

# CITY OF POMONA COUNCIL REPORT

February 27, 2017

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Mark Lazzaretto, Development Services Director

Subject: **Request for Public Hearing on the Planning Commission's Approval of Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 S. Towne Avenue in the C-1 (Neighborhood Commercial) zone; Applicant/Appellant, Farhad Sayari/Councilmember Cristina Carrizosa (Council District: 3)**

## OVERVIEW

**Recommendation** – That the City Council set the appeal of Conditional Use Permit (CUP 5063-2016) for public hearing on April 3, 2017.

**Fiscal Impact** – None.

**Public Noticing Requirements** – None required.

**Previous Related Action** – On January 11, 2017, the Planning Commission held a public hearing and voted on a motion to approve a Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 S. Towne Avenue in the C-1 (Neighborhood Commercial) zone. The Planning Commission adopted a resolution approving the request by a vote of 7-0-0-0.

## EXECUTIVE SUMMARY

Councilmember Cristina Carrizosa is appealing the January 11, 2017 decision of the Planning Commission on Conditional Use Permit (CUP 5063-2016) based on concerns with traffic impacts to neighborhood school children and environmental impacts on the health of families, students, teachers, and community center staff that utilize three nearby schools, a City park, and community center (Attachment C).

Submitted to City Council: \_\_\_\_\_  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

Agenda Item # \_\_\_\_\_  
Resolution No(s): \_\_\_\_\_  
Ordinance No. \_\_\_\_\_

## **DISCUSSION**

The applicant is requesting a Conditional Use Permit to construct an automobile service station on a single vacant 26,518 square foot parcel (.60 acres), located at the northwest corner of S. Towne Avenue and E. Philadelphia Street. The applicant is proposing to construct two freestanding structures on the site that include a 2,701 square foot building to be used for a convenience store and a 2,491 square foot solid canopy cover to shelter a total of six (6) gasoline pumps on three (3) pump islands along with site improvements that add landscaping and parking to the site.

During the Planning Commission's deliberations, commissioners expressed concerns about hours of operation, fuel truck deliveries, and graffiti issues. The Commission discussed and agreed to add conditions of approval requiring the installation of graffiti film on the windows, restricting fuel truck delivery times, and to set the operating hours from 6am to 12am. Ultimately, the Commission voted 7-0-0-0 to approve the request.

On January 30, 2017, Councilmember Carrizosa appealed the Planning Commission's approval of Conditional Use Permit (CUP 5063-2016) based on concerns with traffic impacts to neighborhood school children and environmental impacts on the health of families, students, teachers, and community center staff that utilize three nearby schools, a City park, and community center (Attachment C).

## **CITY COUNCIL OPTIONS**

In accordance with Section .580.F. of the Pomona Zoning Ordinance, the City Council, at its discretion, has the following options:

- 1) Based upon the facts and public testimony presented at the previous public hearing of the Planning Commission, uphold the decision of the Planning Commission and not set this item for a City Council public hearing; or
- 2) Alternatively the City Council may schedule the appeal for a public hearing. If the City Council decides to schedule a formal public hearing, staff recommends that the item be placed on the April 3, 2017 agenda.

## **Attachments:**

- A. Planning Commission Staff Report, Dated January 11, 2017
- B. Excerpt from Unofficial Minutes from Planning Commission Hearing of January 11, 2017
- C. Councilmember Carrizosa's Appeal Application, Dated January 30, 2017



# CITY OF POMONA

## PLANNING COMMISSION REPORT

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**DATE:** January 11, 2017

**TO:** Chairman and Members of the Planning Commission

**FROM:** Planning Division

**SUBJECT:** CONDITIONAL USE PERMIT (CUP 5063-2016):

A Conditional Use Permit to allow the construction of an automobile service station located at 2085 S. Towne Avenue in the C-1 (Neighborhood Commercial) zone.

### STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution ([Attachment 1](#)) approving Conditional Use Permit (CUP 5063-2016), subject to conditions.

