

UNOFFICIAL MINUTES  
PLANNING COMMISSION  
WEDNESDAY, JULY 24, 2019

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

B. PLEDGE OF ALLEGIANCE: Commissioner Jorge Grajeda led the Pledge of Allegiance.

C. ROLL CALL: Roll was taken by Development Services Director Anita Gutierrez

COMMISSIONERS PRESENT: Vice-Chair Jorge Grajeda; Commissioners Alfredo Camacho-Gonzalez, Gwen Urey, Richard Bunce, Ron Vander Molen

COMMISSIONERS ABSENT: Chairperson Kyle Brown, Commissioner Kristie Kercheval

STAFF PRESENT: Development Services Director Anita Gutierrez, City Attorney Marco A. Martinez, Assistant Planner Sandra Elias, Assistant Planner Eunice Im, Assistant Planner Lynda Lara.

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ITEM D:  
SELECTION OF NEW CHAIRPERSON AND VICE-CHAIRPERSON:

1. Selection of New Chairperson and Vice-Chairperson.

Development Services Director Gutierrez reported this is on the agenda because the Planning Commission bylaws state that the election of new Chairperson and Vice-Chairperson should happen at the first meeting of July.

Vice-Chair Grajeda suggested moving this item until the next meeting, since Chair Kyle Brown and Commissioner Kercheval are not in attendance.

Commissioner Vander Molen agreed and motioned to continue to the next meeting.

City Attorney Martinez informed Development Services Director Gutierrez a motion was not required, and staff could just move the item to the next agenda.

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ITEM E:  
PUBLIC COMMENT:

None

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ITEM F:  
CONSENT CALENDAR:

**1. Approval of draft Planning and Historic Preservation Commission Minutes meeting of April 17, 2019 and Planning Commission Minutes of June 26, 2019.**

**Motion by Commissioner Bunce, seconded by Commissioner Vander Molen, carried by a unanimous vote of the members present (5-0-0-2), to approve the draft Planning and Historic Preservation Commission Minutes of April 17, 2019 and Planning Commission Minutes of June 26, 2019.**

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ITEM G:  
HEARING ITEMS:

G-1

PUBLIC HEARING – DEVELOPMENT PLAN REVIEW (DPR 11888-2019), TENTATIVE TRACT MAP (TRACTMAP 11889-2019/TTM NO. 82522), & GENERAL PLAN CONFORMITY (GPC 11890-2019) A REQUEST FOR A DEVELOPMENT PLAN REVIEW TO CONSTRUCT A THREE-STORY, MULTI-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 24 CONDOMINIUM UNITS, TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES, AND GENERAL PLAN CONFORMITY TO VACATE A PUBLIC ALLEY ON AN APPROXIMATELY .87 ACRE SITE LOCATED AT 1626 & 1630 W. MISSION BOULEVARD WITHIN THE MIDTOWN SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) AREA.

Sandra Elias, Assistant Planner, provided a presentation on this item. (see Item G-1 Staff Report)

Assistant Planner Elias noted that the Staff Report incorrectly specifies the proposed rear setback as 10 feet; however, the actual proposed setback from the rear property line is 30 feet. She reported the Staff Report also incorrectly specifies that the parking requirement is 24 spaces and the proposed as 24 spaces, however, both the required and the proposed are 40 parking spaces, plus the 6 guest parking spaces, for a total of 46 parking spaces.

Commissioner Urey asked if parking spaces are going to be assigned to specific units.

Assistant Planner Elias replied yes; they are assigned because the units have attached garages.

Commissioner Urey asked if the garages were part of the 40 parking places.

Development Services Director Gutierrez replied the 40 parking spaces are inclusive of the garages and then there are six guest surface parking spaces. She noted some units have two car garages and others have one car garages.

Commissioner Urey confirmed that people who have the one car garage they should not be parking in the guest spaces.

Assistant Planner Elias replied that is correct, they should be parking in their own garage.

Commissioner Urey asked if people who have one car garages will park outside if they have two cars.

Development Services Director Gutierrez replied there are only eight units that have a one car garage, everyone else has a two-car garage.

Commissioner Bunce asked staff about their analysis of the safety factors for the entrance that comes out onto Brea Canyon Road. He asked if it was a very busy intersection. He asked if the driveway was too close to the intersection of Brea Canyon Road and Curran for traffic coming around the corner at a certain speed.

Development Services Director Gutierrez replied a traffic study done.

Assistant Planner Elias added that the traffic study determined that there were not significant impacts and there were no mitigation measures suggested to make modifications to the existing conditions.

Commissioner Camacho-Gonzalez asked if it the street was partially closed.

