

UNOFFICIAL MINUTES
PLANNING COMMISSION
WEDNESDAY, OCTOBER 23, 2019

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

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

C. ROLL CALL: Roll was taken by Planning Manager Gonzalez.

COMMISSIONERS PRESENT: Chairperson Kyle Brown, Commissioners Jorge Grajeda, Alfredo Camacho, Gwen Urey, Kristie Kercheval

COMMISSIONERS ABSENT: Commissioner Richard Bunce (excused), Vice-Chair Ron VanderMolen (unexcused)

STAFF PRESENT: Planning Manager Gustavo Gonzalez, Senior Planner Ata Khan, Assistant Planner Lynda Lara, Planning Technician Alan Fortune

ITEM D
PUBLIC COMMENT:

None

ITEM E
CONSENT CALENDAR:

1. Approval of the draft Planning Commission Minutes meeting of September 25, 2019.

Motion by Commissioner Grajeda, seconded by Commissioner Kercheval, carried by a unanimous vote of the members present (5-0-0-2), to approve the consent calendar.

ITEM F
HEARING ITEMS:

Chair Brown reported Item F Hearing Items will begin with Item F-3.

F-1 PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 11796-2019) AND TENTATIVE PARCEL MAP (PARCEL MAP 11797-2019) A REQUEST TO SUBDIVIDE A 16,858 SQUARE-FOOT PROPERTY INTO TWO LOTS TO ALLOW FOR THE CONSTRUCTION OF A TWO-STORY 2,383 SQUARE-FOOT SINGLE FAMILY DWELLING, 521 SQUARE FOOT GARAGE, AND A 1,200 SQUARE-FOOT ACCESSORY DWELLING UNIT. THE PROPERTY IS LOCATED IN THE R-2 (LOW DENSITY MULTIPLE FAMILY) AND S (SUPPLEMENTAL USE OVERLAY) DISTRICTS AT 1349-1351 S. SAN ANTONIA AVENUE.

This item was heard after F-3.

Lynda Lara, Assistant Planner, provided a presentation on this item. (see Staff Report, Item F-1)

Chair Brown confirmed the ADU is not before the Planning Commission tonight and that the Commissioners are to focus on the Conditional Use Permit and lot subdivision.

Assistant Planner Lara replied that is correct.

Roger Su, applicant's architect; reported the applicant is appreciative of the opportunity to fully develop this vacant lot and looks forward to making a nice development for the community.

Commissioner Kercheval asked if there was someone living in the house now and if it's a rental.

Architect Su replied yes and correct.

Chair Brown opened the public hearing.

Maria Cabajal and Jose Salcido, next door neighbors; Ms. Cabajal expressed concerns about an easement that needs to be fixed on the applicant's property and asked how the applicant is going to do that and build a house. She spoke about it being a problem and about the applicant's property being on her land.

Chair Brown closed the public hearing.

Chair Brown asked staff if they had any comments pertaining to the public testimony.

Planning Manager Gonzalez replied that there isn't an easement on the applicant's property, so it can be developed. He stated staff would be happy to sit down with Maria Cabajal and Jose Salcido to review their concerns and property developability.

Chair Brown and Commissioner Grajeda requested staff reach out to Maria Cabajal and Jose Salcido.

Commissioner Kercheval stated there could be an easement on the property that was made before 1972 and suggested doing a title change search.

Motion by Commissioner Urey, seconded by Commissioner Kercheval, to approve Conditional Use Permit (CUP 11796-2019) and Tentative Parcel Map (PARCEL MAP 11797-2019).

Commissioner Camacho asked for guarantee that staff will investigate the neighbor's property.

Development Services Director Gutierrez replied staff will get Maria Cabajal and Jose Salcido's contact information and reach out to them. She stated she can't commit to solving the issue, but staff will work with them to come to an understanding of what the issue is, so they are aware and if there is any path forward staff will work with them.

Commissioner Camacho asked if voting yes on this item would make it difficult for Maria Cabajal and Jose Salcido to subdivide in the future.

Development Services Director Gutierrez responded she understands it as the issue is unique to Maria Cabajal and Jose Salcido's property, therefore, it would not have any implications on the project the Planning Commission is voting on.

Planning Manager Gonzalez asked if the Commission wanted to add the condition mentioned by Ms. Lara about the roof tile.