### PROJECT/APPLICANT INFORMATION

<b>Project Location:</b>	<b>2085 S. Towne Avenue</b>
APN Information:	8331-004-047
Project Applicant:	Farhad Sayari
Property Owner:	H and K Properties, Inc.
City Council District:	District # 3
Historic/CBD:	Not Applicable
Specific Plan:	Not Applicable

### PROJECT BACKGROUND AND DESCRIPTION

The applicant, Farhad Sayari, is proposing to construct an automobile service station on a single vacant parcel sized 26,518 square foot parcel (.60 acres) and located at the northwest corner of S. Towne Avenue and E. Philadelphia Street ([Attachment 2](#)). The applicant is proposing to construct two freestanding structures on the site that include a 2,701 square foot building to be used for a convenience store and a 2,491 square foot solid canopy cover to shelter a total of six (6) gasoline pumps on three (3) pump islands along with site improvements that add landscaping and parking to the site.

### **Applicable Code Sections**

Pomona Zoning Ordinance (PZO) Sections .580 and .5804 of the Pomona Zoning Ordinance requires approval of a Conditional Use Permit (CUP) for the development of an automobile service station. The project is also subject to the off-street parking requirements in PZO Section .503-H and applicable sections of landscaping requirements in Section .503-J, and the C-1 zone development standards in Sections .370-.373, and other applicable Zoning Code sections.

### **Surrounding Land Use Information**

The surrounding properties to the east, west north, and south are developed with a mixture of single family residential and commercial uses. The zoning, General Plan and existing land use designations for the surrounding properties are delineated in the following table:

**Land Use Summary Table**

	Existing Land Use	Zoning	General Plan Designation
<b>Subject Site</b>	Vacant	C-1	Neighborhood Edge
<b>North</b>	Single-Family Residential	R-1-E	Neighborhood Edge
<b>South</b>	Single-Family Residential Vacant	C-1	Neighborhood Edge
<b>West</b>	Single-Family Residential	R-1-7,200	Neighborhood Edge
<b>East</b>	Commercial Service	C-1	Activity Center

## **ZONING COMPLIANCE ANALYSIS**

### **Site Development Standards**

The project site is currently zoned C-1 (Neighborhood Commercial) and the proposed project is subject to specific development standards of the C-1 zone and PZO section .5804 (Standards of Development for Automobile Service Stations). Compliance with the required development standards will ensure that the site is developed in a manner consistent with the purpose and intent of the zoning district. Staff has evaluated the project site and determined that it is in compliance with the minimum applicable development standards of the C-1 zone. The following table summarizes the required development standards applicable to the proposed project site:

**Project Summary Table**

Development Standards	Zoning/Code Requirements	Proposed Project	Compliance Determination
Site area	20,000 sq. ft.	26,518 sq. ft.	Yes
Lot Depth	No Requirement	>160'	Yes
Street Frontage	145 ft. each side	Philadelphia: 145 ft. Towne: 159 ft.	Yes Yes

Building Setbacks	Street Property lines: 20 ft. Interior Property lines: 15 ft.	56 ft. to 107 ft. 16 ft. – 52 ft.	Yes Yes
Canopy Setbacks	5 ft.	Philadelphia: 25 ft. Towne: 68 ft.	Yes Yes
Fuel Pump Setbacks	Perpendicular to a PL: 20 ft. Parallel to a PL: 12 ft.	Philadelphia: 33 ft. Towne: 69 ft.	Yes Yes
Distance Between Pump Islands	20 ft.	20 ft.	Yes
Underground Tank Opening	15 ft. from nearest PL	23 ft.	Yes
Minimum Bldg. Size	1,000 sq. ft.	2,701 sq. ft.	Yes
Building Height	6 stories (75 ft.)	1 Story (17 ft.)	Yes
Off-street parking	9 parking spaces	15 parking spaces	Yes
Landscaping	5% of station site area (26,262 sq. ft.)	5.4% (1,431 sq. ft.)	Yes
Access	Driveway Min. 25 feet wide	>25'	Yes

## ANALYSIS

### Parking and Circulation

Based on the applicant's proposal, the site will be used as an automotive service station. Pursuant to Section .503-H of the PZO for off-street parking, the applicant must provide one parking space for every 300 sq. ft. of building area. There will be approximately 2,701 square feet of building area for the service station. Therefore, the minimum parking requirement for the project is nine (9) parking spaces. The proposed site improvements will provide a parking lot with a total of fifteen (15) parking spaces, which meets the requirement for off-street parking spaces.

The service station is accessible from two driveways on Philadelphia Street and one driveway on Towne Avenue. An existing driveway located on Towne Avenue approximately 30-feet from the intersection of Towne Avenue and Philadelphia Street will be closed.

## **Elevations**

Due to the project's location along a major corridor in the City, the architectural elevations were reviewed in the context of enhancing the City's image and appearance ([Attachment 3](#)). The proposed convenience store building will be clad with a combination of smooth steel troweled non-sand finish and a banding of decorative stack stone veneer along the lower portion of the walls. A store front door and window system will be installed on the south elevation, facing Towne Avenue and the gasoline pump canopy. The canopy will be constructed to include posts that are clad with stucco and a decorative stone veneer that matches those used for the convenience store building. Both the convenience store building and the gasoline pump canopy will be covered with a standing seam metal mansard roof.

## **ISSUES ANALYSIS**

### **Issue 1: General Plan Conformity**

The General Plan designation of the subject site is located within the Neighborhood Edge place type. The granting of a Conditional Use Permit will not adversely affect the General Plan of the City or any other adopted plan of the City and conforms to the provisions of the C-1 use designation. Furthermore, the proposed project will result in the development of an existing vacant lot by proposing façade and site improvements, which is consistent with the following planning approach for the "Neighborhoods" Strategic Action Area of the General Plan:

*"Preserve the scale, character, and value of established neighborhoods by ensuring that new residential development is well integrated with existing development."*

Furthermore, the proposed use is consistent with the following General Plan goal (6D.G2):

*"Maximize the value of all properties along the City's most visible and prominent corridors"*

Therefore, approval of the proposed Conditional Use Permit to allow the development of an automobile service station would result in the development of a vacant property increasing the value of the property while remaining compatible with the surrounding residential development.

### **Issue 2: Zoning Ordinance Compliance**

Staff has evaluated the proposed project and has determined that the proposed development is in substantial conformance with the development standards of the C-1 (Neighborhood Commercial) zone. The proposed project conforms to the Zoning Ordinance and, as a result, the granting of this Conditional Use Permit will not adversely affect the Zoning Ordinance.

## ENVIRONMENTAL ANALYSIS/DETERMINATION

Upon submittal of the project, staff reviewed the proposed development project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, staff determined that the project is Categorically Exempt under Article 19, Section 15332, Class 32 (Infill Development Projects) of CEQA, in that the proposed project involves the development of an automotive service station on a property sized less than five (5) acres, located within the City and surrounded by urban uses, and is adequately served by existing utilities and public services. Furthermore the proposed project is consistent with General Plan designation and the zoning designation and regulations. Lastly, the site has no value as habitat for endangered, rare, or threatened species and will not result in any significant effects relating to traffic, noise, air quality, or water quality.

## PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on December 2, 2016 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on November 30, 2016 ([Attachment 4](#)). As of the date of this staff report, staff has not received any correspondence either for or against the proposed project.

## CONCLUSION

Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods. Further, the project has been designed in a manner that will enhance the aesthetics of the site and complement the existing character of the surrounding area.

## RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) approving Conditional Use Permit (CUP 5063-2016), subject to conditions.

Respectfully Submitted:

Prepared By:



Brad Johnson  
Development Services Manager



Leonard Bechet  
Associate Planner

**ATTACHMENTS:**

- 1) [Draft PC Resolution for CUP 5063-2016](#)
- 2) [Location Map and Aerial Photograph](#)
- 3) [Project Plan Reductions](#)
- 4) [400' Radius Map and Public Hearing Notice](#)
- 5) [Full Size Plans \(Separate Cover\)](#)

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**ATTACHMENT 1**  
**DRAFT PC RESOLUTION FOR CUP 5063-2016**

## **PC RESOLUTION NO.**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 13-015) TO ALLOW THE DEVELOPMENT OF AN AUTOMOTIVE SERVICE STATION AT 2085 S. TOWNE AVENUE.**

**WHEREAS**, the applicant, Farhad Sayari, has filed an application for Conditional Use Permit (CUP 5063-2016) to allow the development of an automotive service station located at 2085 S. Towne Avenue;

**WHEREAS**, the subject site is currently located within the C-1 (Neighborhood Commercial) zone;

**WHEREAS**, the subject site is currently designated "Neighborhood Edge" by the City's General Plan;

**WHEREAS**, the approval of a conditional use permit by the Planning Commission is required for the development of an automotive service station;

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law held a public hearing on January 11, 2017, concerning the requested Conditional Use Permit (CUP 5063-2016); and

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

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

**SECTION 1.** The Planning Commission exercising their independent judgment has determined that, pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), this action as defined is Categorically Exempt under Article 19, Section 15332, Class 32 (Infill Development) from further environmental review in that the proposed project involves the development of an automotive service station in a commercial zone.

**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 findings in order to approve Conditional Use Permit (CUP 13-015). 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 project will contribute to the general well being of the neighborhood and the community by enhancing the appearance of the area, developing a vacant property into an economically viable property, and meeting the need for commercial uses and jobs in the community.

2. *That such use will, under the circumstances of the particular case, not 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.*

As proposed and conditioned, the applicant's request will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity since the project is in substantial conformance with the development standards and use requirements of the Pomona Zoning Ordinance. Based on the proposed project, it is not anticipated that the configuration of the site or activities associated with the use will generate noise or other impacts that will be detrimental. To this end, a condition has been included that prohibits any sound that exceeds the City noise ordinance standards. The project will not be detrimental to the use, valuation, and enjoyment of property and improvements in the vicinity since the subject site is located within a commercial area with uses compatible to those proposed.

3. *That the site for the proposed use is of adequate topography, size, and shape to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to allow said use in the neighborhood.*

The subject site (approximately .60 acres) is sufficient enough in size to accommodate all of the development standards of the C-1 (Neighborhood Commercial) zone, such as setbacks, parking, landscaping, and signage.

4. *The site abuts streets and highways adequate in width and improvements to carry traffic generations by the proposed use.*

The subject site takes access from Towne Avenue and Philadelphia Street, both major arterial streets with two lanes for traffic traveling in each direction. Both streets are capable of handling any additional vehicle trips generated by the proposed use.

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.*

Granting of the permit will not adversely affect the General Plan of the City in that the proposed development of an automotive service station is consistent with the intent of the General Plan's Neighborhood Edge place type. Furthermore, the proposed use is consistent with the following General Plan goal (6D.G2):

*“Maximize the value of all properties along the City's most visible and prominent corridors”*

**SECTION 4.** Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 5063-2016) 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:

## **PLANNING DIVISION**

### **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 January 11, 2017, and as illustrated in the stamped approved plans dated January 11, 2017. 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 Development Services Manager. To the extent any condition in this resolution is not in conformity with the stamped approved plans, the conditions herein shall prevail.
2. This approval shall lapse and become void if construction has not commenced under a valid building permit within one (1) year from the date of this approval (January 11, 2018), in accordance with Pomona Zoning Ordinance section .580.I. The Planning Commission may extend this period for one (1) 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 project is subject to a twenty (20) 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.

4. 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.
5. In case of violation of any of the conditions of approval 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 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.
6. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must 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 Manager. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Development Services Manager.

7. Any graffiti on the store front windows by scratching or acid sketching shall be removed within thirty (30) days.
8. No temporary signs relating to any activity on the premise shall be placed or allowed to remain within landscape areas, public right-of-way areas adjacent to the subject site (e.g. telephone poles, traffic signs, and city trees) or other portions on the exterior of the building. The only temporary signs allowed shall be properly permitted banner signs by permit per the City's sign ordinance. Signs placed in any window of the premises shall comply with the City's sign ordinance, and all other conditions under this Conditional use Permit.
9. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, canopies, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351 et seq.
10. Before issuance of a zoning clearance and business license, the applicant and any successor in interest shall sign a certificate of compliance stating that:
  - a) They have read and understand all the conditions of approval applicable to their project;
  - b) That they are familiar with the daily operations of the use; and
  - c) That the use will operate in compliance with the conditions of approval.
11. 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.
12. The property shall be maintained free of weeds and debris prior, during and after the construction period.
13. Prior to the issuance of building permits, landscape and irrigation plans shall be prepared by a licensed landscape architect and presented to the Planning Division for review and approval. Landscaping to include a variation of trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all common areas of the project site, and shall be in substantial conformance to the conceptual landscaping plan submitted as part of the Conditional Use Permit process. The plans shall conform to the State Model Water Efficient Landscape Ordinance per AB 1881 and landscape requirements contained in Section .503-J of the Pomona Zoning Ordinance. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping. Amount shall be determined by the Development Services Manager.
14. Prior to issuance of a Certificate of Occupancy, columnar plants shall be provided adjacent to the base of all trash enclosures in conjunction with vines that are attached and trained to the exterior of the trash enclosure walls.

