



# Planning Commission

## Planning Division Staff Report

**DATE:** May 8, 2024  
**TO:** Chairperson and Members of the Planning Commission  
**FROM:** Planning Division  
**REQUEST:** **Conditional Use Permit (CUP-000360-2024)**  
 Request to establish an outdoor storage yard on a vacant, improved site at 1313 East Phillips.

### Executive Summary

The applicant is requesting to establish an outdoor storage yard by Conditional Use Permit. The existing site is vacant and formerly operated by Recycled Wood Products under an existing entitlement for wood recycling, which the applicant has expressed interest in either surrendering or revoking in place of this request. Staff has identified a specific list of outdoor storage items that could be reasonably and effectively regulated on site, in addition to conditions on variables such as storage coverage, Fire clearance, height, and maintenance that will ensure compatibility with the neighborhood.

### Staff Recommendation

Staff recommends approving the request as conditioned by Staff in the attached draft Resolution.

### Property Details

<b>Address</b>	1313 East Phillips
<b>Assessor's Parcel Number (APN)</b>	8327-021-018, 8327-021-023, 8327-021-024, 8327-021-029
<b>Lot Size</b>	10.85 acres
<b>General Plan Place Type</b>	Workplace District
<b>General Plan Transect Zone</b>	-
<b>Zoning District</b>	M-2 General Industrial
<b>Historic District</b>	-
<b>Specific Plan</b>	-
<b>City Council District</b>	3
<b>Applicant</b>	AG-5R Property Owner, Inc.
<b>Property Owner</b>	AG-5R Property Owner

### Related Actions

**Planning Commission**  
 May 8, 2024

<b>Historic Preservation</b>	N/A
<b>Code Enforcement</b>	No active code violations.
<b>Building &amp; Safety</b>	N/A
<b>Planning</b>	No previous Planning Commission Actions.

**Location of Request**

**A. General Location**

The subject site consists of four parcels totaling 10.85 acres in size. It is paved and improved with two modular office buildings totaling 2,548 square feet and a large, 35,000 square foot canopy structure. It is entitled for a wood recycling facility, and was formerly used by Recycled Wood Products, who left the site in 2023. It is currently unoccupied. The site can be accessed at Grand Avenue and Phillips Boulevard. To the east of the site along Phillips is American Moving and Rigging, and Gamino’s Trucking off Signal and Phillips. To the west is Royal Cabinets, single-unit residential homes, and a house of worship. To the east along Grand is Doss logistics. To the west is Worldpac. The area is generally part of what is considered the Reservoir industrial district.

**B. Adjacent Land Uses & Current Zoning**

The subject site is located within the M-2 General Industrial Zoning District. Properties to the north and east are all within the same zoning district. The property is bounded to the west by a railroad. Beyond that, westward properties are within the M-1 Light Industrial Zoning District.

**C. General Plan Land Use**

The subject site is located within the Workplace District land use designation. Properties to the north and east are all within the same General Plan land use designation. Properties to the west, beyond the railroad tracks, are within the Workplace District Edge land use designation, which includes permission for housing.

**Request Details**

**A. Request**

The applicant has requested to establish an outdoor storage yard at the subject location. The applicant has requested multiple types of outdoor storage (Attachment 2). The applicant has prepared a site plan depicting the general piling of outdoor storage, and fire lanes and drive aisles (Attachment 3). The applicant has requested to operate the site 24 hours daily.

## **Staff Analysis**

### **A. Applicable Code Sections**

Section .580 of the Pomona Zoning Ordinance requires a Conditional Use Permit for the establishment of any industrial facility over 20,000 square feet in building size or on a lot greater than one acre.

### **B. Code Compliance**

#### **1. Speculative storage**

Staff first analyzed the request to reduce wherever possible the speculative nature of the request, which would allow the city to more meaningfully and effectively regulate an entitled outdoor storage yard. The conditions of approval (Attachment 1) enumerate specific outdoor storage items that are permitted, and ones that are prohibited. By doing this, both the property owner and the City have a clear sense of the types of items that can be placed on site.

