

OFFICIAL MINUTES
PLANNING COMMISSION
AUGUST 8, 2018

CALL TO ORDER:

The Planning Commission meeting was called to order by Development Services Director Suarez, as Secretary, in the City Council Chambers at 7:00 p.m.

FLAG SALUTE:

Development Services Director Suarez led the flag salute.

ROLL CALL:

Roll was taken by Development Services Manager Stadnicki

COMMISSIONERS PRESENT:

Commissioners Grajeda, Arias, Brown, Hemming, and Kercheval

COMMISSIONERS ABSENT:

Chair Juarez and Vice-Chair Ursua

STAFF PRESENT:

Development Services Director Suarez, Development Services Manager Stadnicki, Assistant City Attorney Jared, Senior Planner Tam

ITEM D:

SELECTION OF A NEW CHAIRPERSON AND VICE-CHAIRPERSON

Development Services Director Suarez reported on process for new chairperson and vice-chairperson.

Motion by Commissioner Hemming to nominate Commissioner Arias as Chair.

Motion by Commissioner Grajeda to nominate Commissioner Brown as Chair.

Motion by Commissioner Arias to nominate Commissioner Hemming as Chair.

Roll call vote for Commissioner Arias for Chair: Grajeda (no), Arias (yes), Brown (no), Hemming (yes), Kercheval (abstain); results of two (2) no, two (2) yes and one (1) abstain; a simple majority does not apply.

Roll call vote for Commissioner Brown for Chair: Grajeda (yes), Arias (no), Brown (yes), Hemming (no), Kercheval (abstain); results of two (2) no, two (2) yes and one (1) abstain; a simple majority does not apply.

Commissioner Grajeda commented the Commission should consider we give way to one of the newest yet seasoning commissioners to become the Chair.

Development Services Director Suarez spoke about the equal opportunity to become chair.

Roll call vote for Commissioner Hemming for Chair; Grajeda (no), Arias (yes), Brown (no), Hemming (yes), Kercheval (abstain); results of two (2) no, two (2) yes and one (1) abstain; a simple majority does not apply.

Commissioner Grajeda nominated himself as Vice-Chair.

Development Services Director Suarez opened up the nominations to any other combination.

Commissioner Hemming motioned to continue this decision until they have a full slate.

Development Services Director Suarez responded that is a possibility, and in that case the Commission has to select someone to Chair this meeting.

Motion by Commissioner Hemming, seconded by Commissioner Arias, approved by a unanimous vote of members present (5-0-0-2), to table the vote for Chair and Vice Chair to the next meeting and nominate Commissioner Brown to Chair tonight's meeting.

ITEM E:

PUBLIC COMMENT:

M. Joyce Bakersmith, Pomona, asked how permits are obtained for building and construction. She expressed concerns about a two story building located at 171 E. Grove Street. She stated a permit was obtained on July 11 for a storage building; however it has a red door, red shutters and a swamp cooler and looks like a home. She requested City Staff investigate.

Commissioner Brown referred her to Development Services Director Suarez.

ITEM F:

CONSENT CALENDAR:

1. Approval of the Unofficial Planning Commission Minutes of June 26, 2018

Motion by Commissioner Grajeda, seconded by Commissioner Arias, carried by a majority vote of the members present (3-0-2-2), adopting the Planning Commission Meeting Minutes of June 26, 2018.

ITEM G:

PUBLIC HEARING ITEMS:

G-1

CONDITIONAL USE PERMIT (CUP 7985-2017), TENTATIVE TRACT MAP (TRACTMAP 8522-2017, REVOCATION OF CONDITIONAL USE PERMIT (CUP 13-013), REVOCATION OF TENTATIVE TRACT MAP (IPM 13-001) TO CONSTRUCT THREE DETACHED TWO-STORY SINGLE FAMILY STRUCTURES, TOTALING SIX UNITS, AS WELL AS,

ASSOCIATED SITE IMPROVEMENTS AND PROPOSED
SUBDIVISION FOR A PROPERTY LOCATED AT 1439 S.
PALOMARES STREET.

Senior Planning Tam provided a presentation.

Commissioner Brown spoke about the removal of trees and asked if staff was confident that there were not any oak trees.

Senior Planner Tam responded yes they are confident.

Commissioner Brown stated the landscape plan and model indicates use of this turf lock pavement between the structures on the driveway. He inquired if this is something the City allows.