Public Works Director Guerrero replied the public street has only one way out, although you can go south on Curran Brea Canyon Road. He noted Brea Canyon Road heads over to Dudley and although it's a unique intersection that is where people will most likely exit or enter from Dudley. He replied to Commissioner Bunce's question that there is at least 100 feet between the proposed driveway and Curran Place which plenty of distance.

Commissioner Vander Molen confirmed gates are not proposed in the front but that the back side will have exits only.

Development Services Director Gutierrez replied yes, the sides will be gated and access by remote. She confirmed the front will be open. She noted that the side access was not counted as part of the traffic trip and that all the traffic trips would be accommodated from the Brea Canyon Road entrance. She stated staff purposely inquired about that, so in the future should the rest of the alley be vacated there wouldn't be a requirement that the City must keep that as access for the purposes of this project.

Commissioner Vander Molen asked if the zoning has it changed in this area with the new General Plan.

Assistant Planner Elias replied through the adoption of the Pomona Corridor Specific Plan it is now mixed use.

Vice-Chair Grajeda if there was a gate on Alley #1 to access into the property.

Assistant Planner Elias replied yes there will be a pedestrian gate, as well as, a vehicular gate. She noted the vehicular gate will be an automatic sliding gate for egress only. She stated the pedestrian gate is operated by a keypad.

Vice-Chair Grajeda asked if there will be a play area or jungle gym for the kids.

Assistant Planner Elias replied a play area is not proposed in the plans.

Vice-Chair Grajeda asked if staff had tried suggesting this to the proponents.

Development Services Director Gutierrez replied that is something the Commissioner can ask the applicant.

Vice-Chair Grajeda expressed concerns about parking. He stated he doesn't see where visitors' parking is located.

Development Services Director Gutierrez pointed out six spaces highlighted in yellow.

Assistant Planner Elias added there is one parking space for every 4 units and there are 24 units.

Vice-Chair Grajeda commented limited parking means residents are not going to be able to have a gathering at their home and these are large homes.

**Vice-Chair Grajeda opened the public hearing.**

Richard Chan and Paulina Ying, architects from KU & Associates came forward as the owner's representative.

Commissioner Vander Molen asked how long the applicant has owned the property. He asked if the owner was present.

Vice-Chair Grajeda requested the owner come forward.

Gene Tsair, the owner, replied a year and a half.

Commissioner Vander Molen spoke about the lack of upkeep problems with the homeless on vacant lots. He shared he was at this site with a Pomona Beautiful crew several months ago and the homeless were actively going over the fence to an encampment in back, as well, as it took 20 people about four hours to clean up the area. He shared he drove by the site tonight and the weeds are all back. He stated he feels it's important for developers in Pomona to be good neighbors and make these sites look nice, by cleaning them on a regular basis until the property is developed.

Mr. Chan replied he agrees with Commissioner Vander Molen whole heartedly. He stated once they get in there the property will be fenced off. He stated he doesn't know what to do about the homeless, because whole City and County has a problem. He stated he doesn't know what the solution is.

Commissioner Vander Molen replied he is very aware of the homes issue; however, Pomona has Homes of Promise and is active in dealing with the issue. He suggested a once a week monitoring of the property, knocking down of the weeds every three months and picking up trash regularly because it accumulates. He stated he thinks it's important that developers take care of a property until it's developed, especially at the beginning of a new relationship with the City of Pomona. He suggested regular monitoring of the property and when there is trash, hiring a small crew to take care of it.

Mr. Chan replied they whole heartedly agree and will work on something.

Development Services Director Gutierrez stated the Commission could add a Condition which would give staff the ability to enforce.

Commissioner Vander Molen summarized weekly or bi-weekly monitoring and a clean up if there is a problem.

Vice-Chair Grajeda asked the architect if the property will look as proposed in appearance and colors at the end.

Mr. Chan replied pretty much so.

Vice-Chair Grajeda asked what Mr. Chan may change, if anything because he'd like to know if they plan to build with different windows and/or roof.

Mr. Chan replied this is their original design and once they start doing some design development, they may find ways to make it better or more harmonious, but pretty much what the Commission sees tonight is what they should see upon completion.

Vice-Chair Grajeda asked if they are going to be rentals or for sale.

Mr. Chan replied for sale.

Development Services Director Gutierrez provided clarification for the applicant that the development shall be in substantial conformance and consistent with the project plans reviewed by the Planning Commission this evening, so should this project be approved it would need to be developed consistent with what has been shown here. She noted any substantial changes would require Planning Commission approval, per Condition #1 of the resolution.

