



**CITY OF POMONA**  
**PLANNING COMMISSION AGENDA**  
**POMONA, CALIFORNIA – CITY COUNCIL CHAMBERS**  
**505 South Garey Avenue, Pomona, CA 91766**  
**SPECIAL MEETING OF**  
**Wednesday, November 18, 2015 @ 7:00 PM**

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- A. **CALL TO ORDER:** Chair Denton Mosier
- B. **FLAG SALUTE:** Chair Denton Mosier
- C. **ROLL CALL:** Brad Johnson, Development Services Manager

**Chair Denton Mosier, Vice-Chair Edward C. Starr, Commissioner Juan Carlos Garcia, Commissioner Ismael Arias, Commissioner Luis M. Juarez, Commissioner Carolyn Hemming, and Commissioner Samuel Tharpe**

**D. PUBLIC PARTICIPATION (*Three (3) minute Limit on Non-Agenda Items Only*):**

1. At this time, the general public is invited to address the Planning Commission concerning **any items that are not listed on the agenda**, which are not public hearings, or other items under the jurisdiction of the Planning Commission. Comments from the public of any non-agenda items will be limited to three (3) minutes in accordance with City policy.
2. Any applicant or member of the public wishing to speak on **any item that is listed on the agenda** is requested to adhere to the following protocol procedures/guidelines:
  - a) *Prior to the meeting, or during the meeting prior to an agenda item being discussed, any person wishing to address the Planning Commission shall complete a speaker card and submit it to the Planning Manager. Speaker cards are available in the foyer of the City Council Chambers and from the Minutes Clerk.*
  - b) *When called upon, the person shall come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented. Whenever any group of persons wishes to address the Planning Commission on the same subject matter, the Chair may, at his/her discretion, request that the group choose a spokesperson to address the Commission.*
  - c) *All remarks should be addressed to the Planning Commission as a whole, and not to individual Commissioners. Questions, if any, should be directed to the presiding Chair who will determine whether, or in what manner, an answer will be provided.*
  - d) *Every person addressing the Planning Commission will be limited to three (3) minutes or such reasonable time as is granted by the majority of the Planning Commission.*

**E. CONSENT CALENDAR:**

**Note:** All items listed on the Consent Calendar may be enacted by a single motion without separate discussion. If a discussion or a separate vote on any item is desired by a Planning Commissioner, that item may be removed from the Consent Calendar and considered separately. All remaining items not removed from the Consent Calendar by a Planning Commissioner shall be voted on prior to discussion of the item(s) requested to be pulled.

**1. APPROVAL OF PC MINUTES:**

October 28, 2015

**2. GENERAL PLAN CONFORMITY (GPC 3454-2015):**

Finding of General Plan Conformity Assessment for proposed Walkway Vacation (V-313) at the intersection of Cromwell Street and Concord Avenue.

**F. PUBLIC HEARING ITEMS:**

**1. CONDITIONAL USE PERMIT (CUP 2701-2015) & TENTATIVE PARCEL MAP (PARCEL MAP 2866-2015)**

*(Continued from October 28, 2015)*

**Project Address:** 801 Rio Rancho Road  
**Project Applicant:** Lewis Retail Centers  
**Project Planner:** Cecily Session-Goins, Assistant Planner  
**Council District:** CC District No. 2

**Project Description:**

Conditional Use Permit to modify approved (MCUP 13-011) replacing the approved 35,000 square foot fitness building with two buildings of 11,097 sq. ft. and 6,300 sq. ft. and Tentative Parcel Map to allow the creation of four new parcels from two existing parcels in the C-4 (Highway Commercial) zone. Pursuant to the provisions of the California Environmental Quality Act (CEQA), an addendum to a previously adopted Environmental Impact Report considering the proposed land use has been prepared and approved consistent with CEQA Section 15164. Therefore, no further environmental review is required.

**Recommended Action:**

The Planning Division recommends that the Planning Commission approve Conditional Use Permit (CUP 2701-2015) and Tentative Parcel Map (PARCELMAP 2866-2015), subject to conditions.

**2. VARIANCE (VAR 1536-2015)**

**Project Address:** 1109 Oak Knoll Drive  
**Project Applicant:** Danny Sabbagh  
**Project Planner:** Nancy Lee, Associate Planner  
**Council District:** CC District No. 6

**Project Description:**

Variance to allow the construction of one single-family residence with a rear yard setback of 15-foot and five-foot side yard setbacks designed as stairways within the Single Family Residential (R-1-20,000) district on a property that is approximately 24,370 square feet in size. Pursuant to the provisions of the California Environmental Quality Act (CEQA – Public Resources Code, Section 21084 et. seq.), this project meets the requirements for a Categorical Exemption in compliance with Article 19, Section 15303 (Class 3 – New Construction or Conversion of Small Structures).