15. Prior to the issuance of building permits the applicant shall submit plans to show the installation of decorative paving at all driveway entrances on the site from Towne Avenue and Philadelphia Street subject to review and approval of the Planning Division.
16. The stucco used for the convenience store building, canopy support posts, and trash enclosure walls shall be smooth, steel troweled non-sand finish.
17. There shall be adequate lighting around the property at all times (minimum of 1 foot-candle). This shall be done in such a fashion that persons standing outdoors at night are easily identifiable by law enforcement personnel. Lighting shall be screened so that no spillover occurs onto the adjacent properties.
18. Prior to issuance of construction permits, the applicant shall submit, concurrently with the Plan Check process, and obtain the approval from the Planning Division of a lighting plan (photometric) demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. The lighting plan shall include a site plan showing the locations of decorative ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.
19. Prior to issuance of building permits, the applicant shall obtain approval, during the Plan Check Process, from the Planning Division of 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.
20. 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.
21. The installation of signage will require the submittal of a "Sign Permit" for review and approval by the Planning Division. The proposed monument sign shall be designed to be decorative in a style that is consistent with the design of the building in color and materials.
22. Prior to issuance of a Certificate of Occupancy, permanent commercial rated bike racks shall be provided near the main entrance, or in a convenient area, of the service station, the quantity, quality and location of the commercial rated bike racks shall be subject to the review and approval of the Development Services Manager during the Plan Check Process.
23. No overnight vehicle or truck parking shall be permitted at any time, except for vehicles used by on duty employees, vendors, and customers in the normal course of business.

24. No overnight parking of recreational vehicles (RV's) shall be permitted.
25. No subletting or leasing of parking areas for vehicle storage or other similar equipment or activities.
26. No outdoor storage shall be permitted, unless separate approvals are obtained from the Planning Division for outdoor storage areas fully screened by walls, provided that minimum required parking spaces, aisles, drives, and landscaping are maintained. For purposes of this condition "outdoor storage" shall mean goods stored outside of any retail store building.
27. Any outdoor activities, including, but not limited to, carwashes, Christmas tree sales, pumpkin sales and clearance sales shall require the approval of a Temporary Use Permit pursuant to Section .583 of the Pomona Zoning Ordinance.
28. No vending machines of any kind shall be installed outdoors within the Project Site.
29. There shall be no public pay phones installed within or upon any portion of the premises.
30. No arcade games, video games, or other games of chance or skill shall be installed or allowed for use on the premises.
31. The placement of outdoor storage bins (including containers, trailers, or enclosures) on the Project Site shall be prohibited, except during the construction process pursuant to an active building permit. If outdoor storage bins are proposed for a temporary period of time (i.e. seasonal storage), the operator shall require the approval of a Temporary Use Permit pursuant to Section .583.
32. Loitering and panhandling on the premises shall be prohibited. Sign stating such prohibition shall be posted on the property.
33. Interior and exterior site video surveillance equipment shall be provided with signage advising customers that video recording devices are in use. Recordings shall be digital and recorded in high definition, kept a minimum of ninety (90) days, and shall record all activity on surrounding public rights-of-ways as well the subject site. Prior to installation of the video surveillance equipment, a video surveillance plan shall be submitted for review and the privileges afforded under this resolution shall not be enjoyed prior to approval of such video surveillance plan by the Pomona Police Department.



34. The applicant shall conform to Section .5809-24 of the Pomona Zoning Ordinance pertaining to public art requirements; if the proposed project has a valuation of over \$750,000.00 then the applicant shall place public art on the project site or pay an in-lieu fee subject to the requirements of PZO Section .5809-24.
35. The applicant shall install full width bollards around each gasoline pump dispenser unit on each island to provide protection against being struck by vehicles.

