



CITY OF POMONA

COUNCIL REPORT

June 3, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Gutierrez, City Manager

Submitted By: Ata Khan, Deputy Director of Development Services

**SUBJECT: APPEAL OF PLANNING COMMISSION DECISION FOR
PROPOSED OUTDOOR STORAGE YARD AT 1313 EAST PHILLIPS
BOULEVARD (Case File: CUP 000360-2024)**

RECOMMENDATION:

Staff recommends that the City Council schedule the appeal for a public hearing for the regularly scheduled City Council meeting of June 17, 2024.

EXECUTIVE SUMMARY:

On May 8, 2024, at its regularly scheduled meeting, the Planning Commission held a public hearing and denied a request for an outdoor storage yard (*Case File: CUP-000360-2024*) at 1313 East Phillips Boulevard (4-2-1-0). The applicant, AG-5R Pomona, LLC, has appealed the decision. The City Council may either uphold this decision or schedule the matter for a public hearing, which can be scheduled on June 17, 2024 at the regularly scheduled City Council meeting.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

There is no fiscal impact to this action.

DISCUSSION:

On May 8, 2024, the Planning Commission, at its regularly scheduled meeting, conducted a public hearing to consider a Conditional Use Permit application for a proposed outdoor storage yard at 1313 East Phillips Boulevard. The applicant is AG-5R Pomona, LLC. The Planning Commission motioned to deny the request, which passed 4-2-1-0. The motion to deny was based upon findings of denial made into the record by various commissioners, which were then incorporated into a draft denial resolution (Attachment No. 2).

On May 28, 2024, the applicant filed an appeal of the Planning Commission decision (Attachment No. 3). Appeals, per the Pomona Zoning Ordinance, require a one or two step process. First, Council considers the appeal at consent as either upholding the Planning Commission decision or scheduling a public hearing to consider the matter. If it motions to schedule a public hearing, the second step is to schedule the public hearing, which in this case will be the regularly scheduled meeting of the City Council on June 17, 2024.

Prepared by:



Ata Khan
Deputy Director
Development Services

ATTACHMENT(S):

Attachment No. 1 – Copy of Agenda Packet for May 8, 2024 Planning Commission

Attachment No. 2 – Draft Denial Resolution of Planning Commission

Attachment No. 3 – Applicant Appeal Submittal