#### **2. Public safety and health**

Staff next analyzed the request to reduce wherever possible the risk to public safety and health. This is accomplished by imposing a 45 percent storage coverage on the site. This percentage is derived from Staff experience in regulating pallet yards and the pile coverage limits that have been effective to reduce fire and safety hazard risks. There are also conditions imposing 20 foot height maximums, no stacking beyond the wall height for the first 125 feet of the property, and requiring Los Angeles County Fire Department clearance of a site plan to ensure sufficient drive aisles and fire lanes and pile dimensions.

Furthermore, the applicant has expressed interest in surrendering or revoking the existing entitlement for wood recycling relied upon by Recycled Wood Products, who vacated the site in 2023. This would eliminate the potential of a new wood recycling facility from siting at this location, which has been associated with serious environmental justice impacts and concerns in the neighboring community.

#### **3. Storage versus Trucking Facility**

Staff also analyzed the request to eliminate the possibility of the outdoor storage yard becoming a bonafide trucking facility or product transportation/fulfillment-oriented use. The prohibition of storage containers and truck trailers on site reduces this possibility.

### **C. Environmental Review**

The City of Pomona, as lead agency, has conducted an environmental review on the proposed

project per the California Environmental Quality Act (CEQA). Pursuant to the provisions of CEQA (Public Resources Code, Section 21084 et. seq.), the guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Planning Commission will consider adopting a Categorical Exemption in compliance with Article 19, Section 15301, (Class 1—Existing Facilities) in that the project is an existing structure with no proposed expansions. The proposed project described above hereby meets the guidelines for a Categorical Exemption. Therefore, no further environmental review is required.

**A. General Plan Conformance**

The project site is designated as Workplace District in the Pomona General Plan. The granting of this conditional use permit will not adversely affect the General Plan of the City of Pomona. As conditioned, the permitted outdoor storage items are materials and equipment that can support the uses called out by the Pomona General Plan as essential to for the City's Workplace Districts while precluding those types of outdoor storage items that would contribute to heavier industrial impacts of noise, diminished roadway safety, odor, dust, and debris.

Reviewed, prepared, and submitted by:



**Ata Khan**

Deputy Director

Development Services Department

Attachments:

1. Draft PC Resolution
2. Applicant Request
3. Proposed Site Plan
4. Proof of Public Noticing

**PC RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 000360-2024) FOR OUTDOOR STORAGE ON A PROPERTY LOCATED AT 1313 EAST PHILLIPS BOULEVARD**

**WHEREAS**, the applicant, AG-5R Pomona, LLC, has submitted an application for Conditional Use Permit for outdoor storage on a property located at 1313 East Phillips Boulevard;

**WHEREAS**, the subject property is currently located within the M-2 (General Industrial) zoning district;

**WHEREAS**, the subject property is on a parcel designated as "Workplace District" on the General Plan Land Use Map;

**WHEREAS**, the approval of a conditional use permit by the Planning Commission is required for the development of an industrial facility of over 20,000 square feet of gross floor area or greater than one acre in size in all M zoning districts;

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on May 8, 2024 concerning the requested Conditional Use Permit; and

**WHEREAS**, the Planning Commission has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Planning Commission of the City of Pomona, California:

**SECTION 1.** The Planning Commission exercising independent judgment finds that the proposed project will not have a significant effect on the environment. The City of Pomona, as lead agency, has conducted an environmental review on the proposed project per the California Environmental Quality Act (CEQA). Pursuant to the provisions of CEQA (Public Resources Code, Section 21084 et. seq.), the guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Planning Commission hereby adopts a Categorical Exemption in compliance with Article 19, Section 15301, (Class 1—Existing Facilities) in that the project is an existing developed site with no proposed expansion.

**SECTION 2.** If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

**SECTION 3.** In accordance with Section .580.B of the Zoning Ordinance, the Planning Commission must make five (5) findings in order to approve this Conditional Use Permit. Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *That the proposed use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposed use of the subject site for industrial development, specifically, the outdoor storage of materials and equipment, will contribute to the general well-being of the neighborhood and the community by providing a local storage use for machinery, equipment, and other tools that can be used by local manufacturers and related uses in the City's workplace districts. The proposed use will also activate a large site that is otherwise vacant, increasing the likelihood of improved security and maintenance of the property.

2. *That such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity.*

The applicant's request will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity as the outdoor storage items identified preclude those outdoor storage uses that would otherwise contribute to dust, debris, odor, or other public health impacts, including frequent truck trips.

3. *That the site of the proposed use is of adequate topography, size and shaped to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto.*

The site is rectangular with sufficient width and depth to accommodate fire lanes and other dimensional limitations to ensure Fire safety provisions for any outdoor storage piles. The site is adequate to accommodate required walls, yards, and aisles.

4. *That the site abuts streets and highways are adequate in width and improvements to carry traffic generations typical of the proposed use.*

The subject site takes access from Grand Avenue and Phillips Boulevard, which both are of sufficient width to accommodate traffic generated by the outdoor storage.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the city and conforms to the provisions of the zoning ordinance.*

The granting of this conditional use permit will not adversely affect the General Plan of the City of Pomona. As conditioned, the permitted outdoor storage items are materials and equipment that can support the uses called out by the Pomona General Plan as essential to

for the City's Workplace Districts while precluding those types of outdoor storage items that would contribute to heavier industrial impacts of noise, diminished roadway safety, odor, dust, and debris.

**SECTION 4.** Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit subject to compliance with all applicable laws and ordinances of the City as well as the addition of the following conditions, violations of which (or failure to complete any of which) shall constitute grounds for revocation of the conditional use permit or any portion thereof:

**General Conditions:**

1. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on May 8, 2024, and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Director of Development Services.
2. This approval shall lapse and become void if the privilege authorized is not utilized within two years from the date of this approval (May 8, 2026), in accordance with Pomona Zoning Ordinance section .580.I. The Planning Commission may extend this period for one year upon receipt of an application for a Time Extension request submitted by the applicant at least thirty days before the expiration date of this approval.
3. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

4. In case of a violation of any of the conditions of approval and/or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or a subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Conditional Use Permit.
5. The project is subject to a twenty day appeal period. Written appeals may be filed with the City Clerk within twenty days by one or more City Council members, the applicant, or any person owning property within four hundred feet of the exterior boundary of the applicant's property. The appeal shall be filed with the City Clerk within twenty days from the date of action by the Planning Commission.
6. Within six months from occupancy by a tenant, Applicant shall file for a Conditional Use Permit Inspection application and pay applicable fees. The Development Services Director and Code Compliance Supervisor shall conduct an inspection of the proposed operation, at any such time deemed necessary, and review any complaints received on the property. The Director shall determine if the applicant is satisfactorily in compliance against all conditions of approval identified in this Resolution. The Development Services Director may, at his or her discretion, pass or fail an inspection. If noncompliance is determined, the Director may schedule the matter for review by Planning Commission to consider bringing revocation proceedings. Applicant shall file for subsequent Conditional Use Permit Inspection Requests on an annual basis.

*Plan Check:*

1. The applicant shall include all conditions of approval from Conditional Use Permit on the title sheet of construction plans prior to plan check submittal.
2. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Backflow prevention devices shall not be located in the front yard setback and shall be screened from public view. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply with required setbacks.
3. The installation of fences and walls that were not contemplated as part of this permit will require the submittal of a "Fence and Wall Permit" for review and approval by the Planning Division.



4. Prior to the issuance of any building permits, the following must be completed:
  - a) A *Landscape Plan Check* in substantial conformance to the conceptual landscaping plan submitted as part of the Conditional Use Permit process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, and applicable portions of Section .503-J of the Pomona Zoning Ordinance. A landscaping maintenance bond shall be required and held for a period of six months to ensure the project's compliance with the approved landscaping, at an amount to be determined by the Development Services Manager.
  - b) A *Photometric* plan demonstrating a minimum 0.5 foot-candle of illumination of parking, driveway, walkways, and common areas. Plan shall identify locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.
  - c) Compliance with *Art in Public Places* requirements, per Section .5809-24 of the Pomona Zoning Ordinance; compliance may be met by either placement of an approved public art piece on the project site, or payment of an in-lieu contribution.
  - d) A *Mechanical* plan demonstrating the location, type, size, and appropriate screening of all ground-mounted and roof-mounted mechanical equipment. All mechanical equipment shall be screened from public view.
  - e) A *Sign Permit* will be required for any installation of new signage.