### **BUILDING AND SAFETY DIVISION**

36. The design must be reviewed and stamped by an architect licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1).
37. The undergrounding of utility facilities is required (PMC 62-31).
38. This project may fall under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations” if the valuation is \$750,000 or more (Ordinance No. 4151).
39. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2016 California Building Codes.
40. All grading shall conform to the 2016 California Building Codes and all other relevant laws, ordinances and resolutions governing grading as adopted by the City of Pomona. The applicant shall obtain a grading permit from the Building and Safety Division prior to commencing any grading or site excavation.
41. Geotechnical and/or soils reports required in order to obtain a grading permit shall be submitted to the Building Official for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the City of Pomona.
42. All proposed work shall comply with the 2016 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
43. The proposed project shall comply with the 2016 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.

- 44. The proposed project shall be sprinklered and comply with all other relevant laws, ordinances and resolutions governing residential sprinklers as adopted by the City of Pomona.
- 45. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

## **PUBLIC WORKS DEPARTMENT – TRANSPORTATION/DEVELOPMENT DIVISION**

### **Land Development Department**

- 46. Owner shall submit a Certificate of Compliance application to the Public Works Engineering Department, in accordance with the Subdivision Map Act Section 66412.6(b). The Certificate of Compliance shall be recorded prior to the issuance of the certificate of occupancy.

### **Improvement Plans Requirements**

- 47. Applicant/Developer shall submit the grading, drainage and erosion control plans for review and approval by the Public Works, Planning and Building and Safety Divisions.
- 48. The scale used for the plans needs to be large enough (1"= 10' is preferred) to clearly show all the details.
- 49. One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
- 50. The plans shall include sufficient cross sections to show any block wall locations, parkway width and any permanent facilities that might require maintenance and access easements.
- 51. Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
- 52. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications of adjacent property owners regarding the direct and indirect impact associated with the proposed construction. The notification shall include a statement confirming that the existing public services (sewer, water, storm drain) to adjacent property owners will not be affected by the proposed development.

53. Prior to the issuance of the grading permit the applicant/developer shall provide non-interference letters from any applicable utility agencies for any utility easements located within the areas subject to grading activities. All such documents shall be subject to review and approval by the City Engineer.
54. Prior to the approval of the project's improvement plans the applicant/developer shall submit for review and approval a soils and geologic report to address the soil's stability and geological conditions of the site. A registered geotechnical engineer shall be present on site during construction activities to monitor compliance with the geotechnical recommendations.
55. Prior to the approval of the project's improvement plans applicant/developer shall submit a drainage report and a 50-year storm event hydrology study. The Developer is responsible to comply with the approved hydrology study recommendations necessary to meet minimum Federal, State, County and City requirements.
56. Applicant shall submit to the Public Works Engineering Department offsite improvement plans to include the following:
  - a) ADA pedestrian ramp at the northwest corner of Towne and Philadelphia Avenues.
  - b) All new driveway approaches shall be in compliance with the City standards and ADA requirements.
    - (1) The westerly Philadelphia Avenue driveway approach shall be relocated easterly to accommodate the required continuous ADA path of travel. Subsequently and due to the mandate of unobstructed visibility at said driveway approach, the existing bus shelter furniture shall also be relocated easterly. If the redesign and reconstruction of said driveway approach fails to ensure proper ingress/egress vehicular traffic at this location, the driveway shall be restricted to "Exit Only".
  - c) Full width Portland Cement Concrete new sidewalk
    - (1) To replace (i) the southerly Towne Avenue driveway apron proposed for removal, (ii) all damaged, cracked, uplifted sections and (iii) all existing public right-of-way tree wells along the lot frontages, and
    - (2) Where sidewalk panels are missing.
  - d) Overlay paving from gutter to street centerlines along the Philadelphia and Towne Avenues frontages; paving over the entire street widths may be required based on the necessary wet and/or dry utility cuts.
  - e) Parkway drains.