Vice-Chair Grajeda replied he would love to see these units in the area. He asked the applicant if they would be willing to add games or a jungle gym for kids in the Barbeque area.

Mr. Chan replied that is something they can investigate.

Vice-Chair Grajeda confirmed there would be work done to the alley. He asked if it was only about 400 feet or all the way to the end to Curran Place.

Assistant Planner Elias replied there is a Condition of Approval imposed by Public Works that requires that the applicant improve Alley #1 which is located just south of Brea Canyon Road. She noted the reason why this Condition is included is because the applicant is proposing a vehicular access gate, so the alley needs to be brought up to City standards. She noted no work is being proposed for the second alley.

Mr. Chan replied it has been brought to their attention that staff does not want the applicant to use that alley on a regular basis and for exiting only. He stated if that is the case asking them to repave it may be a little excessive.

Development Services Director Gutierrez replied that would still be a requirement. She asked the representatives and the applicant if they had read the conditions of approval and agree to them. She reported their response was yes.

Commissioner Urey asked about the materials to be used in the façade elements and windows and what colors and quality of the paint were to be used.

Assistant Planner Elias replied that information was included on the website in the Staff Report as Attachment 5.

Commissioner Camacho-Gonzalez thanked the applicant for choosing to develop this type of housing in this location. He commented it is not a pleasant place to be at night or to walk through. He stated he is happy to see the pocket part and a cohesive usable green space. He stated he is generally not a proponent of vacating alleys, but in this instance it's for a good cause. He thanked Assistant Planner Elias for the very thorough staff report.

Commissioner Vander Molen asked if the lighting in the front would be scheduled to automatically go on/off.

Mr. Chan replied they that don't have that in the program yet, but maybe they can add automatic lighting.

Commissioner Vander Molen encouraged the applicant to have strong lighting on those posts to light up the front for security.

Development Services Director Gutierrez replied that could be a condition the Commission adds.

Commissioner Vander Molen suggested a couple more lights on the building corners. He stated he'd like to see good illumination on the entire frontage for because it's back from the main street and good light is good security.

Development Services Director Gutierrez summarized Commissioner Vander Molen was asking for automatic nighttime lighting along frontage.

**Maria Alvarado**, neighbor to the property; stated she likes what is being proposed, however, she has concerns about the parking. She stated the little street on Grand Canyon is very narrow and people parking there may cause an issue. She expressed concerns with the proposed Dudley entrance, commenting most people will not use it and go in and out where the Subway is in front of the HD Supply Home store, which is going to be a hazard. She shared there is a lot of traffic because of the bar on the corner and the Apartment Complex on Curran Place. She stated it gets very hard to go through that area in the evenings when the Bar is busy or there are visitors at the apartment complex. She stated she appreciates the lighting, because they have a homeless issue and as a neighbor is concerned about that too.

Commissioner Vander Molen asked if Ms. Alvarado if she had any suggestions of what may make things work and if cars park on both sides of the street.

Ms. Alvarado replied yes.

Commissioner Vander Molen suggested adding "No Parking" signage on at least one side.

Vice-Chair Grajeda replied he shares Ms. Alvarado's parking concerns; however, the applicant is meeting the City's current requirements. He stated he appreciates Ms. Alvarado bringing attention to the issue and he is hopeful staff have listened and may be able to work on something for the future. He noted parking is something that is becoming a serious issue in Pomona and there is a need to initiate something with City Council.

Ms. Alvarado suggested adding a stoplight.

Vice-Chair Grajeda replied her concern has been heard and the Commission can communicate it to City Council. He stated hopefully the City Council can help plan how to move forward, but it won't be overnight.

**Tom Scott**, live 1642 Vejar Street; shared he walks his dog in the area and by the property every morning. He expressed concerns about parking. He reported the apartments on Curran use the parking lot where the Guadalajara parking used to be as their overflow parking. He noted Guadalajara used to kick the cars out and if that business ever opens again, those cars are going to have to go somewhere. He stated he didn't know Alley #1 was an alley, he thought it was the entrance into the Guadalajara parking lot and so if there is going to be traffic going in and out after a new business opens at that location it could pose a problem. He shared the new Bar on the corner seems to be very popular on Thursday and Friday nights as well as weekends so if Alley #2 becomes a driveway they are going to lose that parking. He stated he is happy to see residences coming into the Pomona.

Commissioner Vander Molen spoke about this development being a part of Pomona's new Corridor Plan and how it should be looked at as a seed project because eventually all that area will be these types of projects and the old buildings will go away. He noted they may be are some rough spots and he understands the parking issue.

Mr. Scott replied that would be great. He reported that the area behind Guadalajara seems to be a dumping place and stated if this keeps the area busy, maybe the dumping and homeless population will decrease.

