

Melani Smith, Chair
Charles Durnin, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Donita Van Horik, Commissioner

FINISHED AGENDA AND MINUTES

CALL TO ORDER (5:06 PM)

[see media](#)

At 5:06 p.m., Chair Smith called the meeting to order.

ROLL CALL (5:06 PM)

[see media](#)

Boardmembers Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie
Present: Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

Also present: Reginald Harrison, Interim Director of Development Services; Derek Burnham, Current Planning Officer; Jill Griffiths, Advance Planning Officer; Michael Mais, Assistant City Attorney; Lynette Ferenczy, Project Planner; Jorge Ramirez, Project Planner; Steven Valdez, Project Planner; Jeff Winklepleck, Project Planner; Heidi Eidson, Bureau Secretary.

FLAG SALUTE (5:07 PM)

[see media](#)

Commissioner Blair led the flag salute.

MINUTES (5:08 PM)

[see media](#)

[see media](#)

[10-027PL](#)

Recommendation to receive and file the Planning Commission minutes of May 6, 2010.

Commissioner Van Horik spoke.

Chair Smith spoke.

A dialogue ensued between Chair Smith and Derek Burnham, Current Planning Officer.

A motion was made by Commissioner Van Horik, seconded by Commissioner Saumur, to approve the recommendation with the inclusion of amended language, as submitted by Commissioner Van Horik, to the motion for Item No. 1 regarding 400 Studebaker Road. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Donita Van Horik

Abstain: 1 - Becky Blair

DIRECTOR'S REPORT (5:12 PM)

[see media](#)

Reginald Harrison, Interim Director of Development Services, provided the Director's Report.

PUBLIC PARTICIPATION (5:15 PM)

[see media](#)

There was no public comment given at this time.

SWEARING OF WITNESSES (5:15 PM)

[see media](#)

Do you solemnly swear or affirm that the evidence you shall give in this Planning Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

REGULAR AGENDA (5:16 PM)

[see media](#)

[see media](#)

1. [10-009PL](#) Recommendation to certify Mitigated Negative Declaration 07-09 and approve a Site Plan Review to construct a 14,304-square-foot one-story Fresh & Easy Neighborhood Market, a Conditional Use Permit to allow the sale of beer and wine for off-site consumption (Type 20 License), and Standards Variance requests for a reduced front yard setback for the building and parking lot at 3300 Atlantic Avenue in the CCA zone. (District 7) (Application No. 0905-06)

Derek Burnham, Current Planning Officer, introduced Lynette Ferenczy, Project Planner, who presented the staff report.

Luca Giovanardi, applicant, spoke.

Commissioner Gentile spoke.

Luca Giovanardi responded to comments from Commissioner Gentile.

A dialogue ensued between Luca Giovanardi and Commissioner Gentile.

Luca Giovanardi responded to queries from Commissioner Van Horik.

Luca Giovanardi responded to queries from Commissioner Saumur.

Derek Burnham responded to queries from Commissioner Saumur.

Reginald Harrison, Interim Director of Development Services, responded to a query from Commissioner Saumur.

Commissioner Durnin spoke.

A dialogue ensued between Luca Giovanardi, Derek Burnham and Commissioner Durnin.

A dialogue ensued between Chair Smith, Derek Burnham and Luca Giovanardi.

Derek Burnham responded to a query from Commissioner Saumur.

Luca Giovanardi responded to queries from Commissioner Saumur.

Luca Giovanardi responded to queries from Commissioner Van Horik.

Derek Burnham responded to queries from Commissioner Van Horik.

A dialogue ensued between Commissioner Gentile, Derek Burnham, and Luca Giovanardi.

William Singleton provided public comment.

Lynette Ferenczy responded to a comment from Commissioner Fox.

Commissioner Blair spoke.

Commissioner Saumur spoke.

Derek Burnham responded to queries from Chair Smith.

Derek Burnham responded to queries from Commissioner Van Horik.

A motion was made by Commissioner Blair, seconded by Commissioner Saumur, to approve the recommendation with amendments to include revised Conditions of Approval as provided by staff, additional Conditions of Approval as suggested by Councilmember Uranga, and revisions to the Site Plan by the applicant to include pedestrian and vehicular enhancements to the satisfaction of the Director of Development Services and the Director of Public Works. The motion carried by the following vote:

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

[see media](#)

2. [10-026PL](#)

Recommendation to approve a Conditional Use Permit and a Local Coastal Development Permit to allow the sale of beer and wine for off-site consumption (Type 20 License) at an existing Walgreen's located at 6310 East Pacific Coast Highway within the PD-1 zone. (District 3) (Application No. 1002-09)

Derek Burnham, Current Planning Officer, introduced Jorge Ramirez, Project Planner, who presented the staff report.