Chair Brown asked if that condition was acceptable to Commissioner Urey and Commissioner Kercheval.

Commissioner Urey and Commissioner Kercheval agreed.

Motion by Commissioner Urey, seconded by Commissioner Kercheval, carried by a unanimous vote of the members present (5-0-0-2), to approve Conditional Use Permit (CUP 11796-2019) and Tentative Parcel Map (PARCEL MAP 11797-2019) a request to subdivide a 16,858 square-foot property into two lots to allow for the construction of a two-story 2,383 square-foot single family dwelling, 521 square foot garage, and a 1,200 square-foot Accessory Dwelling Unit. The property is located in the R-2 (Low Density Multiple Family) and S (Supplemental Use Overlay) Districts, including the roof tile condition mentioned by Assistant Planner Lara.

F-2

PUBLIC HEARING – MAJOR OAK TREE PERMIT (MAJOTP 12699-2019) REQUEST FOR APPROVAL FOR THE UNPERMITTED REMOVAL OF AN OAK TREE ON A LEGAL NONCONFORMING RESIDENTIAL PROPERTY LOCATED AT 1598 S. RESERVOIR STREET IN THE M-1 (LIGHT INDUSTRIAL) ZONING DISTRICT.

Planning Manager Gonzalez reported the applicant did not receive the mailed staff report and requested a continuance to November 13, 2019.

Chair Brown opened the public hearing.

Angela Alonzo was present to speak and chose to return on November 13, 2019 to comment.

Motion by Commissioner Camacho, seconded by Commissioner Urey, carried by a unanimous vote of the members present (5-0-0-2), to continue this item until November 13, 2019.

F-3

PUBLIC HEARING – MAJOR OAK TREE PERMIT (MAJOTP 12724-2019) FOR APPROVAL FOR THE UNPERMITTED REMOVAL OF AN OAK TREE ON A RESIDENTIAL PROPERTY LOCATED AT 2088 PINEHURST PLACE IN THE R-1-7,200 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

This item was heard before Items F-1 and F-2.

Planning Manager Gonzalez requested a continuance to November 13, 2019 because the applicants reported that they had not received the staff report and weren't aware of the recommendation. He noted the applicants are Spanish speaking.

Chair Brown opened the public hearing.

Motion by Chair Brown, seconded by Commissioner Grajeda, carried by a unanimous vote of the members present (5-0-0-2), to continue this item until November 13, 2019.

F-4

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 9633-2018) AND VARIANCE (VAR 11693-2019) TO CONSTRUCT A GAS STATION AND CONVENIENCE STORE WITH A BEER AND WINE OFF-SALE LICENSE (TYPE 20 ABC LICENSE); AND VARIANCE (VAR 11693-2019) TO DEVIATE FROM POMONA CORRIDORS SPECIFIC PLAN DEVELOPMENT STANDARDS TO ACCOMMODATE A GAS STATION; FOR THE PROPERTY LOCATED AT 1600 WEST HOLT AVENUE.

Ata Khan, Senior Planner, provided a presentation on this item. (see Staff Report, Item F-4).

Chair Brown asked if the draft resolution contained a condition for the the Art in Public places.

Senior Planner Khan replied no, that is up for Planning Commission consideration.

Chair Brown confirmed staff doesn't know whether the financial threshold will be met.

Senior Planner Khan replied that valuation will be determined at Building Permit check be the Building and Safety Department.

Chair Brown asked if conditions pertaining to the access of the adjacent property and the relocation of the pole and utilities were included in the draft resolution.

Senior Planner Khan replied the Planning Commission needs to consider Condition #13 which references a reciprocal access agreement, as well as, staff are recommending language be added about the relocation and/or undergrounding of that light pole to facilitate access.

Chair Brown confirmed the deviation from the Corridor Specific Plan was about variances in the frontage coverage and signage requirements.

Senior Planner Khan replied the language has been written to be broader, but if the Planning Commission wants to specifically call out those specific variances they can.

Chair Brown confirmed those are the deviations that staff feel are required.

Senior Planner Khan replied correct.

Commissioner Kercheval asked about the location of the power pole and access road.

Senior Planner Khan pointed out these on the subject property. He reported a new two-way driveway has been proposed and the other existing driveway has been conditioned by public works to be curbed out and closed off.

Commissioner Kercheval confirmed there was still plan for a traffic light when coming straight from Dudley.

Senior Planner Khan replied there is an existing signal and asked Director of Public Works Guerrero to speak about those conditions.

Director of Public Works Guerrero stated Condition #40 requires the applicant to modify the traffic signal as necessary and to make that driveway the fourth lane in a four-way intersection.

Commissioner Grajeda asked if the liquor license will be moved from the existing business and if it was liquor or beer and wine.

Senior Planner Khan replied the proposal is for a Type 20 Beer and Wine off sale license. He reported there is an existing Type 20 license. He recommended asking the applicant about the liquor license swap. He stated staff's analysis shows it doesn't represent an increase in a new license, because it's the same location.

Commissioner Grajeda stated the Police Department used to provide a map with the statistics and areas of crime. He expressed concerns that the data provided by staff doesn't give the Commission an idea of the location of the adjacent high crime areas. He commented it will be a beautiful new business that will be more attractive, but this is his District and he is afraid it could become a high crime area because of the liquor license. He asked if it was dangerous to have a Verizon tower in the same place as gas is being sold.

Senior Planner Khan replied staff receive a map of all 100 Police reporting districts, but the analysis typically looks at the immediate area for cumulative impacts. He reported there are conditions of approval that staff believe will mitigate safety impacts. He noted the existing alcohol licenses do not have the same entitlements that the proposed alcohol license does (i.e. hours of operation, self-locking coolers). He responded staff does not have any evidence that the cell tower would be incompatible with the gas station.

Commissioner Grajeda asked if staff knows who is going to be the owner/operator.

Senior Planner Khan replied staff does not know who the franchise operator will be, only that 7-Eleven is involved in the operation of the convenience store and gas station.

Commissioner Grajeda replied some 7-Eleven franchise owners in the City of Pomona don't care, so he'd like to know who the owner/operator will be.

Senior Planner Khan replied that would be an appropriate question for the applicant.

Commissioner Urey asked if bike racks are included in the design.

Senior Planner Khan replied he'd have to look back at the site plan. He noted that would be an appropriate condition.

Commissioner Camacho commented that the Corridor Specific Plan mention a desire to be more pedestrian orientated and less car centric. He asked if variance was to use the base code and Pomona zoning ordinance because it allows gas stations on Holt Ave.

Senior Planner Khan replied the gas station Conditional Use Permit requirement applies citywide and in the Corridor. He confirmed the Pomona Corridor Specific Plan is intended to be more transit/pedestrian oriented, however, as adopted it still permits gas stations as a legally permitted use with a Conditional User Permit.

Commissioner Kercheval asked if there was a sidewalk or if the landscaping went all the way up to the street.

Senior Planner Khan replied there is a sidewalk.

Chair Brown opening the public hearing and invited the applicant to come forward.

Ben Steckler, manager with Fiedler Group, thanked staff for their diligent work. He spoke about using the Planning Commission's and staff's recommendations to design a building that is not typical for 7-Eleven. He stated the proposed design is more architecturally compatible and appropriate for the downtown segment of the Corridor Specific Plan and is pedestrian oriented, because the building is at the front of the site with two entrances; one towards Holt Ave. and the other facing (per county law) the fueling canopy. He reported the cashier, per county law, must be able to see the fueling positions, so they did also an interior redesign. He stated the applicant is accepting of all the conditions of approval as presented by staff, as well as, has voluntarily included art areas within the building structure for a local artist to use. He stated there was a traffic study prepared for the project that requires the project to be a participant in the intersection, therefore plans include the installation of a traffic light on Dudley to regulate patrons exiting and entering the site. He noted the signal will include a left turn pocket specifically from Holt Avenue turning into the site with an arrow traffic signal. He noted they did not include lights in the rendering. He reported the existing Beer and Wine license will be closed and a new Beer and Wine license will be issued from ABC.

