

OFFICIAL MINUTES
PLANNING COMMISSION
JUNE 27, 2018

CALL TO ORDER:

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

FLAG SALUTE:

Commissioner Grajeda led the flag salute.

ROLL CALL:

Roll was taken by Development Services Manager Stadnicki

COMMISSIONERS PRESENT:

Chair Juarez; Vice Chair Ursua; Commissioners Grajeda, Arias, and Hemming

COMMISSIONERS ABSENT:

Commissioners Ramos (resigned) and Brown

Development Services Manager Stadnicki read into record a statement from Commissioner Kyle Brown.

STAFF PRESENT:

Development Services Director Suarez, Development Service Manager Stadnicki, Assistant City Attorney Jared, Senior Planner Tam, Senior Planner Khan, and City Engineer Guerrero

ITEM D:

PUBLIC COMMENT:

Mr. Walter Marquez, Vice-President and CFO Fairplex, thanked Development Services Director Suarez for meeting with him. He reiterated support for the General Plan, satisfaction with current zoning and the continued interest to work with both City and Community. He spoke about monitoring neighborhood impacts and strengthening the 24/7 Neighborhood Response System.

Mr. Gustavo Ramirez, not present

Mr. Roberto C. Arnold, not present

Mr. Lee Moran, not present

Ms. Eleanor Crescenzi, not present

(The preceding four speaker cards were carried over from the June 13, 2018 Planning Commission that was cancelled due to lack of quorum.)

Mr. Mario Ramos spoke about the 100 plus speaker cards and attendees at the previous meeting that was suspended due to lack of quorum; expressed concerns about Fairplex reform, oversight and ensuring that the culture of the corporation aligns with the City of Pomona's vision. He commented

on the importance of community involvement in the governing process and shared work that his group has done over the last three years, referencing recovered RDA monies of over \$100,000.

Ms. Judith St. John requested equal presentation time for the opposition and supporters at study sessions. She stated that the Fairplex has had more opportunities to make presentations and provided examples.

Chair Jaurez acknowledged Ms. St. John's comments and stated he was unaware of organized neighborhood opposition.

Development Services Director Saurez stated he was also unaware of organized groups and would have advised appropriately.

ITEM E:
CONSENT CALENDAR:

Nothing on the Consent Calendar

ITEM F:
PUBLIC HEARING ITEMS:

F-1 PUBLIC HEARING - CONDITIONAL USE PERMIT (CUP 7353-2017) AND TENTATIVE PARCEL MAP (PARCELMAP 7354-2017) NO. 82035. TO ALLOW THE DEVELOPMENT OF APPROXIMATELY 16,732 SQ. FT. OF NEW RETAIL SPACE IN TWO NEW BUILDINGS AND ONE EXISTING BUILDING (THAT WILL BE RECONFIGURED) ON A 1.45 ACRE LOT; AND A TENTATIVE PARCEL MAP (TPM) NO. 82035 TO COMBINE TEN LOTS INTO THREE PARCELS LOCATED AT 888 W. MISSION BOULEVARD IN THE MIDTOWN SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN AND THE MIXED-USE ARTERIAL RETAIL ZONE IN THE DOWNTOWN POMONA SPECIFIC PLAN.

Development Service Manager Stadnicki reported staff is recommending continuance of this item to a date uncertain.

Motion by Commissioner Hemming, seconded by Vice Chair Ursua, carried by a unanimous vote of the members present (5-0-0-1), Commissioner Brown (absent), continuance of Conditional Use Permit (CUP 7353-2017) and Tentative Parcel Map (PARCELMAP 7354-2017) to a date uncertain.

F-2

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 9813-2018) FOR A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A BOARDING SCHOOL ON AN 8.75 ACRE SITE AT 2322-2350-2370 S. GAREY AVENUE IN THE NEIGHBORHOOD PARKWAY SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN.

Development Services Manager Stadnicki reported staff is recommending continuance of this item to a date uncertain.

Motion by Commissioner Hemming, seconded by Commissioner Grajeda, carried by a unanimous vote of the members present (5-0-0-1), Commissioner Brown (absent), for the continuance of Conditional Use Permit (CUP 9813-2018) to a date uncertain.

F-3

PUBLIC HEARING - DEVELOPMENT PLAN REVIEW (DPR 5713-2016), CONDITIONAL USE PERMIT (CUP 9978-2018), AND TENTATIVE TRACT MAP (TRACTMAP 8416-2017). FOR A DEVELOPMENT PLAN REVIEW TO ALLOW THE DEVELOPMENT OF A THREE-STORY, MULTI-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 20 CONDOMINIUM HOUSING UNITS ON A VACANT 0.45 ACRE PARCEL LOCATED WITHIN THE WORKPLACE GATEWAY SEGMENT OF THE POMONA CORRIDOR SPECIFIC PLAN (PCSP); A TENTATIVE TRACT MAP TO ALLOW FOR CONDOMINIUMS; AND A CONDITIONAL USE PERMIT TO ALLOW FOR AN EXPOSED PARKING GARAGE.

Senior Planner Tam provided staff report for the construction of a three story condominium with 20 units and an exposed parking lot and associated site improvements. He provided location details, surrounding zoning, aerial and street views of the property, site plans and floor plans for the proposed development. He stated staff recommends adoption of the attached draft resolutions approving the Development Plan Review, CUP and tentative tract map, subject to conditions and findings. He noted the removal of Item 50, a traffic mitigation fee, which requires a resolution that has yet to be adopted.

Commissioner Hemming inquired if Item 23 from DPR Resolution includes the City's sidewalks.

Senior Planner Tam reviewed and responded yes.

Commissioner Ursua asked for a breakdown of the units and the parking required for each unit.

Senior Planner Tam responded the project includes six studios, two one bedrooms, and twelve two bedrooms. The parking requirement is based on the unit type; Studios are issued one parking stall, one bedroom units are allocated one and a half parking stalls and two stalls are assigned per two bedroom unit.

Chair Jaurez asked if the first floor was parking.

Staff confirmed that is correct and stated the applicant is required to get a CUP for first floor parking garage.

Chair Jaurez opened the public hearing.

Mr. Jonathan Ko, project applicant, speaking on behalf of TJ Investments, provided background on the project. He spoke about the opportunity and a demand for housing. He updated the commissioners that the abandoned house was demolished and the property is now a fenced vacant lot. He requested approval to move forward and expressed appreciation to the city's planners.

Commissioner Hemming asked if the applicant has met all of the conditions proposed by the planning staff.

Mr. Ko responded yes.

Commissioner Ursua inquired if TJ Investments will continue to own and manage after the project is built.

Mr. Ko responded that their intention is to sell.

Chair Juarez invited the public for comments.

Mr. Richard Rosenbluth, Pomona property owner, expressed concerns with Finding 4, Section 3 of the CUP. He stated that the streets are not adequate to carry traffic generated by the proposed area and provided specifics. He suggested the Commission encourage the applicant to get an easement through the parking lot of the dialysis building next door which already orients to the streets properly. He stated additional concerns about the lack of H.O.A. documents putting restrictions on the number of rental units and correlated this to an inability to qualify for FHA loans, serving the lower income hospital workers as discussed at the developer's community meeting.

Chair Jaurez deferred traffic questions to City Engineer Rene Guerrero.

City Engineer Guerrero stated this project did not qualify for a traffic impact analysis as it did not meet the 50 peak hour trip threshold. He stated there is an error with the language in the finding about the medians as there has been recent work completed on Garey Ave.

Chair Jaurez asked where the closest northbound U-Turn was located.

City Engineer Guerrero responded that the nearest intersection would be at La Verne Ave. Discussion ensued about the closest U-Turn being at Arrow Highway. Mr. Guerrero offered to reevaluate the prohibition of U-Turns at the nearest intersection.

Caleb Wong, representing the architects at Creative Designs Associates, stated a correction in the presentation, that the one bedroom units are 896 sq. ft not 1700 sq. ft which is the added sum. He thanked the staff members for the presentation.