Matt Zurich, applicant's representative, spoke.

Matt Zurich responded to queries from Commissioner Durnin.

Matt Zurich responded to a query from Commissioner Saumur.

Derek Burnham responded to a query from Commissioner Saumur.

Commissioner Gentile spoke.

Matt Zurich responded to a query from Commissioner Van Horik.

A motion was made by Commissioner Gentile, seconded by Commissioner Fox, to approve the recommendation with an amendment to include additional Conditions of Approval as read into the record by Commissioner Durnin. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Becky Blair

No: 1 - Donita Van Horik

[see media](#)

3. [09-065PL](#)

Recommendation to recommend City Council approve amendments to the Zoning Regulations governing truck transfer and distribution uses in the Industrial Zoning Districts. (Citywide) (Application No. 0810-13)

Derek Burnham, Current Planning Officer, introduced the item.

Steven Valdez, Project Planner, presented the staff report.

Derek Burnham responded to a query from Chair Smith.

Paul Collins spoke.

Derek Burnham responded to a comment from Paul Collins.

Paul Collins responded to a query from Commissioner Durnin.

A dialogue ensued between Paul Collins and Derek Burnham.

A dialogue ensued between Commissioner Saumur, Paul Collins and Derek Burnham.

Tony Rivera, representing West PAC, spoke.

Derek Burnham responded to queries from Commissioner Blair.

Derek Burnham responded to queries from Commissioner Van Horik.

Paul Collins responded to a query from Commissioner Van Horik.

Derek Burnham responded to a query from Commissioner Saumur.

A dialogue ensued between Commissioner Blair, Chair Smith and Derek Burnham.

A motion was made by Commissioner Durnin, seconded by Chair Smith, to approve the recommendation with an additional Condition of Approval that a curb approach in excess of 28 feet will be allowed at the discretion of the City Traffic Engineer and the Director of Public Works. The motion carried by the following vote:

Yes: 7 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Becky Blair

[see media](#)

4. [10-028PL](#)

Recommendation to consider a Classification of Use request for

development and operation of the property located at 3400 Locust Avenue as a non-sales part of the Cabe Toyota dealership for the purpose of locating a static, freeway-oriented freestanding sign on said property in the CCA (Community Automobile-Oriented) zone. (District 8) (Application No. 0901-06)

Reginald Harrison, Interim Director Development Service, introduced the item.

Jeff Winklepleck, Project Planner, presented the staff report.

Michael Mais, Assistant City Attorney, responded to queries from Chair Smith.

Derek Burnham, Current Planning Officer, responded to a query from Chair Smith.

Derek Burnham responded to queries from Commissioner Van Horik.

Derek Burnham responded to queries from Chair Smith.

Derek Burnham responded to queries from Commissioner Blair.

Dan Dudridge, applicant, spoke.

Dan Dudridge responded to queries from Commissioner Saumur.

Derek Burnham responded to a query from Commissioner Saumur.

Dan Dudridge responded to queries from Commissioner Saumur.

Dan Dudridge responded to queries from Commissioner Durnin.

Derek Burnham responded to a query from Commissioner Saumur.

Tony Rivera, Chair of West PAC, provided public comment.

Jack Smith provided public comment.

Rick Ivey provided public comment.

Derek Burnham responded to queries from Commissioner Van Horik.

Chair Smith spoke.

Derek Burnham responded to a query from Chair Smith.

Michael Mais responded to a query from Commissioner Blair.

Derek Burnham responded to a query from Chair Smith.

Derek Burnham responded to a query from Commissioner Saumur.

Commissioner Blair spoke.

Michael Mais responded to a query from Commissioner Blair.

Commissioner Fox spoke.

Dan Dudridge spoke.

Chair Smith spoke.

Commissioner Blair spoke.

Michael Mais spoke.

A motion was made by Commissioner Van Horik, seconded by Commissioner Fox, to direct staff to draft negative findings for the Classification of Use request. The motion carried by the following vote:

Yes: 6 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith and Donita Van Horik

No: 1 - Becky Blair

COMMENTS FROM THE PLANNING COMMISSION (8:10 PM)

[see media](#)

Derek Burnham, Current Planning Officer, responded to a query from Commissioner Van Horik.

Michael Mais, Assistant City Attorney, responded to a query from Commissioner Van Horik.

Chair Smith spoke.

ADJOURNMENT (8:13 PM)

[see media](#)

At 8:13 p.m., Chair Smith adjourned the meeting.

NEXT REGULAR MEETING: June 3, 2010 - 5:00 PM

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