

UNOFFICIAL MINUTES
PLANNING COMMISSION
JANUARY 25, 2017

CALL TO ORDER: The Planning Commission meeting was called to order by Chairperson Hemming in the City Council Chambers at 7:11 p.m.

FLAG SALUTE: Commissioner Grajeda led the flag salute

ROLL CALL: Roll was taken by Development Services Manager Johnson

COMMISSIONERS PRESENT: Chair Hemming and Vice Chair Arias; Commissioners Brown, Grajeda, Juarez (arrived at 7:22pm), Ramos, and Ursua

COMMISSIONERS ABSENT: None

STAFF PRESENT: Development & Neighborhood Services Director Lazzaretto, Development Services Manager Johnson, Assistant City Attorney Jared, Associate Planner Bechet, Associate Planner Lee, Senior Planner Lin, Assistant Planner Session-Goins, City Engineer Guerrero, and Minutes Clerk Casey

ITEM D:
CITIZEN PARTICIPATION:

ITEM E:
CONSENT CALENDAR:

1. APPROVAL OF PC MINUTES:

- Draft Minutes 9-28-16
- Draft Minutes 10-12-16
- Draft Minutes 10-26-16
- Draft Minutes 11-9-16

Motion by Chair Hemming, seconded by Vice Chair Arias, carried by a vote of the members present, approving all PC Minutes listed on the consent calendar

ITEM F:
PUBLIC HEARING ITEMS:

F-1 PUBLIC HEARING – WIRELESS COMMUNICATION FACILITY PERMIT (WIRE 4071-2016) TO ALLOW THE CONSTRUCTION OF A 60-FOOT HIGH FREESTANDING WIRELESS COMMUNICATION FACILITY DISGUISED AS A BROADLEAF TREE AND RELATED GROUND EQUIPMENT ON A PROPERTY LOCATED IN THE CITY GATEWAY

SEGMENT OF THE CORRIDOR SPECIFIC PLAN LOCATED
AT 625 E. FOOTHILL BOULEVARD. *(Continued from January 11,
20167)*

Chair Hemming opened the public hearing to continue the item.

Motion by Chair Hemming, seconded by Commissioner Grajeda, carried by a unanimous vote of the members present (6-0-0-1), Commissioner Juarez absent, continuing Wireless Communication Facility (WIRE 4071-2016).

F-2

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 11-002) REQUEST TO LEGALIZE THE CONVERSION OF A GROUP CARE FACILITY TO AN ELEVEN UNIT ROOMING HOUSE ON A 16,600 SQUARE FOOT PROPERTY LOCATED AT 804 WILLIAM STREET IN THE R-2 (LOW DENSITY MULTIPLE FAMILY RESIDENTIAL) ZONING DISTRICT.

Associate Planner Lee provided a staff report regarding a request to legalize the conversion of a group care facility an elven unit rooming house. Commissioner Grajeda inquired the current use of the site and stated concerns regarding the nearby school. Development Services Manager Johnson stated the site was a long ongoing case with the city. The site had a State license, but not a CUP with the city. The site was scheduled several years ago to come before the Planning Commission and the applicant at that time attempted to withdraw the application by continuing to continue the item. He stated the current applicant was in the process of selling the property and there was concerns by potential buyers as to whether there was a CUP filed with the city. A final determination on the property type had not been made and there have been many lengthy meetings with the City and legal regarding the property. Commissioner Brown stated a parking concern as the site had 11 bedrooms, but was only providing 10 parking spaces. Development Services Manager Johnson stated staff had visited the site several times and there have only been as many as 2 cars parked at the site. Staff did not feel there would be a parking issue. Commissioner Grajeda stated confusion with the need for a CUP and stated a concern with the CUP remaining with the land should it be granted.

Commissioner Juarez joined the meeting at 7:22 pm.

