

OFFICIAL MINUTES
PLANNING COMMISSION
JUNE 14, 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 Ursua 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, and Ursua

COMMISSIONERS ABSENT:

Commissioners Juarez and Ramos

STAFF PRESENT:

Development Services Director Lazzaretto, Development Services Manager Johnson, Assistant City Attorney Jared, Assistance Planner Session-Goins, City Engineer Guerrero, and Minutes Clerk Casey

ITEM D:

PUBLIC COMMENT:

None

ITEM E:

CONSENT CALENDAR:

1. APPROVAL OF PC MINUTES:

-March 8, 2017

-March 22, 2017

Motion by Commissioner Grajeda, seconded by Commissioner Arias, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, approving the Planning Commission meeting minutes of March 8, 2017 and March 22, 2017.

2. TIME EXTENSION (EXT 7266-2017) 2160 S. GAREY AVENUE:

Approve a one-year time extension for Tentative Tract Map No. 72888 (TTM 14-008) which proposes to subdivide approximately 2.97 acres of property for 31 numbered lots for the development of 31 detached single-family residential units and two lettered lots for the internal drive aisles and private open space on property located at 2160 S. Garey Avenue, located in the Neighborhood Parkway Segment of the Pomona Corridors Specific Plan (PCSP).

Motion by Commissioner Grajeda, seconded by Commissioner Brown, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, approving Time Extension (EXT 7266-2017).

3. TIME EXTENSION (EXT 7501-2017) 1581 N. ORANGE GROVE AVENUE:

Approve a one-year time extension for Conditional Use Permit (CUP 08-068) to permit the development of an approximately 5,250-square foot single-story, multi-tenant retail and medical office building, including hardscape and landscape improvements, on a vacant 21,147-square foot property located 1581 N. Orange Grove Avenue within the Downtown Gateway Segment of Pomona Corridors Specific Plan (PCSP), formerly the C-3 (General Commercial) zoning district.

Motion by Commissioner Grajeda, seconded by Commissioner Brown, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, approving Time Extension (EXT 7501-2017).

ITEM F:

PUBLIC HEARING ITEMS:

F-1

PUBLIC HEARING – SIGN VARIANCE (SIGNVAR 6408-2016) TO ALLOW MORE THAN THREE (3) WALL SIGNS ON A PROPERTY; TO ALLOW TWO (2) WALL SIGNS TO BE ABOVE THE SECOND FLOOR; TO ALLOW A MONUMENT SIGN WITH FOUR (4) RATHER THAN THREE (3) LINES OF COPY; TO ALLOW A MONUMENT SIGN 11’ 8” TALL RATHER THAN 10’ 0”; TO ALLOW A MONUMENT SIGN WITH AN AREA OF APPROXIMATELY ONE HUNDRED (100) SQUARE FEET RATHER THAN SIXTY-FIVE (65) SQUARE FEET; AND TO ALLOW A MONUMENT SIGN ON A PROPERTY WITH LESS THAN 100 FEET OF STREET FRONTAGE ON AN EXISTING HOTEL LOCATED WITHIN THE C-4 (HIGHWAY-COMMERCIAL) ZONE.

Development Services Manager Johnson provided a staff report regarding a sign variance request. The Commission stated a concern regarding the setback for the monument sign. Chair Hemming opened the public hearing. Mr. Brian Lock, representing Hilton Hotels, agreed with the staff report and asked the Commission to approve. In addition, he provided background for the 3-foot setback request for the monument sign and the current monument sign. Development Services Manager Johnson stated staff would feel more comfortable with the 3-foot setback if a condition was placed requiring a line of sight study to be performed. In addition, he stated staff would request the current monument sign to be removed as it was out of place and out dated. Chair Hemming closed the public hearing. Commissioner Brown stated he felt this was a good example of justification for a variance as the request was clearly a hardship with a unique configuration of the site not having adequate street frontage. He stated he was not opposed to the monument sign being at close to the street as safely possible, but he did have a concern regarding the size of the sign at it is 35% larger than what the code allows.

The Commission discussed and agreed to add conditions requiring a line of sight study to be performed before the request to reduce from an 8-foot setback to a 3-foot setback for the new monument sign is approved.