Planner Tam replied yes, it is allowed.

Commissioner Brown opened public hearing and invited the applicant to come forward.

Chung Chang (spelling) reported that Chang Qing-Pan, the applicant was not available to attend and he was present as his representative and as the designer to answer questions. He believes the proposed project meets all the general conditional uses of the site.

Commissioner Brown closed the public hearing

Motion by Commissioner Hemming, seconded by Commissioner Grajeda, carried by a unanimous vote of the members present (5-0-0-2), to adopt the attached draft Resolutions approving Conditional Use Permit (CUP 7985-2017), Tentative Tract Map (TRACTMAP 8522-2017), revocation of Tentative Tract Map (TPM 13-001) and revocation of Conditional Use Permit (CUP 13-013), subject to conditions.

ITEM H:
DISCUSSION:

1. Present Results of Staff Meetings with Community Members, Fairplex and Los Angeles County, Recommendations for City Council Draft Ordinance, and Provision of an Alternative Fairgrounds District Ordinance and Next Steps. 601-1101 W. McKinley Avenue and 2250 Fair Avenue (File Case No. 9778-2018).

Development Services Director Suarez provided a presentation on this item. In November 2017 the City Council reviewed a draft created by the Ad-Hoc Committee and decided forward that draft ordinance to the Planning Commissioner for review and comment. At the first meeting for this item, various comments were provided including a "blue box" analysis of the ordinance and public testimony in support and opposition. He noted subsequent meetings were scheduled but not held because of lack of quorum, however, the Commission directed staff to meet with the stakeholders and the general public and report back with recommendations, this report is a summary of those meetings.

- The first community meeting was held on June 26, 2108 with LA County Representatives and Fairplex. He reported it was a face to face general discussion about the proposal; comments were similar from L.A. County representatives and Fairplex representatives in trying to understand what the issues (traffic, trash and noise), what the City Council was trying to address, and they discussed being transparent and cooperative to come up with solution for the zoning and land use challenges. He spoke about the City of Laverne Specific Plan as a good example that addresses land uses and provides a vision for future development. He reported the northern part of the Fairplex is located in the City of LaVerne. He spoke about the public right of way being part of the City of Pomona and maintenance being the responsibility of the City, referencing the public concerns with trash. He noted overall, public comments were focused on the direct and indirect impacts of events.
- On July 11, 2017 City Staff met with two community groups (Protect of Neighborhoods and Mountain Meadows) who voiced various concerns via testimonials about trash being left by walkers, noise from events and street sweepers, traffic, parking, use of alternate routes to avoid traffic, a focus on Adult events, and about the other uses inconsistent with the Fairgrounds (storage and shipment containers); Staff acknowledge concerns and took notes.
- On July 30, there was a meeting on the 2nd floor of City Hall with Members of the Fairplex Board and three community groups (Protect of Neighborhoods, Mountain Meadows Ganesha Hills). Various issues and concerns were discussed to include; alcohol controls based on observations from the community of attendees drinking along streets and then entering the fair; improving communication and existing systems such as the 1-800 number, as comments were made about making phone calls but not hearing back on the outcome or how concerns were addressed. There was discussion about zoning being amended three times since its creation and a general agreement that there is current need, as well as, the timing coincides with the presentation of the General Plan, which is the overarching document containing policies and procedures for the future development and growth of Pomona and is inclusive of policies specific to the Fair. He shared notes were taken by all parties (Staff, Fairplex and community groups) and The Board of Director from the Fairplex offered another meeting with the neighborhood groups which is currently being organized for a future date.
- The Staff report includes comments for the Commission to consider after a review of the City Council's Ad-Hoc Committee draft ordinance and a "Blue Box" analysis. The report details how the recommended changes would be implemented and language related to limitations on attendance for events conducted indoors. He noted the section about indoor and outdoor was confusing. He shared issues with the way the current ordinance is organized, so staff sought to understand what the City Council wanted to address (noise, trash, or other issues).
- The Staff report included an alternative ordinance to consider. He reported this is a culmination of the first draft that the Ad-Hoc Committee put together, reorganized to include language that relates to the General Plan, but there is also a requirement for a Specific Plan for all future development. He shared L.A. County and the Fairplex are not happy to see this as LA County has called to stay this more restrictive and it is. In response to this they have received correspondence which has been provided on the dais and emailed

to the Commissioners in the past few days. He spoke about the use of Conditional Use Permits to approve projects and the Commission being the final decision making body. He noted this document takes everything staff had before them and organizes it into a table, so instead of having some areas that were hard to interpret, they organized it in a manner easier to interpret

- He stated the Commission could also choose an alternative recommendation, such as a Specific Plan for new development, a text amendment, or forwarding the Staff Report.

