

OFFICIAL MINUTES
PLANNING COMMISSION
OCTOBER 26, 2016

CALL TO ORDER: The Planning Commission meeting was called to order by Chairperson Hemming in the City Council Chambers at 7:00 p.m.

FLAG SALUTE: Vice Chair Arias led the flag salute

ROLL CALL: Roll was taken by Development Services Manager Johnson

COMMISSIONERS PRESENT: Chair Hemming and Vice Chair Arias; Commissioners Juarez (arrived at 7:12 pm), Starr and Tharpe

COMMISSIONERS ABSENT: Commissioner Garcia

STAFF PRESENT: Development & Neighborhood Services Director Lazzaretto, Development Services Manager Johnson, Deputy City Attorney Chen, Assistant Planner Session-Goins, City Engineer Guerrero, Supervising Water and Resources Engineer Garibay

ITEM D:
CITIZEN PARTICIPATION:

ITEM E:
CONSENT CALENDAR:

1. APPROVAL OF PC MINUTES:
-None
2. REVIEW OF CONDITIONAL USE PERMIT (CUP 14-066):
Review of compliance with the conditions of approval for Conditional Use Permit (CUP 14-066) for an existing indoor smoking lounge and retail tobacco shop in the Mixed Use-Central Business District (MU-CBD) of the Downtown Pomona Specific Plan (DPSP) on property located at 370 S. Thomas Street. Furthermore, the applicant requests to modify Condition of Approval No. 32 to expand the operating hours between 12:00 PM and 3:00 AM on Fridays and Saturdays only.

Chair Hemming mentioned previous discussion on the CUP regarding the age limit of 21 years of age for those allowed in the establishment as it was presented as a place for individuals to sober up before going home. She stated since the legal age limit for smoking was now 21 years of age, she inquired whether the age limit of the establishment could be set to 21. Deputy City Attorney Chen stated this would not be an appropriate time to change the age limit, but the application could come back for review and changes.

The Commission discussed and agreed to have the CUP back before the Commission for a review.

Motion by Commissioner Starr, seconded by Commissioner Tharpe, carried by a majority vote of the members present (4-0-0-2), Commissioners Garcia and Juarez absent, approving the review of Conditional Use Permit (CUP 14-066).

ITEM F:

PUBLIC HEARING ITEMS:

F-1

PUBLIC HEARING – MAJOR OAK TREE PERMIT (MAJORTP 5158-2016) FOR THE RETROACTIVE REVIEW OF THE UNPERMITTED TRIMMING OF THREE OAK TREES WITH A DIAMETER GREATER THAN EIGHT INCHES AS MEASURED 4.5 FEET ABOVE THE MEAN NATURAL GRADE LOCATED ON A PRIVATE PROPERTY IN THE R-1-7,500 ZONING DISTRICT LOCATED AT 1118 LOMA VISTA STREET. (Continued from October 12, 2016)

Development Services Manager Johnson stated the applicant could not be present tonight due to illnesses in the family.

Chair Hemming opened the public hearing to continue the item to November 9, 2016

The Commission discussed and agreed to condition the item with a definite resolution by the end of the year for this item.

Motion by Vice Chair Hemming, seconded by Commissioner Starr, carried by a unanimous vote of the members present (4-0-0-2), Commissioners Garcia and Juarez, continuing Major Oak Tree Permit (MAJOTP 5158-2016) to the November 9, 2016, Planning Commission Meeting.

Commissioner Juarez joined the meeting at 7:12 p.m.

F-2

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 5251-2016) TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES (ON-SALE BEER AND WINE – TYPE 41 ABC LICENSE) FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH AN EXISTING RESTAURANT (WINGSTOP) LOCATED AT 2063 RANCHO VALLEY DRIVE, SUITE 300 IN THE C-4 (HIGHWAY COMMERCIAL) ZONE LOCATED AT 2063 RANCHO VALLEY DRIVE, SUITE 300.

Assistant Planner Session-Goins provided a staff report regarding a request to allow the sale of alcoholic beverages (beer and wine) at an existing Wingstop. Chair Hemming requested a condition be included requiring food to be purchased in order to purchase an alcoholic beverage. Assistant Planner Session-Goins stated Condition No. 18 was included to address Chair Hemming's request. Commissioner Juarez mentioned the recent approval from the Commission for Chipotle to sell beer and wine and suggested a license be held for the newly developed hotel being constructed in the area. Assistant Planner Session-Goins stated the ABC records did not display an active license for

Chipotle, but she would research the site. Chair Hemming opened the public hearing. Ms. Sherri Olsen, representing the applicant, spoke on the experienced applicant, agreed with the staff report and conditions, and asked the Commission to approve. Chair Hemming inquired whether the staff would be ABC training. Ms. Sherri Olsen stated all staff would be ABC trained. Chair Hemming closed the public hearing.

Motion by Commissioner Starr, seconded by Commissioner Tharpe, carried by a majority vote of the members present (5-0-0-1), Commissioner Garcia absent, adopting Resolution No. 16-031, approving Conditional Use Permit (CUP 5251-2016).

ITEM G:
NEW BUSINESS:

ITEM H:
PLANNING COMMISSION COMMUNICATIONS:

ITEM I:
DEVELOPMENT SERVICES MANAGER COMMUNICATIONS:

ITEM J:
ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Hemming at 7:25 p.m. to the regular scheduled meeting of November 9, 2016 in the City Council Chambers.



Brad Johnson
Development Services Manager

Maureen Casey, Transcriber

The minutes of this meeting are filed in the Planning Division of City Hall, located 505 South Garey Avenue, Pomona, CA, 91766.