Motion by Chair Hemming, seconded by Commissioner Brown, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, adopting Resolution No. 17-011, approving Sign Variance (SIGNVAR 6408-2016).

F-2

PUBLIC HEARING – MAJOR WIRELESS COMMUNICATION FACILITY (WIRE 2511-2015) PERMIT TO ALLOW THE INSTALLATION OF A NEW FREESTANDING 65-FOOT TALL WIRELESS COMMUNICATION FACILITY DESIGNED AS A STEALTH TOWER. THE PROJECT IS PROPOSED ON PROPERTY LOCATED AT 2377 N. GAREY AVENUE IN THE TRANSIT ORIENTED DISTRICT OF THE POMONA CORRIDORS SPECIFIC PLAN (PCSP).

Chair Hemming opened the public hearing to continue Major Wireless Communication Facility (WIRE 2511-2015) to July 26, 2017.

The Commission discussed and agreed to continue Major Wireless Communication Facility (WIRE 2511-2015) to July 26, 2017, to allow the applicant to work with staff to revise conditions.

F-3

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 the revised requests for the development of two attached single-family residential units. She stated the staff report would apply to item F-4 as the projects are requested from the same applicant and are like projects. Commissioner Ursua and Grajeda thanked the applicant for the project revisions. Chair Hemming opened the public hearing. Mr. Tim Law, the applicant, stated he worked with staff to make the changes requested by the Commission and he asked the Commission to approve. Chair Hemming closed the public hearing. Commissioner Brown thanked the applicant for the project revisions, but stated he still could not support the project due to the variance request as he did not feel the justification of density was adequate for a variance request. Vice Chair Arias stated he felt the density of the surrounding developments supported the variance request and he was impressed with the revisions therefore he could support the project.

Motion by Chair Hemming, seconded by Vice Chair Arias, carried by a majority vote of the members present (4-1-0-2), Commissioner Brown denied, Commissioners Juarez and Ramos excused, adopting the Resolution No. 17-012, approving Conditional Use Permit (CUP 3967-2016) and adopting Resolution No. 17-013, approving Variance (VAR 6759-2017).

F-4

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 the revised requests for the development of two attached single-family residential units.

Motion by Chair Hemming, seconded by Vice Chair Arias, carried by a majority vote of the members present (4-1-0-2), Commissioner Brown denied, Commissioners Juarez and Ramos excused, adopting Resolution No. 17-014, approving Conditional Use Permit (CUP 4280-2016) and adopting Resolution No. 17-015, approving Variance (VAR 6760-2017).

F-5

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 7445-2017) TO ALLOW THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION AT A PROPOSED NEW GAS STATION WITHIN A SHOPPING CENTER LOCATED IN THE C-4 (HIGHWAY COMMERCIAL) ZONING DISTRICT LOCATED AT 805 RIO RANCHO ROAD.

Development Services Manager Johnson provided a staff report regarding a request for the sale of beer and wine. He stated this request was previously approved, but the approved CUP was not acted upon and therefore the request was back before the Commission. Assistant City Attorney Jared reminded the Commission the sale of gas at the location should not be taken into consideration when making a decision regarding the sale of alcohol. Commissioner Grajeda stated concerns regarding the close proximity of sensitive uses such as schools and parks as well as the increase of traffic and the homeless population in the area. Commissioner Ursua inquired whether there was evidence which suggest additional stores selling alcohol created additional crime. Development Services Manager Johnson stated specific studies were not performed, but staff did consult with the Police Department and they did not have issue with the applicant's request. Chair Hemming opened the public hearing. Mr. Eric Lavon, representing the request, stated the ARCO AM/PM has had an ABC program for many years. The ABC license was previously approved, but the PCN expired which was why he was before the Commission requesting re-approval. The store had security measures in place such as 42 security cameras and locking coolers. In addition, he mentioned Condition No. 15 regarding the requirement for 14-foot Palm trees and inquired whether 12-foot trees would be acceptable. Development Services Manager Johnson stated 12-foot trees would be acceptable. Chair Hemming inquired whether employees would be trained on the sale of alcohol. Mr. Eric Lavon stated all employees are trained quarterly. Chair Hemming closed the public hearing.

The Commission discussed and agreed to revise Condition No. 15 to allow Canary Island date palm trees with a minimum 12 foot BTU.