**Recommended Action:**

The Planning Division recommends that the Planning Commission approve Variance (VAR 1536-2015), subject to conditions.

**3. CODE AMENDMENT (CODE 3363-2015)**

**Project Address:** Citywide  
**Project Applicant:** Development & Neighborhood Services Department,  
Planning Division  
**Project Planner:** Brad Johnson, Development Services Manager  
**Council District:** CC District No. 2  
**Project Description:**

Code Amendment modifying the City of Pomona Zoning Ordinance to prohibit marijuana cultivation and add new definitions. Pursuant to the provisions of the California Environmental Quality Act (CEQA) – Public Resources Code, Section 15061 (b)(3), this project meets the requirements for a Categorical Exemption. The adoption of Code Amendment (CODE 3363-2015) does not have the potential to cause a significant direct effect on the environment.

**Recommended Action:**

The Planning Division recommends that the Planning Commission recommend City Council approval of Code Amendment (CODE 3363-2015), subject to conditions.

**G. NEW BUSINESS:**

**H. PLANNING COMMISSION COMMUNICATIONS:**

**I. DEVELOPMENT SERVICES MANAGER COMMUNICATIONS:**

**J. ADJOURNMENT:**

The City of Pomona Planning Commission is hereby adjourned to the next regularly scheduled meeting of **December 9, 2015** starting at 7:00 p.m. in the City Council Chambers.

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**\*\*\* CERTIFICATION OF POSTING AGENDA \*\*\***

I, Brad Johnson, Development Services Manager for the City of Pomona, hereby certify that the agenda for the November 18, 2015 Planning Commission meeting was posted on Thursday November 12, 2015.



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Brad Johnson  
Development Services Manager

F1- 801 Rio Rancho Road  
F2- 1109 Oak Knoll Drive



UNOFFICIAL MINUTES  
PLANNING COMMISSION MEETING  
OCTOBER 28, 2015

CALL TO ORDER: The Planning Commission meeting was called to order by Chairperson Mosier in the City Council Chambers at 7:02 p.m.

FLAG SALUTE: Commissioner Arias led the flag salute

ROLL CALL: Roll was taken by Development Services Manager Johnson

COMMISSIONERS PRESENT: Chair Mosier and Vice Chair Starr; Commissioners Arias, Garcia, Juarez, Hemming, and Tharpe

COMMISSIONERS ABSENT: None

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

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ITEM D:  
CITIZEN PARTICIPATION:

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ITEM E:  
CONSENT CALENDAR:

**1. APPROVAL OF PC MINUTES:**  
-October 14, 2015

Motion by Commissioner Tharpe, seconded by Commissioner Hemming, carried by a majority vote of the members present (6-0-1-0) Vice Chair Starr abstained, adopting the Planning Commission meeting minutes of October 14, 2015.

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ITEM F:  
PUBLIC HEARING ITEMS:

F-1 PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 14-055) TO ALLOW THE ESTABLISHMENT OF AN ADULT DAY PROGRAM FACILITY SERVING DEVELOPMENTALLY DISABLED CLIENTS LOCATED IN THE C-2 (NEIGHBORHOOD SHOPPING CENTER COMMERCIAL DISTRICT) ZONE LOCATED AT 2040 N. TOWNE AVENUE.

Associate Planner Lee provided a staff report regarding a request for an adult day program facility. Chair Mosier inquired whether staff was in agreement with the lack of a traffic study considering the

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area was congested. Associate Planner Lee stated staff was in agreement as it was understood the use would not add to the intensity of the area. Commissioner Juarez requested a condition be added requiring the addition of graffiti sealer on the exterior of the building. Vice Chair Starr mentioned Condition No. 34 prohibiting outdoor storage and requested the last sentence be removed as he felt it was contradictory. Commissioner Juarez and Vice Chair Starr stated a concern with the condition of the parking lot and requested a condition be added requiring the parking lot to be resurfaced. Commissioner Hemming stated a concern with the space between the Caltrans fence and the applicant's fence not being maintained. In addition, she stated she would like a condition to be added requiring outdoor lighting on the building to remain on to deter loitering. Chair Mosier opened the public hearing. Ms. Heather Diaz, Project Director, provided background on the project and agreed with the staff report, but stated a concern regarding Condition No. 36, requiring interior video surveillance, infringing on the privacy of the clients. She requested the interior video surveillance portion of Condition No. 36 be removed. In addition, she stated she would continue to keep the property clean and attempt to work with Caltrans, as they can be difficult to work with, to maintain their space. Vice Chair Starr and Commissioner Juarez stated concerns with the exterior of the building being several different colors due to graffiti and stated he believed the building should be repainted and a graffiti sealer added. Mr. Mark Shafia, property owner, stated he had attempted to work with Caltrans, but he has had a difficult time doing so. In addition, he stated he would not be against the building being repainted. Chair Mosier closed the public hearing.