In addition, Director Suarez reported the position of the Fairplex and LA County not support of code changes and in support of a Specific Plan and taking other immediate actions as related to impacts associated with events and other happenings at the fair. He shared the city recently adopted a General Plan that provides a road map and policy to move forward. He stated a text amendment by State law requires a public hearing and the next available meeting is August 22, 2018.

He concluded by saying it is the discretion of the Commission to decide how to proceed and asked for dialogue about the staff report.

Commissioner Brown confirmed the Commissioners understand what they are being asked to do. He clarified they are being asked how to proceed in one of these three directions. He asked if the Commission forwards the staff report to City Council and then they make a decision to pursue the drafting of a land use ordinance would it return back to the Planning Commission.

Assistant City Attorney Jared responded no, the ordinance they presented has come to you for the government code required public hearing process. So even though there hasn't been a public hearing, there is a proposed public hearing on August 22nd and once this Commission makes a recommendation (yes or no, yes with modifications) to the City Council they can do what they want (approve, deny or make a modification) because it's gone through a Commission.

Commissioner Hemming asked if the Commission was proceeding to August 22nd from this meeting or could she make a motion to move that a different date.

Development Services Director Suarez responded that would be up to the Commission. He stated at this point Staff is just trying to move this forward and seeking direction of dialogue about what the Commission wants (additional information, reorganization) and stated something could be put together for the first meeting in September, as staff is not set on August 22, 2018.

Commissioner Brown asked if his fellow Commissioners were comfortable with future action being moved to September.

Assistant City Attorney Jared responded this is a government concession that allows the City Council to demand action within 40 days and if there is not action within 40 days then the Planning Commission is deemed to approve what the City Council has proposed.

Commissioner Brown asked where on a calendar they were at within the 40 days.

Assistant City Attorney Jared stated it would have to be a written request.

Commissioner Brown clarified they would get 40 days from that written request.

Development Services Director Suarez stated if you met in September you would be within 40 days.

Commissioner Brown reported this is not a public hearing; however, the Commission welcomes but public input. He noted there were 18 speaker cards stating they do not wish to speak and 34 speaker cards for people wishing to speak. He provided a 2 minute time limit for each speaker.

Development Services Director Suarez stated per protocol that the applicant or main property owner should be limited to 2 minutes as well.

Miguel Santana, President / CEO Fairplex, expressed frustration in the process and stated he feels the City missed an opportunity for problem solving. He commented for the last year and a half the Fairplex has made attempts to meet with the City and community to understand the issues. He stated the Fairplex has offered several very specific solutions to deal with the issues of trash, noise and trash; however, unfortunately these were not included in the staff presentation. He noted these were submitted in writing to the Commission. He spoke about trying to find a path forward, helping the City grow economically, developing a Specific Plan with the City and meeting with the Protect our Neighborhood Group later in the month. He commented the alternative ordinance is a moratorium on all activities taking place today, negatively impacting revenue and jobs. He recommended the Commission move forward with the Specific Plan process and direct City staff to work with the Fairplex to identify specific solutions to the issues.

Alfred Fraijo, representation for the Fairplex, reiterated the concerns and objections of the Fairplex in connection with the current proposal. He stated they submitted a detailed letter articulating their position and the legal challenges they plan to bring forward should the alternative ordinance (a moratorium) be recommended for approval. He commented a Specific Plan is the solution. He stated the alternative ordinance does not address community concerns, would be permanent and unenforceable, and contains internal inconsistencies (identifying what uses are permitted by right and a reference to a Specific Plan that has yet to be articulated). He spoke about the Fairplex and the rest of the community first learning about the alternative ordinance when they received the agenda for the meeting last Friday. He shared he has prepared a letter with three pages of existing City rules and regulations and code provisions that currently regulate and would comprehensively address the issues raised by community.

Walter Marquez, Chief Financial Officer Fairplex, expressed frustration with the process not being transparent. He reported the alternative ordinance, released in the staff report, was new information that was not discussed in previous conversations or meetings. He stated the Fairplex supports the General Plan and the development of a Specific Plan.