#### **Site Development & Maintenance Conditions**

7. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code, including the noise provisions, shall be adhered to. All activities including truck deliveries associated with construction and grading will be limited to Monday through Saturday, between 7:00 AM and 8:00 PM, and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare, and safety.
8. There shall be no activity conducted on the subject site that exceeds the noise and vibration parameters of Pomona City Code Section 18-301, *et seq.*, and City Council Ordinance No. 3939 at any time, or such other ordinance enacted related to noise and vibration.
9. The construction area shall be kept clean at all times prior to, during, and after construction.
10. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the

building to minimize the disparity, subject to the approval of the Development Services Director.

11. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Conditional Use Permit. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the Development Services Director.

### **Outdoor Storage Conditions**

12. This Conditional Use Permit authorizes the following types of outdoor storage on the property. No other forms of outdoor storage are authorized by this approval.
  - a) Landscaping and Hardscaping
  - b) Roofing
  - c) Steel Building Components
  - d) Precast Concrete
  - e) Aerial Work Platforms
  - f) Air Compressors and Air Tools
  - g) Compaction
  - h) Concrete and Masonry
  - i) HVAC Equipment
  - j) Lighting Equipment
  - k) Earthmoving Equipment
  - l) Forklifts
  - m) Ladders and Scaffolds
  - n) Lawn and Landscape
  - o) Material Handling
  - p) Plumbing, Pipe, and Conduit
  - q) Portable Restrooms
  - r) Power Generation Equipment
  - s) Pumps, Tanks, and Filtration
  - t) Surface Preparation
  - u) Power, Hand, and Surveying Tools
  - v) Trench Safety and Shoring
  - w) Welding Supplies
  - x) Battery, Energy, Photovoltaic
  - y) Vehicles (Carts, UTVs, Utility Trucks, Water Trucks Only)

Determinations on any specific outdoor storage item that is similar enough to the aforementioned to be permitted must be made by the Development Services Director. Notwithstanding this provision, those items prohibited in Condition #15, shall not be permitted.

13. The rental of those items identified in Condition #12 shall be permitted.

14. Replacement of the existing modular office building shall be allowed, provided that the new modular office building does not substantially increase the building footprint, height, or intensity of the building and use.
15. The following types of outdoor storage shall be prohibited on the property at all times:
  - a) Vehicles (Cargo and Passenger Vans, Passenger Cars, Pickup Trucks, SUVs Dump Trucks, Contractor and Service Body Trucks, Stake Bed Trucks)
  - b) Truck Trailers
  - c) Storage Containers and Mobile Offices
  - d) Chassis
  - e) Shipping Containers
16. Any outdoor storage items within the first 125 feet of any street facing lot line must not exceed the height of the screen fence or wall. Any outdoor storage items beyond the first 125 feet of any street-facing lot line may not exceed 20 feet in height.
17. Outdoor storage must not exceed 45 percent of total lot coverage. Outdoor storage must not be located in designated fire lines, drive aisle lanes, parking aisles, or parking spaces.
18. Site may operate 24 hours daily.
19. Accessory shade structures must only be permitted to protect outdoor storage items, at the same square footage maximum equivalent as 45 percent of total lot coverage in accordance with Conditions No. 17 above related to the allowed percentage of outdoor storage, and at a height limit of 20 feet. The only exception to this height is accessory structure additions to the existing, permitted shade, which may not exceed the existing height of said shed.
20. Property Maintenance Program must be submitted for review and approval by the Development Services Director or their designee prior to the issuance of building permits, business license, or business license renewal. The program must do the following:
  - a) Identify the location for all outdoor storage areas.
  - b) Identify the maximum height for all outdoor storage areas.
  - c) Identify all materials intended for outdoor storage.
  - d) The methods and maximum intervals for maintenance of each outdoor storage area.
  - e) Clearance from the Los Angeles County Fire Department of a site plan depicting allowable dimensions and heights of piles and width of drive aisles and fire lanes.
  - f) Landscaping plan depicting compliance with parking lot and site area landscaping as defined by City ordinance.

