed zone change is needed in order to maintain consistency with the City Council's recent approval of the Development Code Update. The zone change will eliminate the mixed-use overlay and change all properties currently zoned Office Professional, Regional Commercial, Neighborhood Commercial, and Service Commercial to be zoned Office Professional Mixed Use (OPMU), Regional Commercial Mixed Use (RMU), Neighborhood Commercial Mixed Use (NMU) and Service Commercial Mixed Use (SMU). In addition, several other properties are being rezoned to an equivalent zoning designation due to the Development Code's elimination of the Planned Industrial (I-P), Public Building (P-B), Medium Commercial (C-2), and Heavy Commercial (C-3) zones; and to either be made consistent to its current use and/or General Plan Designation.

Planning Manager Jo-Anne Burns presented the staff report.

There was a lengthy discussion by the Commission regarding the zoning of properties in the new Development Code. The Commission also discussed the recommended zoning for various

properties contained within the new Development Code.

Chair Gutierrez opened the public hearing.

There was no testimony in favor of, or in opposition to, the zone change.

Chair Gutierrez closed the public hearing.

Motion by Lewis, seconded by Williams, to adopt Resolution No. 24-6146 recommending to the City Council approval of Zone Change No. 23-02. Motion carried 5-0.

Chair Gutierrez said final action on this matter will take place at a public hearing before the City Council on a date to be determined.

NON-HEARING ITEMS

6. ART IN PUBLIC PLACES NO. 24-01 AT 1611-1623 WEST SAN BERNARDINO ROAD

Planning Manager Jo-Anne Burns presented the staff report. Staff recommended approval of Art in Public Places No. 24-01, 1611-1623 West San Bernardino Road.

Mr. Don Cook, the applicant, spoke to the Commission regarding his project and answered questions from the Commission.

Discussion by the Commission.

Motion by Gutierrez, seconded by Becerra, to accept the concept proposed in Art In Public Places No. 24-01 at 1611-1623 West San Bernardino Road. Motion carried 5-0.

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.

7. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

The Spring Festival will be held from 11:00 a.m. to 10:00 p.m., on Saturday, March 9, 2024 and from 12 p.m. to 8 p.m. on Sunday, March 10, 2024 on Old Town Glendora Avenue.

Also, on Saturday, March 23, 2024 from 9 a.m. to 12 p.m., the Easter Eggstravanganza will take place at Cortez Park, 2441 E Cortez Avenue, and Del Norte Park, 1500 W Rowland Avenue. No RSVP is required for either location.

8. CITY COUNCIL ACTION:

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

There were no Council actions to report.

ADJOURNMENT

Chair Gutierrez adjourned the meeting at 8:13 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant