

OFFICIAL MINUTES
PLANNING COMMISSION
MARCH 22, 2017

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: Commissioner Ramos led the flag salute

ROLL CALL: Roll was taken by Development Services Manager Johnson

COMMISSIONERS PRESENT: Chair Hemming and Vice Chair Arias; Commissioners Brown, Grajeda, Ramos, and Ursua

COMMISSIONERS ABSENT: Commissioner Juarez (excused)

STAFF PRESENT: Development Services Director Lazzaretto, Development Services Manager Johnson, Deputy City Attorney Elder, Assistant Planner Session-Goins, City Engineer Guerrero, Supervising Water and Resources Engineer Garibay, and Minutes Clerk Casey

ITEM D:
PUBLIC COMMENT:

David Holmes, 28 years owner of a commercial business in Pomona, spoke regarding his support for the banning of recycling centers. His business was across from a waste/recycling station which had been owned by many nonregulated recycling businesses throughout the years. He encouraged the Commission to vote yes on the recycling ban.

ITEM E:
CONSENT CALENDAR: None

ITEM F:
PUBLIC HEARING ITEMS:

F-1 PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 3967-2016) FOR THE DEVELOPMENT OF TWO ATTACHED SINGLE-FAMILY RESIDENTIAL UNITS AND VARIANCE (VAR 6759-2017) TO ALLOW AN INCREASE IN DWELLING UNIT DENSITY ON PROPERTY LOCATED AT 1028 W. FERNLEAF AVENUE IN THE R-2-S (LOW DENSITY MULTIPLE FAMILY WITH SUPPLEMENTAL OVERLAY) ZONE.

Assistant Planner Session-Goins provided a staff report regarding a request for the development of two attached single-family residential units. She stated the staff report would also apply to item F-2 as the projects were requested from the same applicant and were like projects. Commissioner Ramos stated a concern regarding the density of the project as he felt it could create parking issues and he stated a concern regarding the lack of adequate noticing of the project. Assistant Planner Session-Goins stated the project was noticed in the paper and notices were mailed to all within a 400 radius of the site. Commissioner Grajeda requested future projects have a more ethically pleasing artistic design. Chair Hemming opened the public hearing. Mr. Tim Law, designer for the project, agreed with the staff report and asked the Commission to approve. Vice Chair Arias inquired whether the applicant would be open to adding a condition for a streetlight. Mr. Tim Law stated he would agree if it is necessary. Chair Hemming inquired whether the applicant agreed to the existing conditions. Mr. Tim Law stated he was in agreement with all conditions. Chair Hemming closed public hearing. Commissioner Brown stated concerns granting a variance under these circumstances as he felt variances were to be granted under necessity due to hardships and he did not feel this project had a hardship. He stated if there was a need for the density to change for the area then the City Council should change the zoning for the area. Commissioner Ursua stated he did not feel the development fit due to the square footage of the four bedrooms being requested therefore he could not support the request.

The Commission discussed and agreed to add a condition requiring a streetlight to be installed, cost to be shared between the two parcels.

Motion by Vice Chair Arias, seconded by Chair Hemming, failed by a vote of the members present (2-3-1-1), Commissioners Brown, Ramos and Ursua denied, Commissioner Grajeda abstained, and Commissioner Juarez excused, denying Conditional Use Permit (CUP 3967-2016) and Variance (VAR 6759-2017).

Development Services Manager Johnson stated the applicant or anyone disagreeing with the decision made tonight had 20 days to file an appeal with the City Clerk.

F-2

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 4280-2016) FOR THE DEVELOPMENT OF TWO ATTACHED SINGLE-FAMILY RESIDENTIAL UNITS AND VARIANCE (VAR 6760-2017) TO ALLOW AN INCREASE IN DWELLING UNIT DENSITY ON PROPERTY LOCATED AT 1036 W. FERNLEAF AVENUE IN THE R-2-S (LOW DENSITY MULTIPLE FAMILY WITH SUPPLEMENTAL OVERLAY) ZONE.

Assistant Planner Session-Goins provided a staff report regarding a request for the development of two attached single-family residential units. She stated the staff report would also apply to item F-1 as the projects were requested from the same applicant and were like projects. Commissioner Ramos stated a concern regarding the density of the project as he felt it could create parking issues and he stated a concern regarding the lack of adequate noticing of the project. Assistant Planner Session-Goins stated the project was noticed in the paper and notices were mailed to all within a 400 radius of the site. Commissioner Grajeda requested future projects have a more ethically pleasing artistic design. Chair Hemming opened the public hearing. Mr. Tim Law, designer for the project, agreed with the staff report and asked the Commission to approve. Vice Chair Arias inquired whether the applicant would be open to adding a condition for a streetlight. Mr. Tim Law stated he

would agree if it is necessary. Chair Hemming inquired whether the applicant agreed to the existing conditions. Mr. Tim Law stated he was in agreement with all conditions. Chair Hemming closed public hearing. Commissioner Brown stated concerns granting a variance under these circumstances as he felt variances were to be granted under necessity due to hardships and he did not feel this project had a hardship. He stated if there was a need for the density to change for the area then the City Council should change the zoning for the area. Commissioner Ursua stated he did not feel the development fit due to the square footage of the four bedrooms being requested therefore he could not support the request.

The Commission discussed and agreed to add a condition requiring a streetlight to be installed, cost to be shared between the two parcels.

Motion by Vice Chair Arias, seconded by Chair Hemming, failed by a vote of the members present (2-3-1-1), Commissioners Brown, Ramos and Ursua denied, Commissioner Grajeda abstained, and Commissioner Juarez excused, denying Conditional Use Permit (CUP 4280-2016) and Variance (VAR 6760-2017).

Development Services Manager Johnson stated the applicant or anyone disagreeing with the decision made tonight had 20 days to file an appeal with the City Clerk.

F-3

PUBLIC HEARING – SPECIFIC PLAN AMENDMENT (SPA 6114-2016) TO ALLOW PROPERTY WITHIN THE PCSP URBAN NEIGHBORHOOD EXPANSION ZONE THAT IS NOT CONTIGUOUS WITH POMONA CORRIDOR SPECIFIC PLAN (PCSP) AREA PROPERTY TO DEVELOP UNDER THE PCSP URBAN NEIGHBORHOOD EXPANSION ZONE DEVELOPMENT STANDARDS, TENTATIVE PARCEL MAP 74696 (PARCELMAP 5850-2016) TO CONSOLIDATE TWO LOTS INTO ONE, AND DEVELOPMENT PLAN REVIEW (DPR 535-2016) TO ALLOW CONSTRUCTION OF A 36-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT TWO AND THREE STORIES IN HEIGHT ON A PROPERTY THAT IS APPROXIMATELY 2.24 ACRES IN SIZE. THE SUBJECT SITE IS LOCATED AT 203 MYRTLE AVENUE IN THE R-2-PD (LOW DENSITY MULTIPLE FAMILY PLANNED DEVELOPMENT) ZONING DISTRICT AND ALSO IDENTIFIED WITHIN THE PCSP URBAN NEIGHBORHOOD EXPANSION ZONE.

Associate Planner Lee provided a staff report regarding a request to construct a multi-family residential development. Development Services Manager Johnson stated staff felt the project was a good project, but they had some concerns. The developer had some good arguments as to why the project was designed as it was. Staff will lean on the Commission for direction. Commissioner Grajeda stated a concern regarding developers requesting projects which require many changes to the area. He stated he was not happy about amending the specific plan. Chair Hemming opened the public hearing. Mr. Matthew Patel, representing the developer, requested a favorable outcome from the Commission and provided background on why he felt approval should be recommended. Ms. Gloria Tellez, Pomona resident, stated she was all for new development, but she stated she would like to see the developer install speed bumps, underground the utilities, repave the street, and

restore the park. She stated a concern with her home currently sharing a wall with the park and possible parking issues due to the development. Mr. Esteban L. Huerta, Pomona resident, stated support for the new development as he felt it would benefit the neighborhood. Chair Hemming closed the public hearing. Chair Hemming stated much time had been spent on the Corridor Specific Plan and she did not feel the project should be fenced. She stated concerns regarding the lack of green space and the lack of parking. She stated she could not support the project and she would like to see the developer redesign the project. Commissioner Brown stated a concern with the lack of a traffic study and a concern regarding the location of the project due to the area being mostly single family residential and the area being located near railroad and major truck routes. City Engineer Guerrero stated typically a traffic study was required if there were 50 peak hour trips or more. Staff felt this project did not meet that threshold so a traffic study was not required. Commissioner Ramos stated he agreed with the concerns stated and he felt the specific plan was put in place for the city and should be followed. Vice Chair Arias thanked the speakers, agreed with concerns stated regarding fencing and parking, and stated he would like to see the project redesigned as the development was needed in the city. Commissioner Ursua stated his major concern was the Specific Plan Amendment given the area is residential. Chair Hemming reopened the public hearing to inquire whether the applicant would be willing to redesign the project. Mr. Matthew Patel stated he thinks it would be best to move the item to the City Council, as some of the concerns such as density should be discussed by that body. Chair Hemming closed public hearing.

The Commission discussed and agreed to direct staff to prepare a denial resolution.

Motion by Chair Hemming, seconded by Commissioner Ramos, carried by a unanimous vote of the members present (6-0-0-1), Commissioner Juarez excused, to direct staff to prepare a resolution for denial of Specific Plan Amendment (SPA 6114-2016).

ITEM G:
NEW BUSINESS:

ITEM H:
PLANNING COMMISSION COMMUNICATIONS:

Grajeda asked the attorney to look into the policy regarding Commissioners speaking to the public while the Commission was in session.

ITEM I:
DEVELOPMENT SERVICES MANAGER COMMUNICATIONS:

ITEM J:
ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Hemming at 9:01 p.m. to the regular scheduled meeting of April 12, 2017 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.