**SECTION 5.** The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

**APPROVED AND ADOPTED THIS 8TH DAY OF MAY, 2024**

\_\_\_\_\_  
ALFREDO CAMACHO  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

\_\_\_\_\_  
ATA KHAN  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
MARCO MARTINEZ  
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA    )  
COUNTY OF LOS ANGELES ) ss.  
CITY OF POMONA        )

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 10

## 1313 E. PHILLIPS BOULEVARD, CITY OF POMONA, CA

### PROPERTY & PROJECT DESCRIPTION

#### I. PROPERTY OVERVIEW.

The approximately 10.85-acre site is located generally at 1313 E. Phillips Boulevard, Pomona (the “City”), CA 91766 (the “Property”). The Property is surrounded by a mix of industrial uses, including outdoor storage yards, parking lots, and warehouses of various sizes. Properties to the north, south, and east are all zoned M-2 (General Industrial) and are improved with a mix of industrial uses. To the west is an existing rail line with industrial zoned land and additional industrial uses beyond. Access to the site is from both E. Phillips and Grand Avenue.

The Property is comprised of four parcels (APNs: 8327-021-018, 8327-021-023, 8327-021-024, 8327-021-029) and is subject to Conditional Use Permit 03-028, which was approved by the City Council in 2004, is still valid today, and authorizes use of the Property as a wood-recycling facility (the “Recycling Facility”). (Resolution No. 2004-120, May 17, 2004 [the “2004 CUP”].) The site is entirely paved, screened from its surroundings, and features a roughly 35,000 square foot (“sf”) structure. There are also two existing single-story office buildings, located on the Property’s E. Phillips Boulevard frontage, with a total of approximately 2,548 sf of floor area across both buildings.

The purpose of this application is to discontinue the existing Recycling Facility authorized under the 2004 CUP to allow for the project, which is detailed below.

#### II. THE PROJECT.

AG-5R Pomona Owner, LLC (“Applicant”) is seeking the approval of a Conditional Use Permit (“CUP”) to authorize occupancy of the Property by one or more tenants engaged in any of the uses listed below (collectively, the “Authorized Uses”). This CUP will allow for multiple tenants to occupy the site. Each individual tenant could establish one or more of the Authorized Uses within the area of the Property that they lease.

- Storage of Infrastructure (*i.e.*, storage of equipment and materials necessary for the repair, replacement, and/or construction of public and private infrastructure including, but not limited to, roads and highways, underground wet and dry utilities, and above ground electrical transmission lines);
- Storage of Equipment, including, but not limited to, Contractor Equipment;
- Equipment Sales and Rental, including, but not limited to, Contractor Equipment;
- Storage of Machinery;
- Contractor Storage Yard;
- Storage of Construction Materials (*e.g.*, steel, piping, cement, concrete, wire, wood, stone, brick, aggregate or similar materials);
- Storage of Scaffolding (*i.e.*, storage of all structures and materials, either assembled or disassembled, that provide scaffolding for the general construction industry);

- Photovoltaic Power Station (*i.e.*, solar panels) and Associated Battery Storage;
- Charging Systems and Energy Storage;
- Assembly and Manufacturing, provided such activities are conducted within an enclosed structure;
- Rail-Served Storage Yard; and
- Outdoor Storage, provided such storage is conducted in connection with an Authorized-Use.

In connection with the CUP, Applicant will complete limited improvements at the Property. These improvements will include the addition of screening necessary to bring the Property into compliance with the applicable land use and development standards and restriping the entire site. No new construction is being proposed and no floor area will be added to the site. Furthermore, no grading or drainage patterns will be added to accommodate the Authorized Uses. Please refer to the site plan, attached hereto as Exhibit A, for additional detail regarding the scope of the proposed improvements. Finally, while hours of operation will vary based on the use(s) ultimately established at the Property, Applicant is requesting operations be allowed 24-hours per day 7 days per week.