Vice Chair Arias inquired whether the new buyer would be required to come before the CUP. Development Services Manager Johnson stated the new buyer would not need to come before the Commission, but would be required to adhere to the granted CUP. Chair Hemming opened the public hearing. Dr. Michael Agron, owner of the property, stated the property had been utilized as many different uses in the past. When he purchased the home the previous owner was operating the site as a sober living facility and he later realized the site was not properly licensed. He stated he met with the city to inquire what needed to be done to ensure the property was compliant and he thought he had completed the steps to operate with proper licensing. He stated before taking over the property there had been between 30 and 40 police calls per year on the site, but since he had taken over this past year there have only been 3 police calls. He stated he rented to individuals on a month to month basis and he did not have tenants for less than a month as he preferred tenants to stay long term. At the present time the tenants were senior citizens from a church which did not

cause trouble. He stated he believed the home fell into a level 1 home or a group facility. He stated the interested buyers stated concerns regarding the CUP. They would like a CUP on the property for a rooming house. He stated he felt he had been running a successful operation as compared to the previous owners and he had thought he had a grandfathered CUP and was operating legally. Chair Hemming inquired the amount of tenants and vehicles currently at the site. Dr. Michael Agron stated there were 11 tenants and typically 1 to 2 cars. Commissioner Grajeda inquired whether the home would be sold as a single family home or as a facility. Dr. Michael Agron stated the home would be sold as a rooming house. Development Services Manager Johnson stated if more than 3 rooms are being rented a CUP is needed for the site. Commissioner Ramos inquired whether there was guarantee the new buyer would keep the current tenants. Development Services Manager Johnson stated there is not a guarantee. Ms. xxxx, the Real Estate Agent, stated the home would be listed as a rooming house. The interested buyer would like to keep the current tenants. The potential buyer did not issues so he was requesting a clear title with the City. Chair Hemming invited the public for comments. Ms. Alejandro Lopez, worker of the nearby low income housing complex, stated there were two sex offenders living at this requested site. She stated concerns regarding the nearby elementary school and the large amount of children that live in the area. Chair Hemming inquired whether background checks were performed on the tenants or whether there was an age requirement to rent a room at the rooming house. Dr. Michael Agron stated background checks were not performed and there was not an age requirement to rent a room. Ms. xxxx, a nearby resident, stated concerns with cars pulling up to the property for quick transaction which she felt were drug transactions and concerns regarding her children as she do not know if sex offenders were living at the home. She stated the neighborhood cleaned the alley behind the property and often found syringes. Ms. Estella Nava stated all of the neighborhood agreed with the previous speakers and many of them have the same concerns. Chair Hemming closed the public hearing.

The Commission stated concerns regarding the CUP running with the land and the future owners not being as responsible as the current owner, the facility not providing background checks or having an age requirement, a CUP allowing for a 20 plus individuals to live in the home, and the property not meeting the parking requirements set for the site.

Motion by Chair Hemming, seconded by Vice Chair Arias, carried by a unanimous vote of the members present (7-0-0-0), denying Conditional Use Permit (CUP 11-002).

Development & Neighborhood Services Director Lazzaretto stated the decision made on the item could be appealed by any individual not in agreement within 20 days with the 20 days beginning tomorrow.

F-3

PUBLIC HEARING – CODE AMENDMENT (CODE 6026-2016) WATER EFFICIENT LANDSCAPE ORDINANCE AND GUIDELINES: A REQUEST TO UPDATE THE CITY'S WATER EFFICIENT LANDSCAPE REQUIREMENTS BY AMENDING SECTION .503-J ("LANDSCAPING /IRRIGATION"), SECTION .280 ("R-2 LOW DENSITY MULTIPLE-FAMILY ZONE") SECTION .290 ("R-3 MEDIUM DENSITY MULTI-FAMILY ZONE"), SECTION .300 ("R-4 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE") OF THE CITY OF POMONA ZONING ORDINANCE (PZO), AND TO ADOPT GUIDELINES FOR THE