Thomas Faughnan, Senior Assistant County Counsel, County of Los Angeles; stated The County continues to be concerned about the lack of transparency and outreach as the property owner in this process. He reported The County concurs with the Fairplex's objections to the original proposed revisions to the F-Zone and alternative ordinance and agrees with the request for transparent Specific Plan process. He commented that the proposed ordinances restrict longstanding permitted uses of the property which would have significant economic impacts on the Fairplex, the County and the City and that community concerns should be addressed with existing regulations.

Nora Martinez, representative of Hilda Solis, she read a statement from Hilda Solis expressing concerns that the alternate ordinance was not discussed with the County representative and asking the Commission to take into consideration the established relationship and the potential negative impact of this ordinance on the surrounding community.

Joe Silva, spoke about the disagreement over of what the Fair is supposed to do and suggested working on a general process for the future.

Brian Brooks, spoke about living 184 feet from the Fairgrounds for 30+ years and his experience with the Fairplex failure to meet regulations. He requested the City of Pomona have more oversight. He stated he supports the "Blue Line" changes suggested by the Ad-Hoc Committee and the alternative ordinance urging the Planning Commission to move forward. He noted the Fair has never had a Conditional Use Permit denied by the City.

Judy St. John, spoke in support of the F-zone ordinance as proposed by the City Council in November 2017. She spoke about a need for change, permits (development, high attendance events) and oversight of the land uses of the Fairgrounds. She shared their vision to expand with more concerts, multiple business parks, restaurants, hotels and housing for the homeless and recently incarcerated. She noted the 2004 F-Zone was denied by the Planning Commission. She commented that others corporations in Pomona don't have controls over the land use of the property they occupy. She spoke about the Fairplex being non-profit and not paying property taxes. She commented that the proposed F-zone and Conditional Use Permit process will allow the City to set conditions that address traffic, trash and noise.

A speaker on behalf of Manuel Contreras, urged the Commission to move this item forward to City Council. She spoke about a lack of transparency from the Fair and information released during the State and County audit.

Rosa Pastrana, does not wish to speak, supports the Ad-Hoc Committees recommendations to the F-zone.

Dr. Cid Pinedo, Chairman of the Board at Fairplex, spoke about needing a more inclusive participatory process such as a Specific Plan, to engage the public, community and stakeholders. He requested that the Commission does not move forward with the current amendment and direct staff to complete a strategic process with the Fairplex to address issues and concerns and develop a document that will benefit everyone involved.

Tina Loza, Vice Chair of Board at Fairplex, spoke about her experience living Ganesha Hills with the Fairplex in her backyard; traffic, noise and trash were part of her daily experience but that was three years ago and the issue is now outdated and not addressed by the alternative ordinance. She urges the Commission to work with the Fair and neighbors to develop a Specific Plan. She spoke about the flaws in the Conditional Use Permit process and being business friendly.

Michael Driebe, 1528 Hillcrest Drive, spoke as an 18 year neighbor of the Fair and resident of the Mountain Meadows neighborhood. He urged the Commission to provide other direction to staff and to vote no on the amendments and alternative ordinance. He commented that the concerns and of the Fairplex and the County of L.A. should be heard in a forum that open and transparent, such

as a Specific Plan. He stated the amendment hinders an institution that generates 2.7 million dollars in tax revenue for the City and another 5.3 million dollar in associated revenue.

Ann Tomkins, 408 Lincoln Ave, expressed disappointment and a lack of clarity in the explanation of the alternative ordinance and asked if Conditional Use Permit requirements were new or existing, what was really changing, and about the impact on the Fairplex. She spoke in support of something comprehensive and more transparent and a Specific Plan. She expressed concern over events being cancelled as the result of implementing something from a flawed process. She urged the Council to not recommend the alternative ordinance without more discussion as to what exactly it says and does.

Reginald Webb, owner of McDonald's restaurants in Pomona, stated limiting the Fairplex is not the correct answer and spoke about not being able to operate his business under the conditions being proposed. He mentioned the City earns tax revenue when the Fairplex revenue increases. He stated he believes the current management will continue to address the concerns of the nearby residents.

Henry H. Avesti, left the meeting early, indicated support.

Judy Phillips, does not wish to speak, supports the Ad-Hoc Committees recommendations.

Jack Phillips, does not wish to speak, supports the Ad-Hoc Committees recommendations.