**Vice-Chair Grajeda closed the public hearing.**

Commissioner Vander Molen commented he likes the design and the extra architectural features.

Commissioner Camacho-Gonzalez asked Assistant Planner Elias if imposing a condition to add a bike rack would require a variance or a major change.

Development Services Director Gutierrez replied that would be a reasonable condition related to the scope of the project and then the applicant would have to find a spot for it on the site plan.

Commissioner Camacho-Gonzalez asked if he needed to make as separate motion to add the bike rack condition.

Development Services Director Gutierrez replied it she has heard two others motions that he may want to consider including in the motion; 1) adding automatic nighttime security lighting along the frontage and 2) that the property be maintained free of weeds and debris, as well as, secured prior to construction.

Dick Bunce requested the motion include a recommendation for amenities for children as well.

Development Services Director Gutierrez replied that request may take some additional thought on the placement and size of the equipment because there isn't much room left to place it.

Commissioner Bunce replied he sees Development Services Director Gutierrez's point; however, he like to suggest that the applicant explore it.

Development Services Director Gutierrez suggested the condition be phrased to include "to the extent feasible" and then leave that at staff's discretion.

City Attorney Martinez commented that several Commissioners brought up the issue of parking, so he wanted to share that legal has been successful in situations where there is CC&Rs and a Homeowners Association (HOA) that will be administering those CC&Rs, to include provisions that state "the guest parking spaces must be maintained for guests" or that "garages must be maintained for the purposes of parking and cannot be used for storage that precludes parking." He stated most important is that the HOA maintain a Parking Management Plan on file with the City of Pomona that states exactly how they are going to be handling the issue of overflow parking or too many cars being parked in the development. He shared the HOA could include this information as part of its sale documents informing people up front, that if they are going to rent a one car unit, they would only be allowed to have one car. He noted if that person has two cars, they would have to make other arrangements. He stated all of that would be contained in a Parking Management Plan that gets reviewed by the staff. He stated at the very least within the CC&Rs the Commission may want include verbiage about no RV storage, guest spaces, no storage in the garages, and that all garages be maintained for parking of vehicles.

Vice-Chair Grajeda replied that would be a great addition.

Commissioner Urey replied she likes most of those ideas, however, what if somebody that has a two-car garage only has one car and five bicycles. She stated they should be able to use the other part of their garage for bike maintenance.

City Attorney Martinez replied they could accommodate that and when staff reviewed the CC&Rs.

Commissioner Vander Molen motioned to approve this item with the additional conditions discussed, such as lighting and CC&Rs.

Development Services Director Gutierrez replied that she heard five separate conditions the Commission may want to add; they are as follows:

- The property shall be maintained free of weeds and debris and secured during all phases prior to construction of the project.
- Add Bike racks; She asked Commissioner Camacho-Gonzalez if he wanted a specific number of bike racks. Commissioner Camacho Gonzalez he replied for eight.
- Consider the placement of children's play equipment to the extent feasible
- The CC&Rs shall incorporate a Parking Management Plan showing how the project shall maintain all required parking.
- Automatic nighttime security lighting along the frontage shall be provided.

Vice-Chair Grajeda invited Mr. Chan the applicant's representative forward.

Development Services Director Gutierrez asked the applicants' representative if he agreed to the conditions the Planning Commission recommended as summarized by staff.

Mr. Chan replied they are ok by him.

**Motion by Commissioner Vander Molen, seconded by Commissioner Camacho-Gonzalez, carried by a unanimous vote of the members present (5-0-0-2), to approve Development Plan Review (DPR 11888-2019), Tentative Tract Map (TRACTMAP 11889-2019/TTM No. 82522), & General Plan Conformity (GPC 11890-2019) for a Development Plan Review to construct a three-story, multi-family residential development consisting of 24 condominium units, Tentative Tract Map for condominium purposes, and General Plan Conformity to vacate a public alley on an approximately .87 acre site located at 1626 & 1630 W. Mission Boulevard within the Mid-Town Segment of the Pomona Corridors Specific Plan (PCSP) area; with five additional conditions; 1) The property shall be maintained free of weeds and debris and secured during all phases prior to construction of the project, 2) Add Bike racks to accommodate eight bicycles, 3) Consider the placement of children's play equipment to the extent feasible, 4) The CC&Rs shall incorporate a Parking Management Plan showing how the project shall maintain all required parking and 5) Automatic nighttime security lighting along the frontage shall be provided.**

Development Services Director Gutierrez stated there is a twenty-day appeal period.