Assistant City Attorney Jared stated there are two issues that required discussion. 1) Condition 23 on the DPR resolution quotes Pomona City Code Section 62-351. Commissioners questioned what this refers to. He clarified that 62-351 is a water conservation ordinance and it should read 62-351, et seq. to show that it applies to the entire ordinance. He stated that the purpose of ordinance is so people don't hose down walkways. 2) The removal of Condition 50 appears to be a miscommunication from a comment that made in a draft, and has to do with the payment of fees relating the Corridor Specific Plan. He recommended that Condition 50 stay intact.

Commissioner Hemming asked if the applicants' know that Condition 50 is staying intact and thus fees will be due. They responded affirmatively.

Chair Juarez closed the public hearing.

Commissioner Hemming asked City Engineer Guerrero if making the adjustment to the turning lane on La Verne Ave is feasible.

City Engineer Guerrero stated he would reevaluate the existing restriction on U-Turns at La Verne Ave; he is uncertain of the outcome at this time.

Chair Juarez stated that independent of that aspect of the applicants overall proposal he is prepared to move the project along. Commissioner Hemming agreed.

Motion by Commissioner Hemming, seconded by Commissioner Grajeda, carried by a unanimous vote of the members present (5-0-0-1), Commissioner Brown (absent), to approve Development Plan Review (DPR 5713-2016), Conditional Use Permit (CUP 9978-2018), and Tentative Tract Map (TRACTMP 8416-2017) with the adjustments recommended by Assistant City Attorney Jared to Condition 23 and 50.

F-4

PUBLIC HEARING - CONDITIONAL USE PERMIT (CUP 7814-2017) AND REVOCATION OF CONDITIONAL USE PERMIT (CUP 05-035) FOR THE CONSTRUCTION OF A NEW 47,199 SQUARE FOOT STRUCTURE TO INCLUDE WAREHOUSE AND OFFICE USES FOR A PROPERTY LOCATED WITHIN THE M-1, LIGHT INDUSTRIAL DISTRICT AS WELL AS THE POMONA CORRIDORS SPECIFIC PLAN, EAST MISSION BOULEVARD WORKPLACE EXPANSION ZONE. REVOCATION OF CONDITIONAL USE PERMIT (CUP05-035) TO CONSTRUCT A NEW 17,362 SQUARE FOOT INDUSTRIAL BUILDING AT AN EXISTING INDUSTRIAL FACILITY WITHIN THE M-1, LIGHT INDUSTRIAL DISTRICT FOR A PROPERTY LOCATED AT 750 SOUTH RESERVOIR STREET.

Senior Planner Tam provided a staff report for the construction of an industrial warehouse and office and the revocation of a previously approved Conditional Use Permit (CUP 05-035). He noted

the standards of the Corridor Specific Expansion zone are not applicable to this property. He stated that currently at 752 S. Reservoir there is an office building and industrial structure and no significant development will take place. He stated that lots 650,680, and 690 S. Reservoir is where the major construction and improvement will take place, therefore the existing office, storage structure and concrete pad will be demolished. He showed a proposed site plan, floor plan and elevation renderings. He stated staff recommends approval of the Conditional Use Permit and adoption of the draft resolution revoking Conditional Use Permit (CUP 05-035).

Chair Jaurez asked if there was a structural mezzanine within the building.

Senior Planner Tam confirmed yes.

Commissioner Ursua asked for a comparison of the current intensity of truck traffic and the difference with the new development.

Senior Planner Tam stated the project was routed to Public Works and the truck generation for the proposed use did not trigger the 50 per peak hour threshold for a traffic impact study. He stated that currently the 650,680,690 S. Reservoir lots are not being used.

Commissioner Ursua asked for clarification if the 50 per peak trips.

City Engineer Guerrero responded that the Institute of Traffic Engineers provides a handbook and guidelines for trip generation based on type of use. He clarified that 50 trips mentioned refers to any one hour of the peak hours.

Commissioner Ursua inquired if the actual use was manufacturing and asked about products and the anticipated in and out trips.