- f) Street lights: Upgrade the existing street lights along Towne and Philadelphia Avenue, total of two (2), with LED luminaries.
  - g) Existing sewer, water and storm drain infrastructure, including laterals.
  - h) The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
  - i) Undergrounding of all existing and proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b).
  - j) Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
  - k) The demolition or relocation of any public improvements (street lights, signs, trees, vaults, catch basins, hydrants, etc) due to the proposed project construction must be coordinated and agreed upon by the appropriate City departments, shall be designed per City standards and applicable ADA requirements, and must be reviewed and approved by Public Works Engineering Department.
  - l) Add Note: "It is the owner's and contractor's responsibility to repair all damage to existing public improvements due to the proposed construction activities and to address all repairs requested by the Public Works Inspector based on the inspector's review of the current condition of said public improvements".
57. Applicant/Developer shall identify the existence of all City utilities that may be in conflict with the development and submit protection measures to the City Engineer for those City utilities.
58. The final improvement plans, as shown on the Mylar, shall be provided to the City on disk in Auto CAD v. 2010 and .pdf formats. Following construction and prior to acceptance of the improvements by the City, the project engineer shall provide hand drafted "AS BUILT" corrections on the original approved Mylars of the final constructed improvements to the satisfaction of the City Engineer. A corrected "AS BUILT" plan shall also be provided to the City on disk in Auto CAD v. 2010 and .pdf formats.
59. Applicant/Developer shall develop and submit a Standard Urban Stormwater Mitigation Plan (SUSMP) to the City, in accordance with the City of Pomona's LID Ordinance, the City of Pomona's Green Streets Policy and the Los Angeles Region NPDES MS4 Permit No. CAS004001, Order No. R4-2012-0175, which includes:

- a) Site Design BMPs;
- b) Source Control BMPs; and
- c) Treatment Control BMPs.

Utilize the County of Los Angeles Department of Public Works' Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable BMPs proposed for the project.

60. Post-construction Structural and/or Treatment Control BMPs, shall be designed to mitigate (infiltrate or harvest and use) storm water run-off from the 85th percentile 24-hour rain event or 0.75-inch, 24-hour rain event, whichever is greater. The comparison must be provided in the SUSMP.

Utilize the County of Los Angeles Department of Public Works' HydroCalc program described in the LID Manual to calculate these design flows and volumes. The program download can be found at <http://dpw.lacounty.gov/wrd/publication/>

61. The applicant shall implement Good Housekeeping best management practices for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
62. Applicant/Developer shall submit a traffic impact study, onsite/offsite queuing analysis and ingress/egress circulation access for the westerly driveway approach on Philadelphia Avenue, for review and approval by the Public Works Engineering Department. Applicant/Developer is responsible for compliance with all mitigations included in said traffic reports.
63. Property Owner is responsible for the compliance with any special annual levy assessment derived from the current inclusion of the project site into the City's Street Lighting and Landscaping Maintenance District. The Developer shall disclose to any future buyers that the property is within the City of Pomona Lighting and Landscaping District and is subject to annual special taxes (Assessor Parcel 8331-04-047).
64. Prior to issuance of the building permits applicant/developer is responsible for paying the project's impact fees for traffic signals and control devices, road and highway improvements, and public safety improvements.
65. Prior to issuance of the building permits the applicant/developer is responsible for paying the development tax associated with the proposed project.

66. The plans shall be submitted on 24" x 36" sheet size with a standard City title block, and must correctly identify the property address, legal description, property lines, street centerline, curb-lines, and the public right-of-way areas with dimensions.

### **Public Works Improvements Permit**

Any work in the public right-of-way is subject to review, approval, and permitting requirements of Public Works Department.

67. Prior the construction permit issuance applicant/developer shall post surety bonds for all public improvements, including but not limited to: utilities, street frontage pavement, sidewalk, drainage and parkway improvements, driveway approaches, street lights, etc.
68. Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
- a) Commercial General Liability;
  - b) Automobile Liability;
  - c) Worker's Compensation as required by the State of California;

Note: The Commercial General Liability and the Automobile Liability policies shall include the City of Pomona as additional insured.

69. Permittee shall possess the City of Pomona Business License.
70. Changes and additions to the proposed work, including but not limited to detail plans for street improvement work, water plans and/or other work associated with this project and due to developer's or City's request shall require additional conditions to be completed by the applicant.

### **WATER/WASTEWATER OPERATIONS DEPARTMENT**

71. There currently exists an eight-inch (8") ACP water main within Towne Avenue. The localized approximate static pressure for the proposed project area is 75-80 psi.
72. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the proposed project area.
73. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.