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G-2

PUBLIC HEARING – CODE AMENDMENT (CODE 12173-2019) REQUEST TO AMEND ZONING ORDINANCE SECTION .554.B. (“NONCONFORMING USE OF A CONFORMING BUILDING”), SECTION .554.C. (“NONCONFORMING USE OF THE LAND”), PERTAINING TO THE PERIOD OF TIME A LEGAL NONCONFORMING USE HAS BEEN DISCONTINUED. THIS PROPOSED CODE AMENDMENT WILL INCLUDE LANGUAGE TO MODIFY THE LENGTH OF TIME IN WHICH LAND USES MADE NONCONFORMING BY WASTE & RECYCLING ORDINANCE NO. 4234 CAN BE DISCONTINUED FROM TWO YEARS TO 180 DAYS.

Development Services Director Gutierrez reported this is a citywide code amendment related to the request to amend the zoning ordinance for a nonconforming use related to waste and recycling uses.

Sandra Elias, Assistant Planner provided a presentation. (See Item G-2 Staff Report)

Development Services Director Gutierrez reported this came out of discussion with City Council regarding some of the frustrations and the difficulties with code enforcement at some of Pomona's recycling facilities. She reported through discussion with City Council staff looked for options to improve enforcement and at what other measures the City could take to ensure that these businesses are held accountable to site standards and/or how they could move those businesses along if those are not the desired use in that location. She reported the short-term solution was to shorten the nonconforming time in which once a business ceases use. She stated under the current code a business is given two years to reestablish, however, this amendment recommends 180 days to continue that use, otherwise the business owner loses the rights to continue that use.

Commissioner Urey asked how the day on which the use was discontinued is established.

Development Services Director Gutierrez replied it is not black and white. She stated it is when there is a known time the business stopped operating and they have not pursued opportunities to reestablish that business. She stated it might take some research and each case will be unique. She noted staff may look to see when the business stopped paying water bills, when utilities were turned off, or when their business license were not renewed.

City Attorney Martinez replied in most cases the burden of proof is on the owner/operator or the new operator to prove that they were within the 180 days and that there was an intent to continue the use. He shared the City would be looking at power bills, water bills, business license information, and any information that the applicant could provide

that shows they were in the middle of applying for an application with the State. He noted it is the City's burden to look at that information and determine if there was an actual cessation of use.

Commissioner Camacho-Gonzalez asked how many businesses may be affected.

Development Services Director Gutierrez confirmed he was asking for the number of nonconforming businesses that this would affect. She replied roughly a dozen palette yards and six recycling facilities.

**Vice-Chair Grajeda opened public comment.**

**John Mendoza**, 1602 N. Park Ave. Pomona; commented that the City of Pomona cracking down on recycling facilities is an awkward thing. He stated he is concerned about the method being used to contact these recycling facilities and suggested notifying individual businesses to let them know that this was going to be on the Planning Commission's agenda. He spoke about having businesses that are in disadvantaged communities and stated he would like to see a fair process of notification.

Vice-Chair Grajeda asked if the businesses would know when they have a problem with a Conditional Use Permit.

Development Services Director Gutierrez replied the City's notice requirements require a newspaper noticing since it's a citywide ordinance and not individual property notices. She clarified that this amendment doesn't shut any businesses down, it only applies if a business ceases use for 180 days (six months). She after 180 days the business would have abandoned their rights to that use. She noted the any new use that comes in must comply with the current zoning standards.

Vice-Chair Grajeda asked if any notices will be sent to the businesses.

Development Services Director Gutierrez replied it will be up to City Council if they want to notify those businesses.

Vice-Chair Grajeda recommended staff make that suggestion to City Council, so the process is fair.

Commissioner Vander Molen asked if there was going to be any notification to the current recycling businesses.

Development Services Director Gutierrez replied staff can bring that to City Councils' attention.

Commissioner Vander Molen replied the City should notify businesses that this is the new rule so that they understand what could happen if they close. He noted it is drastic but good change.

**Vice-Chair Grajeda closed the public hearing.**

Commissioner Urey asked if they wanted to add a recommendation to notify the businesses.

**Motion by Commissioner Vander Molen, seconded by Vice-Chair Grajeda, carried by a unanimous vote of the members present (5-0-0-2), to approve Code Amendment (CODE 12173-2019) request to amend Zoning Ordinance Section .554.B. ("Nonconforming Use of a Conforming Building"), Section .554.C. ("Nonconforming Use of the Land"), pertaining to the period of time a legal nonconforming use has been discontinued. This proposed code amendment will include language to modify the length of time in which land uses made nonconforming by Waste & Recycling Ordinance No. 4234 can be discontinued from two years to 180 days; with a recommendation to City Council that all current Waste & Recycling businesses be notified of the change when it goes into effect.**



FOR DEVELOPMENT OF TWO SINGLE-FAMILY RESIDENCES ON  
SEPARATE LOTS LOCATED AT 1422 & 1428 W. TENTH STREET (APN  
8349-018-087, 8349-018-086).

