

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

June 28, 2016

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**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

June 28, 2016

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 PM

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman Downs, DeDiemar,
Delman, Gage, and Ricci

Absent: None

Late: Gregorek

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Senior Planner D. Ayala, Senior Planner Noh, Associate Planner Chen, Assistant Planner Aguilo, Assistant Planner Antuna, Assistant City Engineer Lee, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENTS

Mr. Murphy stated the May 24, 2016 Planning/Historic Preservation Minutes were reprinted showing two typing errors and were requested to be approved with the corrections made.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of May 24, 2016, approved as written.

It was moved by Downs, seconded by Ricci, to approve the Planning Commission Minutes of May 24, 2016, as amended. The motion was carried 5 to 0. Gage abstained and Gregorek was absent.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND VARIANCE REVIEW FOR FILE NO(S). PDEV15-033 & PVAR16-002:** A Development Plan to construct and operate a 74-foot monopine telecommunication facility with a 107 square foot equipment enclosure for Verizon Wireless (File No. PDEV15-033), on 2.1 acres of developed land, and a Variance (PVAR16-002) request to allow the telecommunication facility to exceed the height limit of 65 feet to 74 feet, for property within the IG (Industrial General) zoning district located at 4711 E. Guasti Road. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. (APN: 0238-042-23); **submitted by Verizon Wireless.**

Associate Planner, Denny Chen, presented the staff report. He stated the applicant is planning to be on the south east end of Guasti Road. Mr. Chen noted there are two existing carriers and, unfortunately, the applicant, Verizon, was not able to co-locate on either sites because of the location they are targeting and due to the topography. The planned location by the applicant is predominately surrounded by industrial buildings. Mr. Chen stated the applicant proceeded with the Variance request for an increase in height due to the process of approval of the Development Code Amendment, which goes before the City Council in July of 2016. He stated that staff is recommending the Planning Commission approve File Nos. PVAR16-002 and PDEV15-033, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

James Rogers, the representative from Smartlink, LLC who are agents for Verizon Wireless appeared and spoke. He stated they have worked with staff for the past months and agreed with all the requirements and conditions of approval.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage stated that the increase of 19 feet in an industrial area seemed logical. He said he had no problem approving that; especially in this area with the interchange.

Mr. Willoughby stated it was also consistent in what they approved a couple of months ago to 75 feet.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to adopt the CEQA Determination of Mitigated Negative Declaration, Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

It was moved by Gage, seconded by Delman, to adopt a resolution to approve the Variance, File No. PVAR16-002 and Development Plan, File No. PDEV15-003 subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PDEV15-037 & PMTT15-004 (PM 19706):** A Tentative Parcel Map (File No. PMTT15-004/PM 19706) to subdivide 3.96 acres of land into 3 lots, and a Development Plan (File No. PDEV15-037) to construct a 6,816-square foot retail building (AutoZone) and a 28,432 square foot industrial warehouse building, and establish a building pad for a future 3,825-square foot retail/restaurant pad on the project site, located at the southeast corner of Holt Boulevard and Pleasant Avenue, within the Commercial and Light Industrial land use districts of the Melrose Plaza Planned Unit Development. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (APNs: 1049-092-01, 1049-092-02, 1049-092-11, 1049-092-12, and 1049-092-13); **submitted by Holt Melrose, LLC.**

Assistant Planner, Jeanie Aguilo, presented the staff report. Ms. Aguilo gave general background of the project and presented street views of the proposed property. She explained the lot is to be subdivided into three parcels which are proposed as follows: Parcel No. 1 an AutoZone store; Parcel No. 2 a building pad for restaurant with proposed drive-thru; and Parcel No. 3 an industrial warehouse building. Ms. Aguilo also stated there will be a yard for trailer parking and unloading and will be screened with a wall which will match the architecture of the building. She also shared information regarding the materials and architecture for each of the proposed buildings on the site. She stated that staff is recommending the Planning Commission approve File Nos. PDEV15-037 and PMTT15-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby asked that the Secretary note that Commissioner Gregorek had arrived at 6:50 PM.

PUBLIC TESTIMONY

Brent Ogden from Holt Melrose, LLC appeared and spoke. He stated that they have had a working a relationship with the City for about fifteen years and this is their third shopping center. They are very excited to have another project. Mr. Ogden wanted to comment and said he appreciated the staff with Ms. Aguilo, Mr. Murphy, as well as Mr. Andrews and Ms. Hernandez from Economic Development for all their help. He stated they have read all the conditions and accept them all and are ready to get going around September. He said he'd answer any questions and hoped to get the Commission's approval to move forward.

