

DRAFT

MINUTES REGULAR MEETING OF THE PLANNING COMMISSION CITY OF WEST COVINA Tuesday, June 25, 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 prayer and silent meditation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Lewis.

ROLL CALL

Present: Williams, Heng, Becerra, Lewis, Gutierrez

City Staff Present: Burns, Machado, Rivera, Koo

APPROVAL OF MINUTES - Regular Meeting, May 28, 2024

The minutes were adopted as presented.

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.

Brian Calderon Tabatabai, West Covina resident, spoke regarding the Pathway Home/5-Star Motel project.

PUBLIC HEARINGS

1. TENTATIVE TRACT MAP NO. 24-01 (TTM 74976)

SECTION 15162 CEQA EXEMPTION

APPLICANT: Kevin Lam

LOCATION: 642 and 704 E. Francisquito Avenue

REQUEST: This project was originally approved by the Planning Commission on August 24, 2021 (Resolution No. 21-6075), but has expired prior to the recordation of the final map. The project would subdivide two single-family residential parcels (APNs 8741-001-001 and 8741-001-002) into a total of six lots. The project site currently contains two one-story single-family residences and their associated accessory structures on two separate lots. The new lots would be rectangular in shape. Lot 1 would be approximately 10,560 square feet, Lots 2 through 4 would be approximately 9,460 square feet each, Lot 5 would be approximately 21,266 square feet, and Lot 6 would be approximately 21,069 square feet. With implementation of the proposed project, the existing single-family residential structures on the project site would be located on proposed Lots 5 and 6.

Deputy Community Development Director Jo-Anne Burns presented the staff report.

PROPONENT:

Kevin Lam, applicant, spoke to the Commission regarding this project and the delays encountered with the project.

Commissioner Lewis noted there was not a certified environmental review provided and requested that the applicant be sworn in so that he could testify regarding the environmental review.

The applicant was sworn in by Deputy City Attorney Koo and testimony proceeded.

OPPONENTS:

None

Chair Williams closed the public hearing.

There was a discussion by the Commission regarding the delays encountered in this project.

Motion by Gutierrez, seconded by Heng to waive further reading and adopt Resolution No. 24-6148 approving Tentative Tract Map No. 24-01 (TTM 74976) Motion carried 5-0.

Chair Williams said this action is final unless appealed to the City Council within ten days.

NON-HEARING ITEMS

2. STUDY SESSION - PLANNING COMMISSION STANDING MEETING RULES

The staff report was presented by Deputy Community Development Director Jo-Anne Burns.

Deputy City Attorney Koo addressed the Commission regarding the Brown Act with regard to the broadcast of meetings. The Brown Act requirements should the meeting have to be adjourned due to a disruption of the broadcast and explained procedures requiring the Commission to adjourn to a date certain to continue the matter in the case of physical disruptions, and willful disruptions of the meeting by a person physically present.

There was a lengthy discussion by the Commission regarding comments by the public using profanity, harassment, direct incitement, calls for violence, and the public's First Amendment right to express their opinions. The Commission directed staff to provide new Commissioners with copies of Robert's Rules of Order.

Motion by Gutierrez, seconded by Williams, to continue this discussion at the next Planning Commission meeting. 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 agendize the matter for a future meeting.

Commissioner Gutierrez requested a record of all service calls to 5-Star Motel for possible revocation of their conditional use permit. Chair Williams stated that the City Council would consider this matter at their July 2, 2024 regular meeting. There was a lengthy discussion regarding the possible revocation of the conditional use permit for this address.

Motion by Gutierrez, seconded by Becerra to initiate revocation proceedings on their conditional use permit. Motion failed, 2 to 3 (Williams, Heng, Lewis opposed.)

There was further discussion regarding his matter.

Motion by Becerra, seconded by Lewis, to place on a future Planning Commission agenda the protocol for Planning Commission notification, monitoring, and enforcement of approved entitlements. Motion carried 4-1, (Gutierrez opposed.)

Commissioner Gutierrez expressed his desire to initiate revocation proceedings for the conditional use permit since the City Council had already placed the matter on the July 2, 2024 regular meeting agenda.

Motion by Gutierrez, to request a copy of the conditions of approval for the operation of 5-Star Motel and request from West Covina Police Department, calls for service.

Lewis counter motion, agendize at a future meeting a resolution of the Planning Commission that expresses the desire from the Planning Commission to verify if the City Council would like the Planning Commission to look into Five-Star Inn's CUP for potential modification or revocation. Seconded by Williams. Motion carried 3-2 (Heng and Gutierrez opposed).

Motion for a resolution asking the City Council to provide guidance as to the review of the violation of conditions of approval contained in the CUP for 5-Star Motel to revoke or modify the conditions of approval. Discussion regarding the revocation. Planning Commission request from the Police Department or staff for calls for service, or complaints from residents.

Gutierrez counter motion, to reconsider previous motion and vote, agendize providing the Planning

Commission with a copy of the CUP resolution with conditions of approval for the Five-Star Inn and for staff to present calls for service.

Deputy City Attorney Koo stated that reconsideration can only be brought forth by a Commissioner who voted in the majority.

Commissioner Becerra agreed to make the motion of reconsideration of the previous vote. Gutierrez seconded. Motion carried 3-2 (Lewis and Williams opposed).

Lewis motioned to adjourn. Williams seconded. Motion failed 2-3 (Gutierrez, Heng, and Becerra opposed)

Gutierrez motioned to void the previous vote in regards to the Planning Commission resolution asking for clarification from the City Council, review of the Five-Star Inn CUP and staff presentation of the calls for service. Becerra seconded. Motion passes 3-2 (Williams and Lewis opposed)

Lewis motioned to agendize a resolution pertaining to whether the City Council wishes the Planning Commission to take any action at all regarding the Five-Star Inn CUP. Williams seconded. Motion failed 2-3 (Williams and Lewis opposed)

Motion by Gutierrez, seconded by Becerra, to adjourn. Motion failed, (Heng, Williams, Lewis opposed.)

Williams called a recess at 9:06 pm

Meeting reconvened at 9:07 pm

Motion by Lewis, seconded by Williams, to direct staff to prepare a resolution for the next Planning Commission meeting requesting City Council direction and any investigation by the Planning Commission regarding revocation of the conditional use permit for Five-Star Inn, and direction regarding the Planning Commission drafting an ordinance addressing such uses or the creation of additional ordinances from a Planning view point to address any potential issues from uses such as the Five-Star Inn. Motion failed, 3-2 (Heng, Lewis, Williams opposed).

Motion by Gutierrez, seconded by Becerra, to adjourn. Motion carried (Lewis, Williams opposed.)
Meeting adjourned at 9:29 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant