

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 December 14, 2016)*

Chair Hemming opened the public hearing to continue the item to January 25, 2017.

Motion by Commissioner Juarez, seconded by Chair Hemming, carried by a unanimous vote of the members present (7-0-0-0), continuing Wireless Communication Facility (WIRE 4071-2016) to the January 25, 2017 Planning Commission Meeting.

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PUBLIC HEARING – TENTATIVE TRACT MAP (TRACTMAP 4947-2016) TO SUBDIVIDE TWO LOTS TOTALING APPROXIMATELY 46,550 SQUARE FEET IN SIZE INTO FOURTEEN CONDOMINIUM UNITS AND CONDITIONAL USE PERMIT (CUP 4607-2016) FOR THE DEVELOPMENT OF FOURTEEN MULTIPLE-FAMILY RESIDENTIAL UNITS ON PROPERTY LOCATED AT 1198-1236 S. SAN ANTONIO AVENUE IN THE R-2-S (LOW DENSITY MULTIPLE FAMILY WITH SUPPLEMENTAL OVERLAY) ZONE. *(Continued from December 14, 2016)*

Assistant Planner Session-Goins provided a staff report regarding a request for a subdivision of two lots and the development of fourteen multiple-family residential units. Commissioners Ramos, Juarez and Ursua stated a concern regarding the density of the project and parking. Assistant Planner Session-Goins stated the project would provide double the parking spaces than the code required. Commissioner Juarez requested a parking plan and emphasized the use of stronger language in the conditions regarding the visitor parking issue in the City. Chair Hemming opened the public hearing. The Developer for the project, Ms. Mary Golbakhsh, agreed with the staff report and asked the Commission to approve. In addition, to address the parking concerns she suggested registering all vehicles with the HOA and towing nonregistered vehicles at the owners' expense. Commissioner Juarez mentioned a letter submitted by the adjacent owner of the organic farm and inquired if the applicant was aware of the letter. Ms. Mary Golbakhsh stated she did speak with the neighbor and he stated he did not support the project. She stated she did what she could to adhere to all codes and clean up the area. She believed the project was improving the area and bringing a better life to the City. Commissioner Ursua inquired whether fewer units were discussed during the design process and whether the applicant would consider making adjustments to the current design. Ms. Mary Golbakhsh stated the idea of few and additional units was discussed during the design process, but she wanted to comply with policies which allowed for 15 units or less. In addition, she stated she would be willing to discuss adjustments to the design. Commissioner Arias inquired whether the adjacent property had a business license. Development Services Manager Johnson stated the adjacent property did not have a business license. He stated the city had been approached to address urban farming in the ordinance. The adjacent owner was in the R-1 zone which allowed for raising crops, but not the sale of the crops. Chair Hemming invited the public for comments. Aaron Fox, PhD, professor at Cal Poly, spoke in opposition of the project due to negative effects he felt the project would have on the urban garden on the adjacent property at 1196 S. Antonio Ave. which he felt assisted with building up Pomona by providing many benefits

to the environment and to the health of the community. He stated a concern with the development removing the needed sunlight for the garden. Ms. Christine Olanio, one of the four residents of the adjacent property at 1196 S. Antonio Ave., stated she felt the development would be a huge detriment to the City. She stated she did not feel the development would contribute to the rich history of Pomona. She asked the Commission to deny the project as the garden contributes to the City. Ms. Eliror Crescerzi, one of the four residents of the adjacent property at 1196 S. Antonio Ave., stated she felt the garden was fundamental to the well-being of the neighborhood and community. She did not feel the proposed development would contribute to the well-being of the City and would obstruct the sunlight required for the garden. She asked the Commission to support the garden and deny the project. Ms. Lynn Fang, one of the four residents of the adjacent property at 1196 S. Antonio Ave, stated she believed in the value of gardening organically to provide nutritional food. She did not feel this was a good place for the proposed development as there were other gardens in the neighborhood and continuing to provide high density developments would hinder the ground water needed. Mr. Rishi Kumar, owner of the adjacent property at 1196 S. Antonio Ave, submitted two petitions and stated his opposition for the project which he also submitted via letter to the Commission. He stated he felt the development would be detrimental to the health, safety, and peace of the area. He stated his garden and his neighbor's garden had been providing food to their families and neighbors for the past 5 years and the proposed development would mask the sunlight needed for the garden. He asked the Commission to deny the request. Chair Hemming inquired whether the homeowner had a business license for the garden. Mr. Rishi Kumar stated the garden was a neighborhood garden which he did not gain profit. Commissioner Arias stated a concern with vehicles being parked on the grass at Mr. Kumar's home which violated city code and which could pollute the soil for the garden. Commissioners Juarez, Ramos, and Grajeda inquired Mr. Kumar's main concern regarding the development and whether Mr. Kumar would be open to a revised design. Mr. Rishi Kumar stated his main concern was the request for two story units as the remainder of the neighborhood was single story and many homes were historic as they were built in the 1920s. He stated he felt the project would stand out and create additional traffic in the neighborhood. He stated if the buildings were single story he would not have an issue. Ms. Andrea Torres, Pomona resident, stated she wished the Commission could see the beautiful garden and the rows of beautiful food. She stated Mr. Kumar had created a community and had inspired others to grow their own garden. The garden had created community and safety for the neighborhood and the project would create additional traffic. Mr. Charles Young stated he had an interest in the garden as one of the residents was a student of his and he was also a cancer survivor and the garden had been providing him fresh vegetables. He stated he felt the garden supported important educational activities and was an important part of the community. The development would have a negative impact on the garden and the Commission should know the impacts before approving. Mr. Andrew Quinones, resident of Pomona, stated his support for the neighborhood garden at 1196 S. Antonio Ave. as he felt it was an important part of the community. Mr. Charles Allen, resident of Claremont, stated his support for the garden as thousands of pounds of food was produced in this garden. He stated the garden was a benefit to the environment and he asked the Commission not to harm the quality of the garden. Ms. Karen Lenz, resident of Pomona, stated an interest in the allowing the garden to continue as she felt it was important to have good local food. She stated a concern with the two story development potentially having a negative effect on the garden. Dr. John Barkman, tenant at 1059 E. Grand Ave., stated he and his wife garden in their space which is where they obtained a quarter of their food. He stated a concern regarding the proposed two story development's high density and lack of parking. Ms. Manju Kumar, mother of Rishi Kumar, stated her family purchased the property due to the large lot. They were concerned about the proposed development. If the developer would like to sell the property she would be interested in the discussion. She stated if the Commission is moving towards high density development she felt the community should be surveyed because that was not what

they want. Mr. Michael Morcos, representing the architect, stated he understood the concern regarding the shade, but if the plans were reviewed the two stories did not sit on the property line and he did not feel it would cause shade to the garden. Commissioner Brown inquired whether the Architect provided a shade analysis. Mr. Michael Morcos stated a shade analysis was not provided, but one could be. Ms. Mary Golbakhsh stated she believed Mr. Kumar purchased the property about a year ago. The project had been going on for the past three years and she found it hard to believe Mr. Kumar did not do research before purchasing the property. She stated she had improved the community by moving the homeless and drug dealers out. She is in support of organic gardening, but she had difficulty understanding why organic growing was important, but removing the drug dealing in the neighborhood was not important. She had not studied the shade analysis and she would like to know the exact percentage of time the sun would be blocked by her development. The added electricity for the lighting needed during the time the sun is lost. She stated Ms. Kumar offered to purchase her property and she was offering the same to her. She stated the city needed to be improved and the drug dealers removed. Chair Hemming closed public hearing. Chair Hemming stated she felt the proposed project was excellent. She felt vacant lots encouraged crime and problems in the city. She stated the Commission may not agree on the density or parking of the project, but the City had set standards and the applicant had met and in some areas exceeds all the City's standards. This project has been going on for three years and someone purchased a neighboring property a year ago and did not check the zoning. She was not convinced the proposed development would destroy the garden. The garden stated it was not a business, but yet crops were being picked and removed from the property so some trade must take place. She stated parking could be an issue with single family residences as with the adjacent property where they were parking on the grass. She stated she felt the garden would continue even with the proposed development. Commissioner Brown stated he felt it was an excellent idea to develop the property, but the Commission was asked to look at the adverse impacts the development would have on surrounding properties. He stated infill development is important, but he felt the Commission needed to look at how the development would fit within the community. Commissioner Brown explained he is having a hard difficulty finding this project to be a beneficial to the surrounding neighborhood. He stated he thinks a shade analysis would assist with understanding the impacts and he was concerned with the existing tree at 1196 S. Antonio Ave. Chair Hemming requested a condition be included addressing protection of the tree. Commissioner Ursua moved for denial of the project and recommended the project design be reconfigured. Vice Chair Arias stated he felt the parking issue could be addressed by strong CC&Rs and enforcement. He felt the proposed project fell within the thresholds which were set. The Commission was to determine land use, livability issues should be dealt with by the City Council. He stated he believed a shade analysis was important to assist with determining the impacts as he believed the garden and project could coexist. He would like to see the item continued to work on the mentioned issues. He motioned to continue the item. Commissioner Juarez stated he felt there was a density issue. He felt he could support the proposed project if it was redesigned with lower density as green space and organic farming was important. Commissioner Grajeda stated he felt the proposed project could be worked out as both parties seemed agreeable to compromise. He felt a redesigning to one story units would solve the problem.

The Commission discussed and agreed to reopen the public hearing to continue the item to the March 8, 2017 Planning Commission meeting.

Motion by Vice Chair Arias, seconded by Commissioner Ramos, carried by a unanimous vote of the members present (7-0-0-0), continuing Tentative Tract Map (TRACTMAP 4947-2016) and Conditional Use Permit (CUP 4607-2016) to the March 8, 2017 Planning Commission meeting.