Sherrie Olson, 7-Eleven consultant, reported the beer and wine license that exists at 1600 W. Holt Ave. has at that location since 1996 operating without any restrictions. She reported the applicant is transferring the existing license to the new location on the existing pad. She noted it will not increase the number of licenses within the city but will include the conditions set in place by city staff and the Commission. She noted there will be a lot of security measures that are not at the site right now, such as lockable cooler doors, a POS system that automatically stops transactions for age restrictive products (tobacco, alcohol), well trained staff who police the area on an hourly basis, a well-lit interior and exterior, and security cameras with an IP the Police Department can access. She reported 7-Eleven has secret shoppers for compliance items and if a franchise gets three red cards, they can lose their store (valued at half a million dollars). She stated legally the franchisee cannot be selected until all the entitlements in place because they must buy the store. She stated it is usually the owner of the next closest 7-Eleven. She spoke about their being new franchise agreements that include requirement for community outreach. She shared this will be a flagship store with a tremendous amount of fresh food, the new Latte Bar and more.

Commissioner Urey asked about people coming in to buy their medicines.

Sherrie Olson replied just over the counter medicine, it will not include a pharmacy.

Commissioner Urey asked if this location will have Amazon Lockers.

Christopher Gabriel, 7-Eleven consultant, replied some locations have Amazon lockers, however, they are not planned for this site. He stated they can always be considered in the future if space is warranted.

Commissioner Grajeda commented this is a project he'd like to see in his District; however, he has concerns about crime. He stated Holt Avenue is one of Pomona's main thoroughfares that the City has great plans for. He stated the operator will make a world of a difference and asked that the consultants select a good operator.

Sherrie Olson replied 7-Eleven is addressing those bad situations with the new franchise agreements.

Commissioner Grajeda asked if the art rendering was reflective of what is going to be there.

Christopher Gabriel added it's an example of where art would be located on the building. He reported a local artist would create the actual art for that building.

Commissioner Grajeda asked staff if the Cultural Arts Commission would be involved with that process.

Development Services Director Gutierrez replied yes. She stated staff doesn't know if this monetarily qualifies for the Arts in Public Places program which would require art on site or a 1% contribution of the valuation to the Arts in Public Places program. She stated the Planning Commission could require as a condition of approval, notwithstanding the financial valuation, that art be placed. She noted the proposed mural on the building would go the Cultural Arts Commission.

Commissioner Grajeda asked the applicants if that condition would be amendable.

Ben Steckler replied absolutely and reiterated that they are voluntarily placing art on the building.

Commissioner Grajeda requested the franchise employ Pomona residents.

Christopher Gabriel responded that new 7-Eleven franchisees must be able to operate the store at a much higher level and one of the first things they do is knock on doors and ask folks if they want a job. He reported that the result is that 80-90% of the employees are from the neighborhood and a reflection of that neighborhood, speaking the same languages. He noted it helps sales and the store becomes a part of the community in a much more intentional way.

Commissioner Camacho thanked the applicant for working with staff on the design. He commented it communicates the message that they want this approved. He spoke how the high school students at the last meeting talked about how this 7-Eleven would be a great place for them to hang out and how he challenged the developers to think about outside seating. He commented he was disappointed when he saw this design didn't include that and asked if any 7-Elevens have café style seating.

Sherrie Olson replied they try no to have outside seating because they don't want to encourage loitering.

Commissioner Camacho agreed that the 7-Elevens in Pomona tend to bring loitering.

Sherrie Olson responded they discourage loitering; however, staff are very cognoscente of who comes into the stores if they are near a high school staff watch the backpacks and work with local schools on different incentive programs (scholarship, attendance).

Commissioner Camacho responded his question was about the benefits not marketing to high school students.

Ben Steckler replied they cannot add seating because they are classified as a market by L.A. County Environmental Health. He stated if they have seating, they would be classified as a restaurant.

Commissioner Camacho responded his questions was more about making the site more pedestrian oriented, so its not just a passive place where people get their coffee and drive/walk away.

Christopher Gabriel responded if they open the store and it looks like there isn't a transient or loitering problem and the store is being managed well, there is a possibility to revisit this idea.

Commissioner Kercheval stated she really likes the new dynamic design. She asked how vape and nicotine products are regulated.

Ben Steckler replied all regulated substances (nicotine, beer and wine) require an ID swipe at point of sale to verify a valid ID and age. He stated all nicotine products are behind the counter and only accessible by request. He reiterated that the beer and wine cooler doors can be automatically locked by the cashier at any given time throughout the day.

Commissioner Kercheval shared she has witnessed kids grabbing a case of beer and walking out and asked what techniques 7-Eleven uses to deal with this.

Sherrie Olson replied grab and runs are not that common. She stated 7-Eleven doesn't have floor displays of beer and beer and wine in the newer stores are kept in lockable coolers.