Eunice Im, Assistant Planner provided a presentation. (See G-3 Staff Report)

**Vice-Chair Grajeda opened the public hearing and invited the applicant forward.**

Xin Wang, project applicant; shared they purchased the lot last year and the previous Conditional Use Permit was already expired, so they are applying for a new one and hope it gets approved. He reported they are going to build four units on the two lots; he and his parents will live in two of the units and the other two they plan to rent out to family or friends. He noted they will all have landscaping in the front and back to conform with city code.

Commissioner Vander Molen asked how soon they plan to start.

Mr. Wang replied as soon as possible.

Commissioner Camacho-Gonzalez commented he like the plan and it is good to know the applicant will be living there.

**Vice-Chair Grajeda closed the public hearing.**

Commissioner Vander Molen commented it conforms with what is happening with the neighborhood and he is excited to see the transformation of that corner.

**Motion by Commissioner Camacho-Gonzalez, seconded by Commissioner Urey, carried by a unanimous vote of the members present (5-0-0-2), to approve Conditional Use Permit (CUP 011273-2019) to allow for the development of two single family residential units to be built on each lot in the R-2-S (Low Density Multiple Family, S Overlay) zone and Revocation of Conditional Use Permit (REV 012235-2019) to revoke expired and unused Conditional Use Permit (CUP 4850-2016) for development of two single-family residences on separate lots located at 1422 & 1428 W. Tenth Street (APN 8349-018-087, 8349-018-086).**

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G-4

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 11666-2019) TO PLACE A CONVENIENCE RECYCLING FACILITY IN THE PARKING LOT OF COMMERCIAL SHOPPING CENTER LOCATED AT 1645 W. HOLT AVENUE (APN 8357-018-024) IN THE NEIGHBORHOOD CENTER SEGMENT OF THE POMONA CORRIDOR'S SPECIFIC PLAN.

Lynda Lara, Assistant Planner, provided a presentation. (See Item G-4 Staff Report)

Commissioner Vander Molen asked if how many of these types of recycling facilities are currently in the City of Pomona.

Assistant Planner Lara replied she researched, and this would be the very first new one since the Waste and Recycle ordinance was adopted.

Commissioner Vander Molen asked what “properly noticed” entailed.

Assistant Planner Lara replied all property owners and tenants within a 400-foot radius were notified.

Commissioner Vander Molen asked if the Commissions could recommend a yearly review to make sure the business is operating properly, and they are not becoming a neighborhood nuisance.

Development Services Director Gutierrez replied you can call for an annual review of the permit and at that time review conditions to see if at that time everything is operating properly and if it is not staff could proceed with revocation.

Commissioner Vander Molen replied he would love to see a yearly code check, because there have been issues with these types of facilities in the past.

Commissioner Camacho-Gonzalez asked if the gate will only be open during business hours.

Assistant Planner Lara replied correct and there is a condition placed for that. She noted when it is not in operation or at 5:00 p.m. it must be locked.

Commissioner Camacho-Gonzalez asked if there a study to show how much business would need to increase to increase the need for the pickup of the bins more than twice a week. He commented twice a week doesn't seem like a lot.

Development Services Director Gutierrez replied Commission Camacho-Gonzalez could ask the applicant.

Commissioner Urey asked expressed concerns the proposed landscaping in the parking lot, because that area is a heat sync and the bushes may have a hard time surviving there.

Assistant Planner Lara replied the applicant is planning on planting. She asked if Commissioner Urey was suggesting removing the landscaping.

Commissioner Urey replied no she is just curious about what was going to be planted there.

Development Services Director Gutierrez replied they could request drought tolerant plants.

Assistant Planner Lara replied the applicant wanted to provide some vegetation along with the block wall. She noted staff could recommend drought tolerant.

Vice-Chair Grajeda commented he has seen a couple of these types of facilities in operation and they seem to be good, however, he is not too excited about recycling businesses in Pomona at this point and time. He stated he thinks the volume of pickups is going to be greater than twice a week because of the location and would recommend pickups happen as needed not on an exact schedule.

Commissioner Urey shared a long time ago there was a facility like this in this same spot and they didn't give cash, they gave you a slip to spend at the Cardenas market. She asked if this business was going to have a relationship with Cardenas.

Assistant Planner Lara replied that would be a question for the applicant.