Senior Planner Tam responded that the proposed use is industrial warehouse. He suggested the applicant respond. He understands they are going to construct then lease to a future user, so products are unknown at this time.

Commissioner Ursua spoke about it being a speculative venture and inquired about the City's of enforcement of standards of traffic.

Chair Jaurez commented that a 40,000 sq. ft. warehouse deemed for industrial use, will not hit the threshold on a standalone basis, however, if they continue to build medium to small size speculative ventures all along Reservoir there is uncertainty of the cumulative impact over the next 5-10 years.

City Engineer Guerrero spoke about the cumulative impact and the traffic study that was done in preparation for the 2013 General Plan. He stated the traffic study looked at a number of intersections throughout the City through a 2035 full build out scenario and the two nearby intersections of Reservoir/Mission and Reservoir/Philadelphia were deemed acceptable.

Commissioner Ursua expressed concerns about traffic at the intersection of County and Reservoir during peak hours based upon his first hand experience.

Commissioner Grajeda commented about not meeting traffic study thresholds, yet experiencing increased traffic issues.

Commissioner Hemming spoke about square footage versus limiting the number of truck bays. She inquired about the existing number of truck bays on the property.

Senior Planner Tam responded that there are currently no truck bays on the property and four are being proposed.

Commissioner Hemming spoke about additional traffic created by employees and the trucks.

Chair Jaurez suggested creating a truck traffic policy to address incoming and outgoing traffic during peak hours.

Development Services Director Suarez spoke about the big picture and net effects of the traffic in this area. He stated that this proposal is within requirements; however, they will monitor closely and provide a future status report.

Chair Jaurez opened the public hearing.

Mr. Michael Chait, the applicant and architect, provided background on the project. He reviewed the staff report and conditions of approval and agrees with the conclusions and recommendations of staff.

Chair Juarez invited the public for comments.

Ms. Nora Garcia, Reservoir Street Residence, expressed concerns about the project. Spoke about truck traffic, disruption in the neighborhood, overnight 18-wheeler parking on Philadelphia and the environmental impact of combining lots for large projects.

Mr. Michael Chait provided a rebuttal. He stated they have followed all the guidelines presented by City Staff.

Commissioner Grajeda asked Mr. Chait if he is working with the City Staff or the residents of the City.

Mr. Chait responded that prior to the Planning Commission hearing for the project under construction on the corner of Reservoir and Grand they hosted a community meeting at the request of City Staff and no one attended. He stated they have not spoken with the community about this project.

Commissioner Grajeda responded he would like to see more input from the community.

Development Services Director Suarez clarified that this project did require public noticing. No objections or letters have been received to date.

Commissioner Hemming asked to see the aerial photo with the residential home Ms. Garcia spoke about.

Senior Planner Tam responded that there is a combination of properties with various uses along the Southern Portion 752 Reservoir and directed Commissioner Hemming to the single family home mentioned.

Chair Jaurez closed the public hearing.

Development Services Director Suarez stated there is a correction of language in Condition 1. The applicant accepts this condition.

Commissioner Hemming requested a planning session for this warehouse district.

Motion by Commissioner Hemming, seconded by Commissioner Arias to approve Conditional Use Permit (CUP 7814-2017) and revoke Conditional Use Permit (CUP 05-035) was denied by a vote of members present (3-2-0-1), Commissioner Brown (absent).

Chair Jaurez stated the applicant can appeal to the City Council within 20 days.

F-5

PUBLIC HEARING - CONDITIONAL USE PERMIT (CUP 7049-2017) TO ALLOW THE CONSTRUCTION OF A 1,392 SQUARE FOOT DETACHED STRUCTURE TO BE USED AS AN EMPLOYEE LOUNGE AND THE ADDITION OF SIX PRE-FABRICATED SHADE CANOPIES FOR AN EXISTING RECYCLING BUSINESS IN THE M-2 (GENERAL INDUSTRIAL) ZONE.