The Commission discussed and agreed to add the following conditions; requiring the parking lot to be resurfaced, requiring the exterior of the building be repainted and a graffiti sealer be added, and requiring the exterior building lights to remain on during the evening. In addition, the Commission discussed and agreed to remove the last sentence of Condition No. 34 and to remove the requirement for interior video surveillance from Condition No. 36.

Motion by Vice Chair Starr, seconded by Commissioner Juarez, carried by a unanimous vote of the members (7-0-0), adopting the Resolution No. 15-052, approving Conditional Use Permit (CUP 14-055).

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F-2 PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 2701-2015) TO MODIFY APPROVED (MCUP 13-011) REPLACING THE APPROVED 35,000 SQUARE FOOT FITNESS BUILDING WITH TWO BUILDINGS OF 11,097 SQ. FT. AND 6,300 SQ. FT. AND TENTATIVE PARCEL MAP (PARCEL MAP 2866-2015) TO ALLOW THE CREATION OF FOUR NEW PARCELS FROM TWO EXISTING PARCELS IN THE C-4 (HIGHWAY COMMERCIAL) ZONE LOCATED AT 801 RIO RANCHO ROAD.

Due to complications in the review process, Chair Mosier opened the public hearing to continue the CUP 2701-2015 and PARCEL MAP 2866-2015 to the November 18, 2015 Planning Commission meeting.

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F-3 PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 2522-2015) FOR THE CONSTRUCTION OF A 2,100 SQUARE FOOT STARBUCKS CAFÉ WITH DRIVE THRU AND THE

ASSOCIATED SITE IMPROVEMENTS ON A PARCEL  
LARGER THAN 20,000 SQUARE FEET IN THE C-4  
(HIGHWAY COMMERCIAL) ZONE LOCATED AT 3423  
POMONA BOULEVARD.

Assistant Planner Session-Goins provided a staff report regarding a request to construct a Starbucks. Chair Mosier inquired about a traffic study. Assistant Planner Session-Goins stated the study was currently taking place as a requirement from Public Works. In addition, she stated Public Works approved the application moving forward without the study as the applicant had agreed to make additional improvements needed to mitigate any findings from the traffic study. Vice Chair Starr requested a modification to condition No. 15, regarding video surveillance, to increase the required surveillance retention from 60 days to 90 days. Chair Mosier opened the public hearing. Ms. Catherine Otis requested a clarification on Condition No. 28i regarding undergrounding the existing utilities. City Engineer Guerrero stated Condition No. 28i was a requirement to underground the existing utility pole and an exception could be requested. Mr. Charlie Arbing with Starbucks agreed with the staff report and stated the store was being opened to adequately serve Cal Poly students. Chair Mosier closed the public hearing.

The Commission discussed and agreed to modify condition No. 15, regarding video surveillance, to increase the required surveillance retention from 60 days to 90 days.

Motion by Commissioner Arias, seconded by Commissioner Hemming, carried by a unanimous vote of the members (7-0-0-0), adopting Resolution No. 15-053, approving Conditional Use Permit (CUP 2522-2015).

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ITEM G:  
NEW BUSINESS:

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ITEM H:  
PLANNING COMMISSION COMMUNICATIONS:

Commissioner Hemming suggested showing a short video of the downtown on a short agenda night. In addition, she asked staff to provide the Commission with the Crime Fighting Blue Print the Police Department published.

Commissioner Juarez stated a meeting took place regarding alternative housing for Pomona's homeless and a tour of homeless outreach shelters will take place soon.

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ITEM I:  
DEVELOPMENT SERVICES MANAGER COMMUNICATIONS:

Due to the upcoming holidays in November, staff and the Commission discussed and agreed to hold a special meeting on November 18, 2015.

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ITEM J:

ADJOURNMENT:

The Planning Commission meeting was motion to adjourn by Chairperson Mosier at 8:45 p.m. to the regular scheduled meeting of November 18, 2015 in the City Council Chambers.

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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.