**Vice-Chair Grajeda opened the public hearing.**

**John Mendoza**, 1602 N. Park Ave.; spoke about there being City Council meetings and Councilmembers were attacking these facilities, but at the same time encouraging recycling. He stated he supports this recycling system and voiced full support for this item.

**Jose Ponce**, project applicant and owner of Pounce Recycling; shared his operation will consist of buying CRV material from the general public. He noted the material collected will be safely stored inside containers and there will be two staff members always present during operating hours. He stated Ponce Recycling will provide a friendly service to the community of Pomona and will operate with high standards, providing a safe and clean environment. He stated the recycling center will be convenient for the community.

Vice-Chair Grajeda asked if the applicant has a systematic way of keeping up with spiders, rats, roaches, ants and all the infestation of creatures.

Mr. Ponce replied that the material gets shipped out often, so infestation shouldn't happen. He stated if there is a need, he will start pest control.

Vice-Chair Grajeda asked Mr. Ponce if he would support a condition to having pest control once a month.

Mr. Ponce replied that wouldn't be a problem and he could hire an exterminator.

Commissioner Camacho-Gonzalez asked Mr. Ponce what type of trucks will be used for the twice a week pick up, if they will adhere to the truck routes and what time of day of the trucks would be picking up.

Mr. Ponce replied the trucks should be there in the morning around 8:30 a.m. and it is a roll off truck. He noted it only takes about five minutes to switch the container. He stated he can do more pickups if it's needed.

Commissioner Camacho-Gonzalez expressed concerns about air quality and congestion. He stated he represents District 2 but he lives in District 1, so this is his area and he knows that street well and it can be difficult getting out of the shopping center. He asked if the trucks will be driving on Holt Ave. or taking some other route.

Mr. Ponce replied he does not understand the question about the routes.

Commissioner Camacho-Gonzalez informed Mr. Ponce there are specific truck routes. He stated he doesn't know if the roll off truck falls under that rule, but he is concerned.

Mr. Ponce replied a roll off truck is like a trash truck.

Development Services Director Gutierrez replied she believes it would be a truck big enough in size to fall under the truck routes.

Public Works Director Guerrero replied yes, it would fall under the requirement to follow the truck route and the truck route the City recently approved on Holt Ave. in front of this business.

Commissioner Camacho-Gonzalez commented that these types of facilities tend to draw a lot of homeless folks. He asked if there was a plan to have security. He shared he doesn't go to these sites because he doesn't feel safe and if homeless congregate it could deter residents.

Mr. Ponce replied he knows people tend to associate the homeless with recycling centers but that is not true. He stated it is dependent on the operator and he would not allow anyone to hang around the facility or in the shopping center because he has families with children that comes to recycle, and he is a family-oriented business. He stated he wants residents to feel comfortable and welcome because it's good for him and the community.

Commissioner Camacho-Gonzalez asked if Mr. Ponce has experienced the homeless as an issue in other cities and how he plans to address it.

Mr. Ponce replied he will not let them congregate and if he must hire a security he will. He stated he wants families to feel comfortable coming to his site.

Commissioner Urey asked if this was going to be a cash business or if there is going to be a relationship with Cardenas.

Mr. Ponce replied he is going to pay customers on site.

Commissioner Urey replied that would be another reason to have security.

Mr. Ponce responded the exchange will occur inside a kiosk so it's more private.

Commissioner Urey asked if he has one of these somewhere else.

Mr. Ponce replied yes.

Commissioner Vander Molen asked how many he has and in what surrounding cities.

Mr. Ponce replied nine in Norwalk, Anaheim, Inglewood and Los Angeles.

Commissioner Vander Molen shared he had a bad experience in a Stater Bros shopping center. He commented that today's society is all about recycling, yet nobody wants it in their backyard. He stated the Planning Commission is going

to have to trust that this is going to be run as a good operation, and so this is why he has recommended a yearly review to make sure the operation is working, it's profitable and it hasn't turned into a mess.

Mr. Ponce requested the Commissioners let him know what he can improve if they come to recycle so that he can take it on right away.

Commissioner Urey replied he knows that people sometimes bring containers that are not CRVs, so the business will end up with a waste stream. She commented she didn't see this in the plans.

Mr. Ponce replied most people are already educated on what CRVs are, so he expects to only get a few items he is not able to recycle and will put those in the trash.

Commissioner Urey replied she didn't see anything in his plans for trash.

Mr. Ponce replied they would take care of it.

Development Services Director Gutierrez pointed out there are two trash enclosures on the Cardenas site that perhaps they would have access to.