Senior Planner Khan provided a staff report regarding a request to construct a 13,092 sq. ft detached structure to be used as an employee lounge for an existing waste transfer facility and the addition of six prefabricated shade canopies. He stated the applicant provided standard operating procedures and a list of governing agencies that impose additional requirements. He provided site and business history. He stated the site was issued an administrative correction notice and this project is in response to this notice.

Commissioner Hemming asked Assistant City Attorney Jared if the existing recycling and waste ordinance impacts the ability to approve additional improvements to property.

Assistant City Attorney Jared responded that there is debate if the break room was in place prior to the moratorium. Here stated the application was provided prior to the effective date of the ordinance therefore the Commission can decide if this is an enhancement of the facility is in violation of the ordinance.

Commissioner Grajeda asked Assistant City Attorney Jared to clarify the moratorium on recycling facilities.

Assistant City Attorney responded if this was an expansion of the recycling element then that is in violation of the code; however, if it is a legalization of areas that already existed then he would argue it's not an expansion and not in violation of the new ordinance.

Chair Jaurez agreed with the interpretation that it's not an expansion. He commented that the Commission should encourage employee friendly changes.

Assistant City Attorney clarified the legal term of a moratorium. He confirmed the new ordinance and standards ban new recycling facilities, however, it does preclude the rights of existing facilities to operate. He stated it is the Commissioners have to make the determination under the current ordinance if this project is an expansion or enhancement.

Chair Jaurez opened the public hearing.

Ai Buangsuwon, the applicant, shared that the property owner and tenant are present to answer questions about operations. He stated the project is not an expansion; it is an enhancement for the employees so they have a place to clean up, take showers and rest between shifts. He called up Mr. David Jackson, Regional Manager, to speak.

Mr. David Jackson, Stericycle Regional Operations Manager, clarified they are not a recycling company. He stated they are a trucking company who moves material in and out and from one truck to another, a transfer station. The construction they are seeking is enhancement to provide better conditions for employees in the work area.

Commissioner Hemming asked how many metal canopies they currently have.

Mr. Jackson responded six engineered structures and they are not adding more, just making the existing comply with the regulations.

Commissioner Grajeda asked about the purpose of the barrels pictured.

Mr. Jackson responded they are new barrels that are taken to customers to put product in.

Commissioner Grajeda asked if they are being filled with toxic materials.

Mr. Jackson responded that 78% of the products they handle are non-toxic.

Commissioner Hemming asked for clarification on the shade canopies verbiage, stating it reads "installing of shade canopies".

Mr. Jackson confirmed the shade canopies already exist.

Chair Jaurez invited the public to speak.

Ms. Nora Garcia, representing Clean and Green, spoke in opposition. She expressed concerns that the project is inconsistent with General Plan, in violation of city law with the construction of unpermitted structures, and biohazardous materials on site. She stated this request is an

intensification of the previous approved CUP which is in violation of the new Waste and Recycling ban.

Mr. Jackson provided a rebuttal. He stressed the fact that they are not a recycling plant, but rather a trucking company. He stated there has never been any biohazard material at this property.

Chair Jaurez closed the public hearing.

Commissioner Hemming asked City Staff if this is a medical waste facility.

Senior Planner Khan stated the operation is classified as a hazardous waste facility operating with a truck freight facility CUP, and per the Dept. of Transportation they are an exempt transfer facility. He noted that part of their transfer operation includes hazardous waste transfer. He noted there are specific requirements that have to be complied with at the federal and state level for Stericycle in order to be classified as an exempt transfer facility, including the length of time waste can be held, as well as, waste must remain closed and in the containers they arrive in. He shared two violations were issued from Cal EPA for an open hazardous waste can which was rectified 3 weeks later.

Commissioner Ursua expressed concerns with the canopies. Code enforcement cited them because they weren't supposed to be there.

Senior Planner Khan stated code cited them as any significant addition on any property over one acre needs to be brought forward to the Planning Commission through a CUP.

Commissioner Ursua clarified that the remediation would have been to take them down, however, City Staff is giving them the option of coming and get a CUP.

Senior Planner Khan stated the applicant has chosen to legalize by getting the CUP. Stericycle stated an ease of use and if they cannot keep the canopies to store drums it would require offsite storage and more trucks.