Mr. Gregorek questioned the second parcel and wanted to know how quickly that would be built out.

Mr. Ogden said they are in negotiations with a national tenant and they hope to introduce the tenant in about two weeks. He stated they are on their pre-approved list with national users by City Council. Mr. Ogden also noted that all the infrastructure and improvements will be done at the beginning of construction for all the parcels. He said at the time of the meeting, there is no tenant for the industrial building, but they hope to have one soon.

Mr. Willoughby asked about the east side of the industrial building; he wanted to know if staff had addressed the stacked stone in the truck parking area. He was concerned the stone would get damaged quickly in the truck bay area.

Mr. Murphy stated it would be his recommendation to remove the stacked stone from within the truck court since it is not high visibility. He said that Mr. Willoughby is right that as trucks back in and out of the area, it has a high chance of getting knocked off and just to continue the concrete. He asked Mr. Ogden if he was okay with removing the stone.

Mr. Ogden stated he would agree to that.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage stated this was a good project and would be voting for it. He made reference to the Starbucks on 6th Street, which was another Holt Melrose project. He said that it's the busiest Starbucks in the region, not including Disneyland.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Ricci, to adopt a resolution to approve the Development Plan, File No. PDEV15-037 and Tentative Parcel Map, File No. PMTT15-004 subject to conditions of approval and the provision that the developer remove the stacked stone base in the yard area for the industrial warehouse building. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT16-008:** A Tentative Tract Map (TT 18996) for Condominium Purposes to subdivide 5.04 acres of land into 2 numbered lots and 7 lettered lots within the Medium Density Residential (MDR) district of Planning Area 10A of The Avenue Specific Plan, generally located north of Ontario Ranch Road, east of Turner Avenue and west of Haven Avenue. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the

policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APNs: 0218-462-80 and 0218-513-24); **submitted by Brookfield Residential.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh stated that Brookfield is requesting approval for a Tentative Tract Map to subdivide approximately five acres into two multifamily lots and seven lettered lots within the Avenue Specific Plan. The project is generally located north of Ontario Ranch Rd., east of Turner Ave., and west of Haven Ave., in the New Haven community. Mr. Noh stated the applicant originally planned for attached rowtowns, but they now want to replace the rowtown product due to high demand for the condominium products. Mr. Noh said that staff is working with the developer on the development plan to finalize the site plan and architecture to show a variety from what was previously approved and this will be brought to the Planning Commission at a future date. He also stated the project is consistent with The Avenue Specific Plan and The Ontario Plan. He stated that staff is recommending the Planning Commission approve File No. PMTT16-008, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Susan McDowell from Brookfield Residential appeared and spoke. She began by thanking Mr. Noh and staff for working with them on the map. She stated the development package will come forth in July and accepted all conditions of approval. She said she would answer any questions the Commission might have.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage questioned the higher density than what was originally approved and how does it comply with The Specific Plan.

Mr. Noh stated that in Plan Area 10-A; Brookfield is adjusting the numbers so the density is consistent with the Specific Plan. He stated they are reducing the number in some areas and then increasing it in others to make the density consistent with The Specific Plan.

Mr. Murphy stated that the area which they were talking about within The Specific Plan is designated as Medium Density Residential and it was originally envisioned to be the rowtowns which Henry referred to previously. He said there are provisions in The Specific Plan that allow for them to transfer units around within 15%. So, everyone is complying with the overall Specific Plan. He said Brookfield can pick those units up on the south side or somewhere else; it's unknown at this point.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gregorek, to adopt a resolution to approve the Tentative Tract Map, File No. PMTT16-008, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

- E. ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PHP16-007 AND PCUP16-007:** A request; 1) To modify a previously approved Conditional Use Permit (File No. PCUP09-001), which established a restaurant, banquet hall facility, and live entertainment with a Type 47 ABC license (On-Sale General Eating Place), to reconfigure the floor plan of the restaurant, patio area, and banquet facility and adjust hours of operation (File No. PCUP16-007); and 2) For a Certificate of Appropriateness (File No. PHP16-007) to construct exterior modifications to an existing commercial building, designated Local Landmark No. 6 (the Ontario Laundry Co. Building) on 0.38 acres of land at 401 North Euclid Avenue, within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15331 (Historical Resource Restoration/Rehabilitation). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1048-354-11); **submitted by Gloria Campuzano.**