Once one or more of the Authorized Uses is established, operations at the site will comply with all applicable City ordinances and any conditions of approval imposed by the City.

### **III. ANTICIPATED ENTITLEMENTS AND APPROVALS.**

To allow for the Authorized Uses, a CUP will be required. The project qualifies for one or more categorical exemptions from the California Environmental Quality Act (“**CEQA**”), including, but not limited to, CEQA’s Common Sense Exemption, CEQA’s Class 1 (Existing Facilities) Exemption, CEQA’s Class 2 (Replacement or Reconstruction) Exemption, and CEQA’s Class 4 (Minor Alternations to Land) Exemption.

**DECLARATION OF MAILING**

I, Miroslava PourSanae, say that on the 26th of April, 2024 a copy of the notice attached hereto was mailed to each of the persons whose name and address appears on the attached list. Said mailing was done at Pomona City Hall, Planning Division, located at 505 South Garey Avenue, Pomona, California.

Address: 1313 E. Phillips Boulevard

Project: CUP 000360-2024

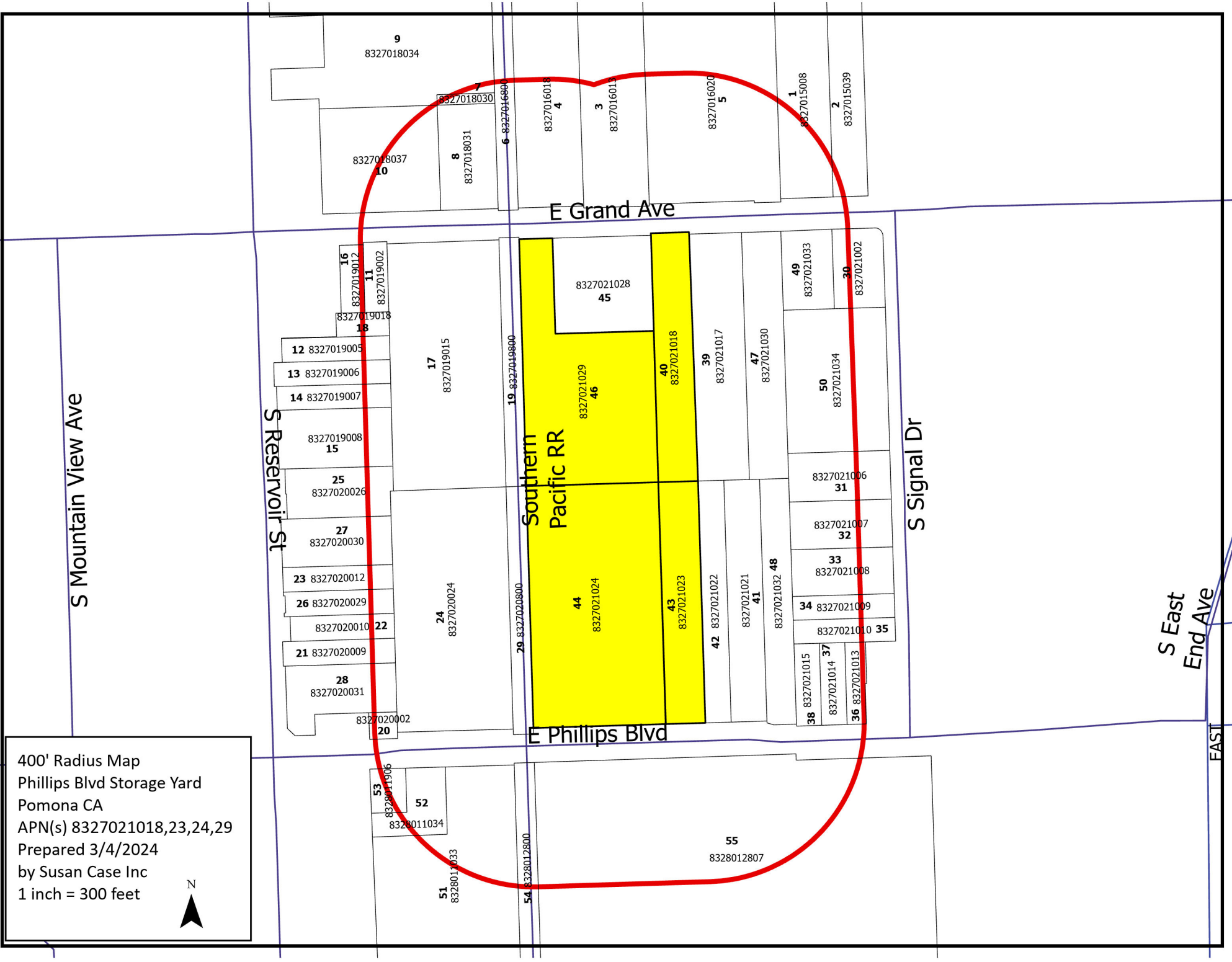
Meeting Date: May 8, 2024

I declare, under penalty of perjury, that the foregoing is true and correct.

*Miroslava PourSanae*

---

Executed at Pomona, California on April 26, 2024



400' Radius Map  
 Phillips Blvd Storage Yard  
 Pomona CA  
 APN(s) 8327021018,23,24,29  
 Prepared 3/4/2024  
 by Susan Case Inc  
 1 inch = 300 feet



E Grand Ave

S Reservoir St

Southern Pacific RR

S Signal Dr

E Phillips Blvd

S East End Ave

EAST

9 8327018034  
 10 8327018037  
 8 8327018031  
 7 8327018030  
 6 8327016900  
 4 8327016018  
 3 8327016013  
 5 8327016020  
 1 8327015008  
 2 8327015039

16 8327019012  
 11 8327019002  
 18 8327019018  
 12 8327019005  
 13 8327019006  
 14 8327019007  
 15 8327019008  
 25 8327020026  
 27 8327020030  
 23 8327020012  
 26 8327020029  
 22 8327020010  
 21 8327020009  
 28 8327020031  
 20 8327020002  