Commissioner Ursua asked if the canopies are used to store waste.

Senior Planner Khan reiterated that they have specific requirements for handling waste and there is a condition in the resolution that specifically prohibits those canopies be used for truck transfer or any other principal operation.

Chair Jaurez opened up the public hearing.

Mr. Jackson stated that prior to erecting the canopies the same material was stored in the same area. They erected the canopies to protect new containers and boxes from the sun and the water damage.

Commissioner Grajeda asked if there were illegal canopies protecting recycled material that was hazardous.

Commissioner Ursua asked the applicant how the canopies fit into the day to day operations.

Mr. Jackson stated there is no waste or recycled materials in the areas of the canopy. They are protecting brand new containers and cardboard boxes that they purchase, store and deliver.

Commissioner Ursua asked if they could run the operation without the canopies.

Mr. Jackson responded yes and stated they never have hazardous waste on the ground; it's transferred at the loading docks.

Chair Jaurez closed the public hearing.

Commissioner Hemming asked Assistant City Attorney Jared to clarify if the canopies are grandfathered because the request for the CUP was submitted before the new waste ordinance went into effect.

Assistant City Attorney Jared stated that if an application is filed after the effective date of an ordinance that prohibits that type of activity, then it would not be allowed. He added that the argument the applicant is making is that they do not fall under the ordinance being referred to because they are a trucking facility.

Senior Planner Khan confirmed Mr. Jared's statement and added staff has analyzed previous business licenses that have come in and they all fall under the CUP for a truck freight facility.

Assistant City Attorney Jared stated the applicant shared there is hazardous water materials on the loading dock and these are factors the Commission has to take into consideration.

Chair Jaurez spoke about the storage of empty barrels being an enhancement of the use if this operation falls under the ordinance. However, if it doesn't fall under the ordinance then it's a clear decision.

Assistant City Attorney Jared stated if this can be analyzed by the Commission and the majority of the board find that applicants arguments as analyzed by staff carries weight and you can approve this as a trucking facility, then you can go forward and approve. If several Commissioners do not feel this is the correct approach and it should be analyzed under ordinance 4234 then that can be a motion as well. Stated the Planning Department and the City only review the application provided.

Motion by Commissioner Hemming, seconded by Commissioner Arias, to approve Conditional Use Permit (CUP 7049-2017) was denied by a vote of the members present (3-1-1), Commissioner Brown (absent).

Assistant City Attorney Jared stated the applicant can appeal to the City Council within 20 days.

SUPPLEMENTAL OVERLAY) ZONING DISTRICT ON A
PROPERTY LOCATED AT 590 WEST GRAND AVENUE.

Senior Planner Khan provided a staff report for the construction of seven detached condominium units. He provided pictures, renderings, floor plans, zoning and elevations. He spoke about the history of the property, tentative tract map and the CUP approved in 2003, which has expired. He shared the final tract map was approved and recorded in 2005 and in May 2017, the applicant filed for a CUP citing economic conditions for the delayed build. He spoke about design updates to include a porch width increase, which would require a minor deviation variance application. He stated staff recommends adopting the attached resolution and will encourage the applicant to seek the minor deviation variance to allow the porch to be widened.

Chair Jaurez spoke about confusion of Table 2.

Commissioner Ursua expressed parking concerns. He asked about the split of the three and four bedroom units. Stated two spaces per unit are not sufficient and in the future he suggested adding half a car additional parking per additional bedroom.

Senior Planner Khan responded five, four bedroom units.

Commissioner Grajeda concurs with Commissioner Ursua regarding parking. Stated he has seen the affects and he will continue to advocate for allowing more parking per bedroom.

Chair Jaurez asked what was sacrificed to come up with an additional 14 sq. ft. for another bedroom.

Chair Jaurez opened up the public hearing.

Bill Wong, the applicant, stated that due to economic reasons they were unable to build, however, now they are interested in reactivating the project. He spoke about improvements to plan to include a front porch, common area with amenities, and landscaping with water conservation. In response the floor plan question, he stated they added square footage to each unit to accommodate an extra bedroom, 100-200 sq. foot per house, however, the tract map remains the same.