Assistant Planner, Elly Antuna, presented the staff report. Ms. Antuna began with stating the project was located at 401 North Euclid Avenue at the historic Ontario Laundry Company building, also known as the Blue Seal Building. She stated it has historic architecture in Moderne/Art Deco style and was named Local Landmark No. 6 in 1995. She said the Ontario Laundry building has been used as a restaurant for several years and now the current applicant, Gloria's Cocina is requesting the Conditional Use Permit (CUP) modification and Certificate of Appropriateness. Ms. Antuna gave the specifics for the modified CUP which included expansion of hours, live entertainment, outdoor patio area and change in floor plan. Ms. Antuna explained that the previous CUP included a condition by the Police Department that stated a five-foot plexi-glass fence be placed anywhere there would be alcohol served in the outdoor area. She said the applicant is proposing a decorative fence to be made from rod iron or tubular steel with an Art Deco design. She explained that to accommodate this design the Police have requested that the space be small enough to eliminate the passing of alcohol. The Certificate of Appropriateness will include exterior light fixtures, mural on the adjacent building and wooden doors. Ms. Antuna stated the applicant has reached out to the owners of the building and they are excited about the mural. She said Planning Staff has placed a condition that they provide a notarized agreement from the property owner that allows for the installation of the mural. She also stated the applicant will also be replacing the original blue tiles which were removed with something very similar since the original tile is no longer available. She said that public notices went out for this project and as a result, staff had received one inquiry regarding the nature of the project from a neighboring residential property owner. Ms. Antuna stated staff explained the project and the property owner did not object. She said the Historic Preservation Subcommittee (HPSC) recommended approval on June 9, 2016 for the Certificate of Appropriateness to the Historic Preservation Commission along with the conditions of approval contained within the report. She stated that staff is recommending the Planning Commission approve File Nos. PCUP16-007 and PHP16-007, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Gregorek questioned if there was another slide or image of the wrought iron fence. He asked what the spacing on the fence would be.

Ms. Antuna stated she did not have another image to share.

Mr. Murphy stated it would be about 2 inches; something narrow enough to prevent a glass or beer bottle to go through.

Mr. Delman also questioned the wrought iron fence. He stated that other surrounding cities like Claremont and Upland have short pony walls. He said it seemed like an un-do requirement. He wondered why the Police see it as necessary.

Mr. Murphy stated that when other applications have come in and serve alcohol, the Police Department has been consistent to their height requirement of having a barrier. He said that whether it's in the form of plexi-glass, tube steel or wrought iron. He gave the example of the Ontario City Library's Page One Café where there's a fence and then a sheet metal attachment to prevent the passing of alcohol through. Mr. Murphy stated that one of the Ontario Police Department Officers was in attendance and asked if he would like to come forward.

Mr. Delman stated he would appreciate it.

Officer Eric Quinones from the Ontario Police Department stated he and Corporal Munoz oversee the ABC licensing for the City and it has been past practice and he believes it's mentioned in the Development Code that a solid five-foot barrier be put up. He said that there have been alterations either through decorative fencing or plexi-glass to prevent that look of being enclosed. He said it's something they've been trying to work with Planning on. He explained that there are ideas of creating a five-foot barrier either height or width using plant materials or shrubbery to create a barrier so people cannot hand alcohol to people walking by.

Ms. DeDiemar asked how pervasive is the problem within the City and what are the ramifications and implications if someone passes alcohol out.

Officer Quinones stated that it affects the licensee most of the time because they are responsible for the location. He said it probably isn't as much of an issue now as it was in the past due to Fred Alvarez reducing the problem and the condition is something from past practice. He stated he would hate for the problem to become an issue again. He said to ABC, handing alcohol to minors is one of the biggest issues that they have and it's an issue that they [Police] have been working with the City to take care of.

Mr. Downs questioned if there was a way to refrain from serving alcohol outside. He stated the design may look like a prison.

Officer Quinones stated that it is something that can always be conditioned and that they leave the outdoor portion to the developer. They do not restrict them from doing that; if it's something they want to do, by all means they can.

Ms. DeDiemar questioned if any type of option of shrubbery was offered by the Police Department to the applicant.

Officer Quinones stated no, the Police Department did not give that option. He said he does not know of any locations which have that.

Mr. Murphy stated that there are not too many locations where there are planters which are wide enough to handle those kinds of shrubs. He said they are working with the Starbucks out by the Ontario Mills about the possibility, but usually in a more urban setting, like there is Downtown, there just isn't the planter space to put in a shrub and the options are somewhat limited to tube steel or plexi-glass.