 17 8327019015  
 19 8327049800  
 45 8327021028  
 46 8327021029  
 40 8327021018  
 39 8327021017  
 47 8327021030  
 49 8327021033  
 30 8327021002  
 50 8327021034  
 31 8327021006  
 32 8327021007  
 33 8327021008  
 34 8327021009  
 35 8327021010  
 24 8327020024  
 29 8327020800  
 44 8327021024  
 43 8327021023  
 42 8327021022  
 41 8327021021  
 48 8327021032  
 38 8327021015  
 37 8327021014  
 36 8327021013

53 8328011906  
 52 8328011034

51 8328011033

54 8328012800

55 8328012807



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Orange )  
On 7/11/2024 before me, LAURA EMERSON,  
Date Here Insert Name and Title of the Officer  
personally appeared Charles Emerson  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Laura Emerson  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  Partner —  Limited  General  
 Individual  Attorney in Fact  Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

**SUSAN W. CASE, INC.**  
4000 BARRANCA PKWY #250  
IRVINE CA 92604  
PHONE OR TEXT (949) 494-6105  
*orders@susancaseinc.com*

---

## Certificate of Preparation

The attached list includes the names and addresses of all property owners within 400' and occupants within 400' from the exterior boundaries of the following addresses/APNs.

ADDRESS: Phillips Blvd Storage Yard, Pomona

APNs: 8327-021-018, 023, 024, 029

This information was obtained through First American Core Logic, a data source utilizing the county assessor rolls and other available resources. This information is generally deemed reliable, but is not guaranteed. Return of property addresses that are deemed undeliverable by the United States Postal Service, is therefore, a possibility.

Susan W. Case, Inc. is not responsible for providing further investigation of said labels. Acceptance of this package acknowledges this fact.

*CEmerson*

---

Charles Emerson  
Susan W. Case, Inc.  
laura@susancaseinc.com

Date: 03/04/2024