Chair Jaurez closed the public hearing.

Motion by Chair Jaurez, seconded by Commissioner Arias, carried by a unanimous vote of the members present (5-0-0-1), Commissioner Brown (absent), to approve Conditional Use Permit (CUP 7915-2017) to allow construction of seven detached condominium units.

F-7

PUBLIC HEARING - REVOCATION OF CONDITIONAL USE PERMIT (CUP 08-030) FOR A CAR RENTAL AGENCY AND DETERMINATION OF PARKING SUFFICIENCY (MISC 9798-2018) FOR A COFFEE SHOP ON A SITE IN THE C-4 (HIGHWAY COMMERCIAL) ZONE LOCATED AT 1180 NORTH WHITE AVENUE.

Service Manager Stadnicki provided a staff report for the revocation of Conditional Use Permit (CUP 08-030) and the determination of parking sufficiency for a future coffee shop.

Ms. Stadnicki elaborated that the conditioned use is not longer active and there was a lack of follow through on the condition of the CUP to merge the lots, therefore they are in violation and staff is recommending a revocation of the CUP. She provided images of the property, zoning, square footage, and district. She spoke about the complicated zoning situation, and stated the zoning district is C-4 but the General Plan designation is residential neighborhood. She shared that Staff cannot move forward with a recommendation or an action that is in conflict with the General Plan and after further review of the existing non-conforming code section, in light of the lack of General Plan conformity, at this point they can no longer make a determination of parking sufficiency. She recommends this item be brought back at a later date with the General Plan Amendment, yet proceed with the revocation of Conditional Use Permit (CUP 08030) for the car rental agency.

Chair Jaurez opened the public hearing.

The applicant was not present.

Assistant City Attorney Jared stated the applicant was advised of the hearing and aware of the issues discussed.

Chair Jaurez asked what happens to the existing business at that location.

Service Manager Stadnicki stated the existing BBQ restaurant is an existing non-conforming use and it has been grandfathered in to stay. She stated that intensifying the use by adding another commercial restaurant is the issue.

Chair Jaurez closed the public hearing.

Motion by Chair Jaurez, seconded by Commissioner Hemming, carried by a unanimous vote of the members present (5-0-0-1), Commissioner Brown (absent), to approve the revocation of Conditional Use Permit (CUP 080-30) for a rental car agency.

Assistant City Attorney Jared stated that no action was taken on the shared parking sufficiency miscellaneous item.

ITEM G:
PLANNING COMMISSION COMMUNICATION:

Commissioner Ursua asked about the sign on the 1800 block of N. Garey Ave on the West side of the street. He inquired if there was an action being taken and if the Planning Department is still processing projects administratively under the Corridors Specific Plan procedures.

Development Services Director Suarez responded there is a new proposal at 1833 Garey Ave. consisting of a new development project and yes staff is processioning projects administratively in the Corridors Specific Plan area.

Commissioner Grajeda expressed concerns about the number and location of real estate signs along Rio Rancho and the 60 freeway near Village Loop. He inquired if anything can be done about these signs. In addition, he spoke about Taco Tuesday at the park gazebo for the benefit of dog rescue.

Development Services Director Suarez asked what time this happens. Development Service Manager Stadnicki asked which park.

Commissioner Grajeda stated it was last Thursday around 6:00 PM at Phillips Ranch Park behind the Dog Park.

Commissioner Hemming stated the City of Pomona was awarded \$4 million dollars from the State earmarked for the homelessness. She shared the money will be given to the Police Department to facilitate homeless assistance and mental health services. She shared she was been asked about putting flags back up on Garey Avenue. She inquired when the hotel project on Foothill Blvd. between Towne and Garey Ave is slated to come to the Commission.

Emily Stadnicki stated that Senior Planner Khan is working on this.

Senior Planner Khan stated the project is currently undergoing environmental review and they are targeting September for a Commission hearing.