Anita Gutierrez, does not wish to speak, supports the Ad-Hoc Committees recommendations.

Carmen Suarez, does not wish to speak, supports the Ad-Hoc Committees recommendations.

Reyna Garcia-Ramos, spoke in support of the recommendation from the Ad-Hoc Committee. She commented the 2004 F-Zone is outdated and provides the City and residents with limited input, requesting the Commissioners give power back to the City. She commented City Staff, Council and the Commission have been examining these recommendations for six months. She requested the Commission send it back to the City Council for approval.

Susan Tante, left the meeting, supports the Ad-Hoc Committee recommendations.

John Mendoza, 1602 N. Park Ave., expressed concerns that the process has taken too long (two years and stated his support for moving this item along to City Council. He requested more visibility on the streets during the County Fair to advise people about parking.

Denise Marquez, left the meeting early, supports.

Jesus Villagomez-Campos, left the meeting early, supports.

Mario Ramos, spoke about having the Fairplex Parking Lot in his backyard. He stated he was glad to see something come forward on the issue. He spoke about a flawed system; not getting a hearing for an appealed Conditional Use Permit for a concert that requested additional hours and not being able to set a meeting with the Fairplex, County, and Hilda Solis. He stated support for moving forward on this item.

Anne Henderson, Yorba Drive, commented the process to develop recommended changes to the F-zone was flawed and the alternative ordinance is bad. She requested the Planning Commission vote no to the amendments and the alternative ordinance and support the development of a Specific Plan.

Erica Frausto, Pomona Chamber of Commerce, spoke in opposition of the amendments. She commented The Chamber is in support of the Fairplex efforts to implement their strategic plan and is a responsible community partner going above and beyond this past year and half to reach out the community. The stated The Chamber feels additional communication between the Fairplex, City, County and community groups is needed before moving forward.

Ed Tessier, Pomona Developer and former Planning Commissioner, stated he has worked with Specific Plans and historic properties throughout the Inland Empire. He complimented the advice from staff and spoke in support of a Specific Plan, as the only vehicle to addresses the various issues from residents and the City. He spoke against using the alternative ordinance to manage the Fairgrounds.

Joyce Chang, County of Los Angeles CEO's office, presented the County's written response to the ordinance. She expressed concerns about the alternate ordinance not being provided to the County in advance. She stated the County and the City agreeing to an open, transparent and collaborative process, but instead last Friday she received a staff report with the alternative ordinance, a document she finds confusing, vague and which has an immediate impact to the current uses of the County property. She urged the commission to reject the alternative ordinance and direct staff to work with the County, Fairplex and Community on a Specific Plan.

Amos Young, spoke in support of a visionary process that was inclusive and equitable, like a Specific Plan. He stated problem solving comes when City administration is provided the resources to fulfill the duties upon which they have been tasked and referenced Director Suarez comments about providing a budget. He recommended Council direct staff to come back with a process that similar to a Specific Plan which entails the five principals the Fairplex has proposed in alignment with the City's current General Plan. He spoke about poverty in Pomona and the Fairplex being a great partner in addressing the issue.

Bill Fujioka, member of the Fairplex Association, expressed concerns that the City presented something that restricts of one of the City's major economic partners. He spoke in support of a Specific Plan that would be developed through an open transparent process. He noted the Fairplex's proposal for Amazon and commented that potential partners will look at the Political environment when making their decision.

Arturo Jimenez, 40 year Pomona resident, commented the Fairplex is a great partner. He shared his experience working with City officials to bring down the crime and homicide rates and that the Fairplex, many years ago, provided funding for a Community Center which has helped reduce gang violence and provided support for Pomona youth. He spoke in support of a Specific Plan and a process that makes everybody works together.

M. Joyce Bakersmith, 3227 Flaxon, commented she wants to process to stop, it has been very expensive to the City and time consuming for staff. She stated it is an attempt to micro manage a business who brings a lot of income and side business to Pomona and the overall perception of the F-ordinance is one of revenge and political statement.