Mr. Willoughby stated that with the wrought iron they can make it decorative and it can fit in. He said they don't want to go back to where they were in the past and it's been working that way.

PUBLIC TESTIMONY

Chad Kenner, acting Construction Manager for the owners of Gloria's Cocina, appeared and spoke. He stated he has pretty much been hands-on with the project since conception and the owners have invested in a very high-profile design team to develop the project. He said they are making a big investment on the project and going all out by spending a lot of money on the interior, but they couldn't spend as much on the exterior because it's historic. He stated one of their biggest issues would be the fence as well. He said they don't prefer it either and the image presented does look like a jail cell, but the current design has progressed and its more detail orientated. He shared it will not be just bars spaced two-inches apart, but there are many other pieces which are twisted and turned within the design. He said aside from that, he would take any questions.

Ms. DeDiemar questioned the mural and how it will be protected from rain and environmental damage and also from graffiti.

Mr. Kenner stated it is proposed to have an anti-graffiti coating on the mural itself and it will have some sort of clear coat over the painting. He said he wasn't sure exactly what the process would be in regards to being oil-based. He said it would have some sort of sealant to preserve it and UV protection so it doesn't fade.

Ms. DeDiemar questioned if the artist is experienced in outdoor murals.

Mr. Kenner stated absolutely and that he had worked with him personally on other restaurants. He shared he worked with him on a Redevelopment project in the City of Anaheim. He said he is well-known in a small niche.

Ms. DeDiemar asked about his being well-known for murals on buildings.

Mr. Kenner stated not specifically, but he's more mural, signage and hand-painted everything. He said he's the custom "go-to-guy".

Mr. Gregorek questioned if there were security requirements with there being live entertainment and karaoke.

Mr. Kenner stated that normal business on regular days, there will be no typical security at the door. However, when there are events they will be providing security and when there are large banquets and there's 100-200 people in that area, he said they will be there to help observe and protect. He stated he thought that was listed in their conditions of approval or the current CUP.

Mr. Willoughby stated he thought with live entertainment and with certain hours security is required.

Officer Quinones stated that whenever there is live entertainment and dancing the City requires security.

Mr. Gregorek questioned if this was their own hired security or a City Police Officer.

Officer Quinones stated, no City Police Officer was required. He stated they have certain security companies which have to be approved by the City.

Mr. Downs wanted to confirm that there will be written and notarized approval from neighboring owner for the mural on building.

Mr. Kenner stated yes, and the owners just met with Mr. Rogers, the owner of the neighboring building [Roger's Flowers], recently and they are excited. He shared he has a more-or-less preapproved letter for the public hearing that he is accepting the mural and they are very proactive about the process.

Mr. Ricci stated he had a question for Officer Quinones. He asked if any studies had been done in regards to outdoor seating. He shared that in Old Town Pasadena, a location on Colorado Blvd. only has pillars with cords separating the tables from the sidewalk. He asked if there has been any type of study done with that type of seating in regards to problems with alcohol.

Officer Quinones stated that there are none that he's aware of but it's something they can always look into. He said, again, their condition is following past practice because of the past issue which they don't have any more but attribute to the fact that they raised the fence.

Mr. Ricci stated that he's from Pasadena and it seemed successful in what they've done and maybe it could be a model which could be learned from. He stated that he didn't know if that was something which could be considered in the future, especially projects like this, which could have more of a curb appeal.

Mr. Murphy stated that we will not be able to resolve all of this for the applicant tonight, but if it is the Commission's concern or direction, Planning Staff can meet with the Police Department and the Chief and start looking at those types of things to come back with some information on what we've found and what other cities are dealing with and how prevalent the problem is in those other cities. He stated we see things, but we don't really

know what the stats are so this would give us the opportunity to do that.

Mr. Willoughby stated yes, it would be a great idea. As was mentioned, we've corrected a problem in our City in the past and we don't want to backtrack on that but there are a lot of cities, like Mr. Delman mentioned, Upland, and other established in Pasadena and Palm Springs which are the same way. He said if Planning Staff could look into that and get back to the Commission, they could go from there.

Ms. DeDiemar questioned how Ontario and the building came to the attention of the owners for the restaurant since Downey is a long ways away.

Mr. Kenner said he wished he had a clear answer; but he thought it was opportunity and location. He said they have some sort of attachment to the Downtown Ontario area.

Ms. DeDiemar asked if they were familiar with it.

Mr. Kenner said absolutely and that's the reason they want to come in and give the City what they deserve and not just slap another sign on the outside.