ITEM H:
DEVELOPMENT SERVICES COMMUNICATION:

Assistant City Attorney Jared stated he provided a letter to everyone on the dais mentioning the conflict that was stated at the last meeting. As a precaution he recommended Commissioner Ursua step down from the dais, however, he can remain off the dais in the room.

Commissioner Ursua stated he will be leaving and inquired if there is a way to separate the F zone hearing from Planning Commission business.

Commissioner Ursua left the meeting at 9:48 PM.

Development Services Director Saurez spoke about the June 13th Commission meeting. He stated he has received correspondence with comments from the public and the Commissioners have been forwarded a copy. He noted that he has recently received another correspondence that will be addressed by the City Attorney's office.

Development Services Director Saurez continued the he would like to schedule a separate meeting to address the June 13th presentation, expand on that staff report, discuss planning efforts and answer questions on the General Plan. The meeting would also include a short presentation on the Fairplex about their new strategic plan and initiatives and allow public groups to present any support or opposition. He shared that he met with the County and Fairplex and will prepare a staff report to summarize that meeting. He also received a letter requesting a meeting from Protect Our Neighborhood group with himself and the City Manager, which he will schedule. He stated he has

communicated with Commissioner Kyle Brown and he will not be available on July 11th so there is the option of July 25th or as a Special Meeting on another date.

Commissioner Hemming asked if the meeting will include a new F zone document.

Development Services Director Saurez responded that he will not have a new document ready for the Commission to consider by that time. The next meeting's purpose would be to provide education for the Commission to hear the strategic plan from the Fairplex and hear from interest groups requesting equal time for comments and concern related to the Fairplex zoning and land use.

Commissioner Hemming commented that if this is just another informational meeting and nothing new is going to be presented on the F zone, for the Commission to vote on, then it's a poor use of time.

Chair Jaurez agrees, he stated the direction of the Commission was for staff to reach out to County and Fairplex and he does not see a need unless the draft ordinance is actually challenged or supported.

Commissioner Hemming commented that she correlates this issue to the Recycling ordinance and it makes the most sense to come back together once all the parties have time discuss the issue. She stated she would like to do something with this ordinance and be able to forward to City Council, and is not interested in more study sessions.

Development Services Director Saurez stated there was a lot of discussion and he was uncertain of the direction from the Commission.

Discussion ensued about scheduling another study session and the desires of the Commission.

Development Services Director Saurez stated if the Commissioners do not desire a specific meeting he can schedule specific discussions for the public who want to give public testimony.

Chair Jaurez stated he wants the public to have their say. He asked what concretely came out of the meetings with the Fairplex and LA County.

Mr. Saurez stated he is not ready to go over that at this meeting.

Commissioner Hemming clarified that Chair Jaurez and Commissioner Arias are asking staff to bring back a concrete document for discussion and approval and then the Commission will hear public comments. She stated they don't want another meeting between those two meetings.

Commissioner Grajeda spoke about LA County and the Fairplex stating they weren't included in discussions.

Assistant City Attorney Jared stated this item has been agendized to ask about July availability. He noted it was not agendized to discuss details or rehash the history of who was in attendance at meetings. He shared that as of today the statements of "we have never been at the table" are no longer true. He summarized that the consensus of the Commissioners is to not have another study session but bring back something concrete. He asked when the Commissioners would be available.

Commissioner Hemming asked City Staff about a timeline to prepare something concrete.

Mr. Saurez stated he would have to come back with another date as it takes some work to coordinate.

Commissioner Hemming stated for the record she will be gone August 14-30.

Chair Jaurez asked about the date of the next regular meeting.

Mr. Saurez stated July 11th is the next regularly scheduled meeting, however there are no items, so they are looking at cancelling that meeting. Next meeting after that would be July 25th.

Chair Jaurez commented to encourage applicants to attend July 25th.

Mr. Saurez stated he will send a cancellation of the July 11th and the regular meeting for July 25th is still on schedule.

ITEM I:

ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Juarez at 10:08 p.m. to the regular scheduled meeting of July 25, 2018 in the City Council Chambers.



Mario Suarez

Development Service 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.