Speaker Cards who indicated they do not wish to speak:

- Miguel Garcia-Ramos, supports
- Elda Sevilla, supports`
- Yolanda Gomez, supports
- Ahmed Shehata, supports of passing the F-Zone
- Susana Duran, supports passing the F-Zone
- Maru Vasquez, supports
- Daniel Betanzos, supports
- Hilda Scuego, supports
- Diana Contreras, supports passing the F-zone
- Jesus Campos, supports passing the F-zone
- Carrie Baker, opposed
- Beth Brooks, opposed
- Mary Prendergast, opposed
- Holly Reynoes, opposed
- Dwight Richards, opposed
- Linda Bosserman, opposed

Commissioner Hemming stated she took notes during the public comment and it was overwhelming that this process is not complete and that something needs to be done. She commented the alternative F-zone plan is unusable and spoke about requiring a Conditional Use Permit to have alcohol at events held at the Fairplex during non Fair time and noted there are probably over 100 events at the Fair every year and every one of those events have beer garden. She stated it is impossible for an entity to get a CUP 100 times a year, as a CUP takes a year to secure and there are some people waiting two years to have a CUP heard by this Commission. She stated it is not a simple process and would completely stop business. She expressed that this is not something to send to Council, a lot more work needs to be done, and she thinks a Strategic Plan would be a great start. She commented that she doesn't think people were heard, certainly LA County doesn't feel they were.

Commissioner Arias echoed that this alternative ordinance is too restrictive and stated the Commission needs to go back to the drawing board. He stated a Specific Plan needs to get developed in this process because its way to convoluted at this point.

Commissioner Grajeda stated he is an an advocate for new businesses and a double advocate for businesses that are the City's partner, such as the Fairplex. He commented he would love to establish a better partnership with them would like to take this item back to the drawing board.

Commissioner Kercheval stated she loves the Fairplex and that they are important to the City. She commented she cares about business and is hopeful for the future. She identifies with peoples' comments about planning having a General Plan and doesn't see this as a final draft. She shared she has been a part of Strategic planning processes and it's always messy when you start out. She noted she identifies with both sides, is concerned and wants to have an open process where everybody is heard, and there is more specific input.

Commissioner Brown thanked everyone who spoke, as he appreciated hearing comments. He stated he concurs with his colleagues in regards to the alternate ordinance not being workable and that it shouldn't be offered to Council. He noted staff has been put in a tremendously challenging position and the using the term "stop gap measure" to offer an interim solution, however once zoning become adopted it becomes law and is permanent. He stated when you are creating an ordinance you need to think about them in that way. He spoke about having a number of existing ordinances dealing with noise, trash and The Fairplex's willingness to discuss taking responsibilities along right of ways. He suggested a memorandum of understanding could be utilized in the interim. He spoke in support of a Specific Plan process and noted the LaVerne Specific Plan is a terrific example. He continued that a Specific Plan is long overdue for that area, due to its size, and an ordinance that applies to one part of the property may not be good for another portion. A Specific Plan allows you to tailor to what's goes on at the edge, middle and how the interests of the community are served, as well as, open space and connectivity to transit which could be positive influence on the surrounding neighborhoods. He stated he does have some reservations about having more than one as property owner within the zone. He stated he cannot make a recommendation to Council for the alternative ordinance or the original ordinance proposal.

Commissioner Kercheval expressed concerns about an open process and disagreement about a way forward. She spoke about going forward to City Council and the City Council coming up with a better forum, then just people coming up 2 minutes apiece. She stated she has never been apart of the zoning process and has questions.

Commissioner Brown invited staff to expand on that.

Development Services Director Suarez went over the process. He spoke about it being challenging and getting a greater understanding of the issues. He further acknowledged receipt of the Fairplex's recent correspondence in addressing immediate issues and moving forward. He spoke about the Fairplex and L.A. County being interested in processing a Specific Plan. He commented that the alternative ordinance is not a moratorium, as some of the attorneys have stated, because it does provide process and ways to move forward, however, he understands it's not the best alternative or the best practice. He stated he will prepare a document that reflects the discussion tonight and bring forth more information.

Commissioner Brown asked Commissioner Kercheval's if that answered her questions. She responded it's a lot to process.

Commissioner Hemming spoke in support of developing a Specific Plan. She stated the City has an existing F-zone ordinance which can be enforced while a Specific Plan is being generated. She noted the City and the Police have already gotten together with the Fair on noise, and traffic issues. She spoke about a Specific Plan not being a quick process (up to two years), because staff can't stop doing their daily responsibilities.

Commissioner Brown stated the L.A. County ordinance for events over 10,000 persons applies to the Fairgrounds.

Development Services Director Suarez responded it does not specifically apply to the Fairgrounds, they proposed incorporating it in a future ordinance.