Ms. Olson added if the cashier sees a younger kid or notices there has been a lot of theft everything can get locked. She shared usually the cashiers know who is stealing because they have been caught on camera and that person is asked not to come back to the store.

Christopher Gabriel reported that the procedure is that the sales associate will create an internal case and only call the police under drastic circumstances. He stated the case information is sent to the market manager and then onto the business consultant that works with the store to review the tape to see what happened and if there was a store error. He shared the till at the front counter is limited to \$50 during the day and \$35 at night, to eliminate any possibility of crime. He spoke about there being a drop safe for the sales associates and stated the tills are checked several times a week.

Commissioner Kercheval asked if the security cameras with the IP address that Police can access was something that exists in other 7-Elevens.

Ben Steckler replied the IP access goes with the newer security systems, along with high definition cameras and a DVR that will record a month worth of footage. He stated those recorded can be transferred to the Police electronically via the IP address. He shared that in other cities this type of security system has been used to help apprehended people. He replied to Commissioner Urey's previous question about bike racks, pointing out their location on the site plan.

Commissioner Urey asked if there was a condition that both doors remain open when the store is open.

Ben Steckler replied it's not a condition of approval, but the intent is to have the two doors accessible to the public on the street and the parking and gas area behind.

Commissioner Urey commented she has seen situations like this where the operators have decided, due to shoplifting issues, to turn the second door into a wall.

Ben Steckler responded if the Planning Commission wants to make that a condition of approval, they will accept it.

Chair Brown asked if the applicant has an opinion on the relocation of the alleyway Edison.

Ben Steckler replied 7-Eleven prefer to underground utilities when they build a new store. He reported it's also a condition of approval from Public Works. He stated they would prefer not to have the easement but are open to undergrounding or relocating the pole.

Chair Brown began public comment.

Marcos Molina, Substance Abuse Prevention Coordinator Day One, Pomona Branch; spoke about alcohol access and inequity within the Pomona Community. He shared he did some research and within a ten-minute walking distance of the project site found a total of 15 liquor licenses; five Type 20. He stated he does not understand the necessity of having such a high concentration of liquor licenses within this area. He suggested the developers invite businesses to share space or bring in a pharmacy as an alternative to alcohol sales. He spoke about the CVCC youth being present at the last meeting speaking about 7-Eleven as an after school/weekend hang out and stated he'd like to see space allocated for youth and the community that isn't auto centric. He shared he has worked in Pomona on substance abuse prevention for seven years and although the developer has spoken about preventing alcohol from getting into youth hands, he has not seen any outreach. He reported that Day One has started a campaign on underage drinking and drug culture and on Monday, October 28, 2019 from 6:00-8:00 p.m. the dA Center for the Arts they will be hosting a free reality party exposing the reality of underage drinking.

Josh Golchek, property owner, stated he is excited to have been able to address the Commissions concerns from the last meeting. He spoke about accommodating the Corridor Specific Plan's architectural layout by having a store that is up against the boulevard with two doors. He spoke about being proud of the rendering and aesthetics and stated this will

be a flagship store for the entire Corridor and Holt Avenue. He stated beer and wine sales already exist in the current operation and the new store will be operating under the new standards along with 7-Eleven monitoring (i.e. locked coolers). He stated this project will spark development by taking an older dilapidated building and bringing in a new development along with a gas station. He stated he is proud to be a property owner in the City of Pomona and looks forward to this project being approved.

Chair Brown asked Mr. Golcheh if he owns other commercial properties in the City of Pomona and confirmed he is the owner of the property at White and Mission. He asked what would lead the Commission to believe that this property will not fall into disrepair as some of Mr. Golcheh's other properties.

Mr. Golcheh confirmed ownership and reported he spends between \$3,000 to \$5,000 per month on security and repairs on the Mission and White property. He stated it has not been easy for him to maintain with the homeless breaking in. He reported he has submitted grading and building plan simultaneously to expedite the construction process at this site because once it is an operating shopping center, it will be easier to maintain and monitor. He shared he has installed stealth monitoring at some of his properties, which includes security cameras that emit high impact light and noise to deter loitering, as well as, they are directly connected to the Police Department. He stated it is within his best interest to take care of his properties.