Ms. DeDiemar stated the building is a favorite to many on the Commission and they have been hoping a business who cared enough to honor the building and be successful would move in.

Mr. Kenner stated they have definitely done their due diligence just by hiring an experienced design team and they have everything going for them.

Mr. Gregorek returned to the topic of the mural and questioned if there should be a new owner to the adjacent building and want the mural removed, does that request have to be honored.

Mr. Kenner stated they are writing their letter to hopefully have a provision to keep it, even with a new owner. He shared he wasn't sure how that would hold up in court, but they are putting that provision in.

City Attorney Ferguson stated he would have to review the information, but it is possible for a mural like that to run with the land, so that if the building was sold, the mural would remain.

Mr. Gage questioned the fence and the design. He asked if the five-foot design goes with the restaurant architecturally.

Mr. Kenner stated they would prefer not to have anything to invite the customers in, but their options are limited. He shared they can have plexi-glass which yellows and is vandalized easily and is not easy to repair, so the wrought iron idea just stuck. He said they went with an extravagant design so it went with the building.

Mr. Gage asked if they had a choice to go with a three-foot or four-foot fence, would they choose that instead.

Mr. Kenner stated one-hundred percent.

Lorri Masonis questioned if the exterior would be historic but the interior would be up to date.

Mr. Willoughby stated that was correct.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Downs questioned the parking situation and how many spaces are in the lot out back.

Ms. Antuna stated the lot in the rear is city owned. She stated there are 130 spaces in Lot 29 which includes spaces in the lot and street parking.

Mr. Gage questioned if the Commission could recommend staff to work with the Applicant to make a shorter fence than five feet. He stated he doesn't know anyone who would pay those types of prices at a restaurant and then hand it to a child on the street when they can go a local Seven-Eleven and get a lot cheaper booze for children. He continued by saying that all the downtowns with sidewalk patio seating don't have this type of barrier. He said that alcohol can be handed over a five-foot wall. He asked again if the Commission can ask staff to work with the Applicant and not abide by this rule.

Mr. Murphy stated they can recommended but he would be a little reluctant without the ability to consult with the Chief and see what other cities are doing. He said they could put some language in the conditions about putting in some flexibility about having the overall height approved by himself or the Chief of Police.

Mr. Willoughby asked that a condition of approval for the fence will be with Planning Director and Police Chief and have a sign off on the condition of fence.

Ms. DeDiemar asked if the Commission made this request, if that would hold them up from taking action on the request tonight.

Mr. Murphy stated they could modify one of the conditions which states the final height of the fence will be approved by Planning Director and Police Chief. That way it gives staff the ability to do research and it gives the applicant the ability to move forward. He said if the applicant wants to move forward they can, but we can put that flexibility in there.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gregorek, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP16-007 subject to conditions of approval with the request to have the Planning Director and Police Chief review the five-foot fence requirement for the exterior eating area. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

PLANNING COMMISSION/HISTORIC PRESERVATION COMMITTEE ACTION

It was moved by Gage, seconded by Downs, to adopt a resolution to approve the Certificate of Appropriateness, File No. PHP16-007 subject to conditions of approval with the request to have the Planning Director and Police Chief review the five-foot fence requirement for the exterior eating area. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on Thursday, June 9, 2016.

- *They reviewed and recommended approval for the Certificate of Appropriateness (PHP16-007)*
- *They reviewed and approved a request to rescind and remove two, tier three historic resources (PHP16-009)*

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

Mr. Murphy shared with the Commission that they should swing by the new Stratham multi-family project at Philadelphia and Cucamonga. He stated they have done a really nice job with the leasing offices.

NOMINATIONS FOR SPECIAL RECOGNITION

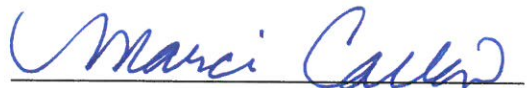
None at this time.

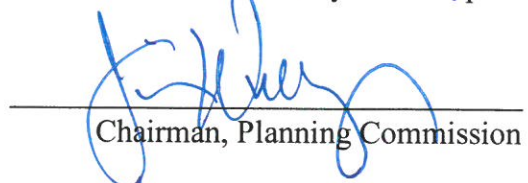
DIRECTOR'S REPORT

Mr. Murphy stated both the April and May Monthly Activity Reports are in their packets.

ADJOURNMENT

Gage motioned to adjourn, seconded by Delman. The meeting was adjourned at 8:02 PM.


Secretary Pro Tempore


Chairman, Planning Commission