Commissioner Brown stated the Fair is not required to follow that ordinance.

The audience reacted; clarifying the Fairplex is required to follow it.

Assistant City Attorney Jared stated they might be referring to the Counties own internal ordinance that they have for County property.

Commissioner Brown clarified he is not suggesting City enforcement but it is an enforcement that exists on a property.

Assistant City Attorney responded it's an interesting situation. The County is acting as property owner and their proprietary interests are managing the property, they are not doing land use decisions and controlling land in other jurisdictions.

Commissioner Brown inquired if it does outline standards for a threat assessment for events over 10,000 people. He stated he would like to suggest if you do get to crafting ordinance language he thought their exemption language was very clear on the issue of "during Fair" and "not during Fair".

Commissioner Grajeda thanked staff. He commented he sees a lot more possibilities for working with the Fair and community. He noted, yes this is taking a long time, but it is well worth it and City Council will appreciate all the work put into the recommendation.

Commissioner Brown asked if staff needs a motion related to what the Commission has discussed.

Assistant City Attorney Jared stated the direction has been clear to bring something else back. The early direction was that wouldn't be on August 22nd, so if the Commission wants to clarify on that you could provide a motion, but a motion is not needed to approve anything. He stated the alternative ordinance proposed was just a discussion tool. He noted support for a Specific Plan from the Fairplex and the Commission. He reiterated there is a request from City Council to consider the Ad-Hoc Committee proposed ordinance and at some point the Commission will need to take an official vote on that, but not tonight.

Commissioner Brown stated the Commission did agree that September was a more appropriate date and asked Development Services Director Suarez to summarize his plan.

Development Services Director Suarez responded he plans to set aside the proposed alternate ordinance and look at other recommendations for the Commission which includes how the Specific Plan comes together. He will ask the Fairplex and L.A. County for a commitment bring forward a recommendation related to that reality of a Specific Plan with actual dates. He stated he will review correspondence for immediate actions that Fairplex and L.A. County has proposed and bring that back to the Commission for a recommendation for the Council. He will also include a recommendation why the proposed text amendment may not be the best way to address some of the issues.

Commissioner Brown confirmed if that is what the Commissioners heard.

Commissioner Kercheval asked if the City was going to meet privately with the Fairplex and County and if the process would take another two years.

Development Services Director Suarez responded he was speaking about meeting with the stakeholders and property owners to have them commit to funding for a Specific Plan. He noted if

this is going to become a reality a budget is needed and it is best to bring forward a recommendation with a real numbers. He noted this is not unusual; budgets often come from the private sector, public or any other user. He stated the timeline to put something together can take 1 year plus, it all depends on the structure. It is a minimum of a year because this will be attached to an environmental impact report which takes a year to complete. He noted up to two years are a realistic timeframe but staff will be working during that time to address those issues in the short term that have been raised.

Commissioner Kercheval spoke about City's involvement with event, mitigation of problems people are having with the Fairplex and inquired about how that all works.

Development Services Director Suarez responded it is a cooperative process between the Fairplex and the City. He noted they have learned through discussion with residents there is a flaw in this process with traffic control and trash along alternate routes given by the "Waze" App.

ITEM I:
PLANNING COMMISSIONER COMMUNICATION:

Nothing to report.

ITEM J:
DEVELOPMENT SERVICES MANAGER COMMUNICATION:

Nothing to report.

ITEM K:
DEVELOPMENT SERVICES DIRECTOR COMMUNICATION

Development Services Director Suarez welcomed Ms. Kercheval to the Planning Commission. He reported there is a new minutes secretary who is processing past minutes. He noted he has minutes from May 9th which staff is reviewing to bring to the Commission. He reported he has hired four more staff, two will be starting this week and two more starting next week.

Commissioner Arias stated he felt like the process of getting the draft and approving minutes has definitely picked up from what we saw last year and he appreciate the efforts.

Commissioner Hemming stated she appreciates moving the meeting from August 22, 2018; appreciates the support of the Commission, because she has spent a lot of time on the F-zone issue and she would hate to miss the next step.

Commissioner Brown stated for clarification there will be a meeting on August 22, 2018 and the F-zone issue will not be coming back at that time.

ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Juarez at 9:31 p.m. to the regular scheduled meeting of August 22, 2018 in the City Council Chambers.



Mario Suarez, 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.