Chair Brown responded he appreciates the challenges property owners face with some of those conditions, however, his property stands out and he has some concerns.

Eric Cohen, voiced support for the development of the property. He commented how beautiful the building will be and spoke about how it will bring life to an intersection that is currently very dull and dark. He noted it will also bring jobs.

Gloria Torrez, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated this project will bring more shopping options and a gas station which is needed in that community. She stated she loves the architecture and design and thinks it will beautify the area.

Sandra Obando, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated she is looking forward to more development in the area. She stated she and her neighbors feel it's a good project.

Maricela Garcia, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated they need a gas station in the area and it's close to the freeway. She spoke about the project illuminating that area at night and it being a place children can go after school to get a snack on their way home.

Lilia Gomez, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated it's a great project and something that will beautify the area. She spoke about it being a place for children to stop for snacks.

Lidia Penuelas, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated it will be a good thing for Pomona.

Leticia Lopez, translated by Planning Manager Gonzalez; voiced support for 7-Eleven. She stated they are beautifying the site and having a gas station in this area is important for the community. She spoke about the importance of having this kind of store nearby to pick up medicine, milk other needed items.

Chair Brown invited the applicant, Ben Steckler, forward to provide a response to public comment. Mr. Steckler declined.

Chair Brown closed the public hearing.

Commissioner Grajeda commented he loves that the community showed up and thanked them.

Commissioner Grajeda motioned to approve but did not get a second. Discussion continued.

Chair Brown asked what the City has in place in terms of the conditions in the draft resolution to address his concerns about the condition of this property. He stated he wants to ensure this site does not degrade in quality in the same way they have seen other sites with similar proposals.

Development Services Director Gutierrez replied Condition #8 states that the property owner shall maintain regular maintenance and cleaning of exterior walkways, patios, sidewalks and landscaping. She noted that condition doesn't specify prior to construction or during construction, so it would be appropriate to add language to that condition.

Commissioner Camacho commented he feels there are already too many 7-Elevens in Pomona but wants to hear from the other commissioners. He stated he doesn't think a gas station is needed, because there are two other gas stations a block away. He noted there are also other places for people to gather across the street, such as Donuts Plus. He stated there isn't a need for another alcohol license and feels this could be an opportunity to remove a license in a problematic area. He stated he'd like to make that area safer and spoke about the Corridor Specific Plan, Downtown Gateway segment calling for higher quality more pedestrian oriented development; two story and/or single story not a single use.

Chair Brown thanked the community for speaking and stated the process is always stronger when folks advocate for their community. He expressed appreciation to staff and the applicant for the follow up that has happened since the last meeting. He stated the Planning Commission provided harsh feedback on the site planning and expressed concerns about easement access and alcohol license. He stated this is an exciting design concept that is more pedestrian oriented, as well as, includes integration of art and a green wall and doorways on Holt Avenue. He stated the design goes above and beyond what he was expecting. He stated some cleanup is needed on the resolution and would like the following included; 1) a condition that the Art in Public Places be added, regardless of value of the property, 2) a condition about the relocation of the Edison Pole, addressing the easement access issues with the adjacent property, 3) a condition for the door on Holt Ave to remain open for a street presence and 4) addition of language to ensure that the quality of the site be preserved prior to construction so they don't have public health and appearance issues.

Senior Planner Khan recommended a fifth condition to make sure the living wall is maintained as landscape.

Chair Brown responded he would support that.

Commissioner Kercheval agreed with the Chair Brown concerns about the site being maintained and his suggestion to add a condition about the door remaining open. She commented people can buy medicine and alcohol at other stores in the area that are open until 11:00 p.m., however, she doesn't want to send a negative message that people can't come to Pomona. She stated convenience stores are not her favorite kind project, however, she is encouraged by the new design.

Motion by Commissioner Kercheval, seconded by Chair Brown to approve Conditional Use Permit (CUP 9633-2018) and Variance (VAR 11693-2019) with conditions as summarized by Chair Brown and staff.

Commissioner Grajeda expressed concern that the Commissioners were sending a message of disapproval to the community. He stated they have a great project in front of them that is a higher quality. He noted the liquor license will be issued by today's standards and the developer is working with the City and the Commission. He noted just around the corner are several apartment buildings with a lot of people who'd rather not go two or three blocks to get gas. He stated this is what the community wants. He stated he wishes he was hearing more good things about this project from his fellow Commissioners.