Commissioner Camacho-Gonzalez commented he agrees that there is a need for recycling; however, he doesn't see this being the solution. He stated it creates more of a problem and so he can't confidently vote to support this because there is not a security plan and a lot of issues.

**Vice-Chair Grajeda closed the public hearing.**

Vice-Chair Grajeda replied he disagrees with Commissioner Camacho-Gonzalez and stated he thinks it's a good location because people in that area do recycle. He shared they walk around the trash cans and fill up their carts. He agreed they may be few problems; however, he thinks that if there is going to be a yearly checkup it will be nice thing. He motioned to approve subject to the following conditions; 1) an extermination program is put in place, 2) a one-year checkup occurs, 3) the business rents a trash container and 4) arranges for pickup as needed.

Development Services Director Gutierrez suggested the condition regarding pickup read "as needed with minimum twice per week and that "extermination program" be rephrased to "pest control".

Vice-Chair Grajeda agreed about the pickup verbiage, requested that pest control occur once a month and reiterated that the trash container is always present.

Commissioner Vander Molen commented when it comes to recycling this is probably as good as a spot as they are going to find if they are only going to have one in the whole city He stated with a gate and a good operator to maintain the facility the City of Pomona will benefit. He stated he is in favor if there is a once a year review by code enforcement to see how things are going and to make sure there are not any issues.

Development Services Director Gutierrez asked if Commissioner Vander Molen was wanting a yearly review before the Planning Commission.

Commissioner Vander Molen replied no, just a yearly review with code enforcement.

**Motion by Vice Chair Grajeda, seconded by Commissioner Vander Molen, carried by a unanimous vote of the members present (4-1-0-2), Commissioner Camacho Gonzalez opposed, to approve Conditional Use Permit (CUP 11666-2019) to place a convenience recycling facility in the parking lot of commercial shopping center located at 1645 W. Holt Avenue (APN 8357-018-024) in the Neighborhood Center Segment of the Pomona Corridor's Specific Plan; with conditions as follows; 1) a monthly pest control program, 2) a yearly inspection by code enforcement, 3) A trash container is always present, and 4) pickup as needed with a minimum of twice per week.**

Commissioner Camacho-Gonzalez shared he attended all three of the Cannabis meetings and gave kudos to staff. He spoke about residents asking questions repeatedly because this is something folks are very concerned about. He stated when the maps first came out people lost their minds and so this was a good step on staff's part to control that. He commented the meetings were well planned and after the first one staff added a component of social equity and they progressively got better. He noted he saw on Facebook yesterday that Councilmember Torres wants to host one.

Commissioner Vander Molen replied he attended the Cannabis meetings too. He stated good questions were answered and it went very smooth. He thanked staff for putting the recent projects before the Planning Commission. He shared he is excited.

Vice-Chair Grajeda thanked staff for the work they are doing. He commented the presentations by staff are smooth and well prepared and he really appreciates it. He stated he is very pleased to have a City Council that is working for good in the City. He congratulated Mr. Rene Guerrero for his new appointment at Public Works Director.

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ITEM I:  
DIRECTOR COMMUNICATION:

Development Services Director Gutierrez replied it's been a privilege to work with the Planning Commission and she looks forward the future work. She shared a few updates:

- The Downtown Pomona Specific Plans first reading was approved at City Council on July 15, 2019. She shared the Council was supportive of it and will be doing a second reading August 5, 2019. She reported if all goes well, the Downtown Pomona Specific Plan will have an effective date of September 4, 2019.
- Staff and she have worked diligently on the Cannabis issue and it has been really rewarding to have the community discussions. She shared staff have learned by doing a ton of research and toured retail sites, manufacturing sites and cultivation sites to make sure they are bringing forth the best possible solutions. She shared staff hope to have an update to City Council by sometime in August and targeting the August 28, 2019 Planning Commission meeting to release a revised map in an open house format. She stated they will potentially come back in September for a decision from the Planning Commission. She reported staff are trying to move along quickly in the hopes of being ready to accept applications by the first of the year. She shared staff put together a draft timeline today that she will share with the Commissioners so they can see what's on the horizon.
- She reported the Planning Division has hired a Planning Manager named Gustavo Gonzalez, who will be starting on Monday, July 29, 2019. She shared he is coming to Pomona from the City of Anaheim and will be a great addition to the team, providing the Planning Division a full complement of staff.

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ITEM J:  
DISCUSSION:

None.

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ADJOURNMENT:

The Planning Commission meeting was adjourned by Vice Chairperson Grajeda at 9:06 p.m. to the next regularly scheduled meeting of August 14, 2019 at 7:00 p.m. in the City Council Chambers.

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Anita D. Gutierrez, AICP  
Development Services Director