Motion by Chair Hemming, seconded by Commissioner Ursua, carried by a majority vote of the members present (4-0-1-2), Commissioner Grajeda abstained, Commissioners Juarez and Ramos excused, adopting Resolution No. 17-026, approving Conditional Use Permit (CUP 7445-2017).

F-6

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 7029-2017) TO ALLOW THE CONSTRUCTION OF A NEW 6,114 SQUARE FOOT, ONE STORY, THREE-TENANT COMMERCIAL BUILDING ON A 1.15 ACRE SITE WITHIN THE POMONA RANCH PLAZA SHOPPING CENTER IN THE REGIONAL COMMERCIAL (R-C) ZONE OF THE PHILLIPS RANCH SPECIFIC PLAN (PRSP) AREA LOCATED AT 46 RIO RANCHO ROAD.

Development Services Manager Johnson provided a staff report regarding a request for the development of a new commercial building. Chair Hemming mentioned the open access to the outdoor dining area and inquired whether alcohol could be served outdoors. Development Services Manager Johnson stated there was not a request made for alcohol to be served outdoors. If the request was made at a later date the item would come back before the Commission. Chair Hemming opened the public hearing. Mr. Chuck Lau, representing YK America Group, agreed with the staff report and conditions of approval and asked the Commission to approve. Chair Hemming inquired whether there would be an issue with the outside dining only being accessible through the restaurant. Mr. Chuck Lau stated that would be the decision of the tenants and their operation. Vice Chair Arias mentioned street improvements required for a sinking pothole, next to Bank of America. Mr. Chuck Lau stated he would speak with Public Works regarding the responsible party for the needed street improvements and if the improvements would be made. Commissioner Grajeda mentioned landscape maintenance required from IHOP around the shopping center. Mr. Chuck Lau stated if the maintenance was needed within his property area it would be cleaned. Chair Hemming closed the public hearing.

Motion by Commissioner Grajeda, seconded by Chair Hemming, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, adopting Resolution No. 17-016, approving Conditional Use Permit (CUP 7029-2017).

F-7

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 6979-2017) TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A NEW RESTAURANT (POMONA PIZZA CO.) LOCATED WITHIN THE POMONA RANCH PLAZA SHOPPING CENTER IN THE REGIONAL COMMERCIAL (R-C) ZONE OF THE PHILLIPS RANCH SPECIFIC PLAN (PRSP) AREA LOCATED AT 46 RIO RANCHO ROAD, SUITE 101.

Development Services Manager Johnson provided a staff report regarding a request for the sale of beer and wine. Commissioner Grajeda stated he wanted to go on record that he spoke on the phone with the owner of Chino Hills Pizza Company, which he does not know personally, and the owner asked Commissioner Grajeda if he could support the project. Chair Hemming opened the public hearing. Mr. Andrew Rodriguez, Art Rodriguez and Associates, provided background on the Pomona Pizza Co., agreed with the staff report, and asked the Commission to approve. Chair

Hemming inquired whether beer and wine would be served on the patio. Development Services Manager Johnson stated beer and wine would only be served inside the restaurant. Chair Hemming closed the public hearing.

Motion by Commissioner Brown, seconded by Commissioner Arias, carried by a unanimous vote of the members present (5-0-0-2), Commissioners Juarez and Ramos excused, adopting Resolution No. 17-017, approving Conditional Use Permit (CUP 6979-2017).

ITEM G:
DISCUSSION: None

ITEM H:
NEW BUSINESS: None

ITEM I:
PLANNING COMMISSION COMMUNICATION:

Commissioner Brown mentioned attending a City Council meeting where appealed items were being heard and approved Planning Commission meeting minutes were not provided.

Commissioner Ursua and Grajeda stated they would like to meet with staff regarding upcoming projects.

Discussion ensued regarding Brown Act and Ethic trainings for the Commission.

Commissioner Grajeda mentioned a billboard on the 60 freeway advertising real estate and asked staff to look into the sign.

ITEM J:
DEVELOPMENT SERVICES COMMUNICATION:

ITEM K:
ADJOURNMENT: The Planning Commission meeting was motion to adjourn by Chairperson Hemming at 9:30 p.m. to the regular scheduled meeting of July 12, 2017 in the City Council Chambers.



Brad Johnson
Development Services Manager