Commissioner Urey proposed an amendment to the motion to add a condition about the inclusion of a bike rack.

Commissioner Kercheval and Chair Brown accepted that amendment as a sixth condition.

Commissioner Urey stated she is very impressed with all the changes made to address the Commission's concerns. She stated she plans to vote in favor. She spoke about SB100 and no longer driving with gasoline. She encouraged 7-Eleven think about the next infrastructure when spending money developing new sites.

Commissioner Camacho responded he doesn't want his comments to be construed as anti-business. He stated he was just thinking about all the correlations to communities that have high concentrations of fast food, liquor stores, alcohol retail outlets, and convenience stores. He stated he is trying to elevate the types of businesses that Pomona attracts. He agreed that this project is a step up from what's currently there and stated he too appreciates the efforts of the applicant. He noted Pomona is a growing city and Holt Avenue is the main corridor, between the 71 and the 10 freeways. He stated he will be voting in favor of this.

Motion by Commissioner Kercheval, seconded by Chair Brown, carried by a unanimous vote of the members present (5-0-0-2), to approve Conditional Use Permit (CUP 9633-2018) and Variance (VAR 11693-2019) to construct a gas station and convenience store with a beer and wine off-sale license (Type 20 ABC License); and Variance (VAR 11693-2019) to deviate from Pomona Corridors Specific Plan development standards to accommodate a gas station; for the property located at 1600 West Holt Avenue; with conditions as summarized by staff; 1) the applicant shall explore feasible undergrounding of the light pole closest to Holt Avenue along the shared property line and if that is not practical to explore relocation of the pole and if either is not practical to record a reciprocal access agreement on the western driveway, 2) to ensure that the living wall maintains landscaping at all times, 3) the front entrance be open during business hours or not be closed off, 4) to include an Art in Public Places requirement for the applicant to provide public art as noted in the site plan, 5) to ensure maintenance prior to construction. 6) add a condition to include a bike rack.

ITEM G

PLANNING COMMISSION COMMUNICATION:

Commissioner Grajeda asked Public Works Director Guerrero if the budget has remained the same, because they used to have beautiful maintenance in Phillips Ranch but now it is horrible.

Public Works Director Guerrero replied he would be happy to discuss offline because what is well maintained versus not well maintained is subjective. He stated contract pricing continues to rise and the budget has stayed the same. He reported he is looking at creating a Phillips Ranch landscape maintenance Ad Hoc Committee comprised of representatives from the Phillips Ranch community. He stated the Ad Hoc Committee will meet with staff and talk through these issues and set priorities about where to spend money.

Commissioner Grajeda asked if the original Phillips Ranch Ad Hoc Committee owes the City of Pomona any money for a sample project that was discussed.

Public Works Director Guerrero replied he is not aware of such an activity.

Commissioner Kercheval stated she was encouraged by the design and the subdivision of making a house an ADU. She thanked the Planning Department for all their work.

Commissioner Urey commented the repaving on Arroyo is beautiful.

Commissioner Camacho thanked Public Works Director Guerrero for responding to the comments of the District 2 community member about Tony Cerda Park. He stated he saw the benches today and they were installed. He thanked Chair Brown, Commissioner Urey, the Assistant City Attorney and Public Works Director Guerrero for attending the 5K. He shared Commissioner Urey won first in her 10K Division and the City Manager won first place.

ITEM H

DEVELOPMENT SERVICES DIRECTOR / PLANNING MANAGER COMMUNICATION:

Planning Manager Gonzalez reported that the Waste and Recycling ordinance went to City Council on October 16, 2019 and went into effect on October 16, 2019. He reported in follow up to the recommendation made from the Planning Commission to reach out to those businesses/properties affected staff have sent a notification letter to 5 recycling business and 12 Pallet yards. He noted the ordinance reduced the time a property that is considered legal non-conforming would have to reestablish, if they discontinued use, from two years to 180 days.

ITEM I:

DISCUSSION:

None

ADJOURNMENT:

The Planning Commission meeting was adjourned by Chairperson Brown at 10:30 p.m. to the next regularly scheduled meeting of November 13, 2019 at 7:00 p.m. in the City Council Chambers.

Anita D. Gutierrez, AICP
Development Services Director

Jessica Thorndike, Transcriber

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