74. Any private onsite water improvements are the owner's maintenance responsibility.

**Domestic and Fire Service Line**

75. Currently a 5/8" meter provides water service for 2085 S. Towne Avenue. A low-lead reduced pressure principle assembly is required and shall be installed for meter protection.
76. There are public fire hydrants within 500-feet of the proposed project site.
77. Contact the Los Angeles County Fire Department to determine if additional fire hydrants are required for this site. If new fire hydrants are required, they shall be placed at least five (5) feet from proposed driveways and parking spaces.
78. The edge of all new water meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the back of curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, in order to allow City personnel access to these meters for future maintenance.
79. All newly installed water lines shall be disinfected per the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006* before connection to the existing water main.
80. Contact the Public Works Department for information regarding meters and all applicable meter fees. The City will install meters less than or equal to two-inches (2") in size.
81. Effective January 1, 2016, the City has adopted new connection charges for water service. For further information on how charges are assessed contact the City's Public Works Business Services Division.
82. Approved low-lead backflow devices (list the brand and model) are required for the following service lines to the site:
- a) Reduced pressure principle assembly devices are required for dedicated irrigation service lines to the proposed site, and
  - b) Reduced pressure principle assembly devices are required for all domestic services; and
  - c) Double check detector assembly devices for all fire sprinkler service lines.

83. Submit water development plans to the City for review and building approval showing water meters, service lines, approved backflow devices, and proposed/existing water mains. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v.2010) format.

### **Sewer**

84. There currently exists an eight-inch (8") VCP sewer main within Towne Avenue. The existing sewer infrastructure shall be shown on the site plan.
85. The applicant/developer shall calculate the expected wastewater generated by the proposed development. These calculations shall be submitted to the WWOD.
86. The sewer laterals from the public main to the site are considered private and shall be maintained by site owners.
87. New sewer laterals must be constructed per Standard No. B-8-61 per City of Pomona Public Works Department Standard Drawings March 2006 (Public Works Standards). Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.
88. Effective January 1, 2016, the City has adopted new service charges for sewer service. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
89. The applicant/developer shall submit and include the following items in the sewer development plan:
- a) The proposed sewer lateral(s) connection to the existing sewer main.
  - b) Construction Notes: "The Contractor shall provide all temporary seals enclosures, forced ventilation or other devices as may be necessary to prevent odor nuisance and solid objects from entering the existing sewer line during construction."
90. Submit sewer development plans to the City for review and approval prior to the building permit approval showing all existing and proposed sewer mains, laterals, and manholes. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

### **LOS ANGELES COUNTY FIRE DEPARTMENT – FIRE PREVENTION DIVISION**

#### **Access Requirements**

91. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is



necessary to assure the access availability for Fire Department Use. The designation allows for the appropriate signage prohibiting parking.

92. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
93. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
94. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
95. Provide a minimum unobstructed width of 26-feet, exclusive of shoulders and an unobstructed vertical clearance “clear to sky” Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2.
96. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.
97. Fire Apparatus Access Roads shall be provided with a 32-foot centerline turning radius. Fire Code 503.2.4.
98. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3.
99. Provide approved signs or other approved notices or markings that include the words “NO PARKING – FIRE LANE”. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3.
100. A minimum 5-foot wide approved fire fighter access walkway leading from the fire department access road to all required openings in the building’s exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
  - a) Clearly identify firefighter walkway access routes on the site plan. Indicate the slope and walking surface material. Clearly show the required width.

101. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4.
102. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1.
103. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or Alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
104. All fire hydrants shall measure 6"x 4"x 2½" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
105. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4.
106. The required fire flow for the public fire hydrants for this project is 1500 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1.
107. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section, Building Plan Check Unit is required for this project prior to building permit issuance. Contact the County of Los Angeles Fire Department, Fire Prevention Engineering Section, Building Plan Check Unit for specific review and submittal requirements at 323-890-4125.

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

**APPROVED AND PASSED THIS 11<sup>th</sup> DAY OF JANUARY, 2017.**

---

CAROLYN HEMMING  
PLANNING COMMISSION CHAIRPERSON

PC Resolution No.  
CUP 5063-2016 – 2085 S. Towne Avenue  
Page 18 of 18

**ATTEST:**

---

BRAD JOHNSON  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**

---

ANDREW JARED  
ASSISTANT CITY ATTORNEY

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

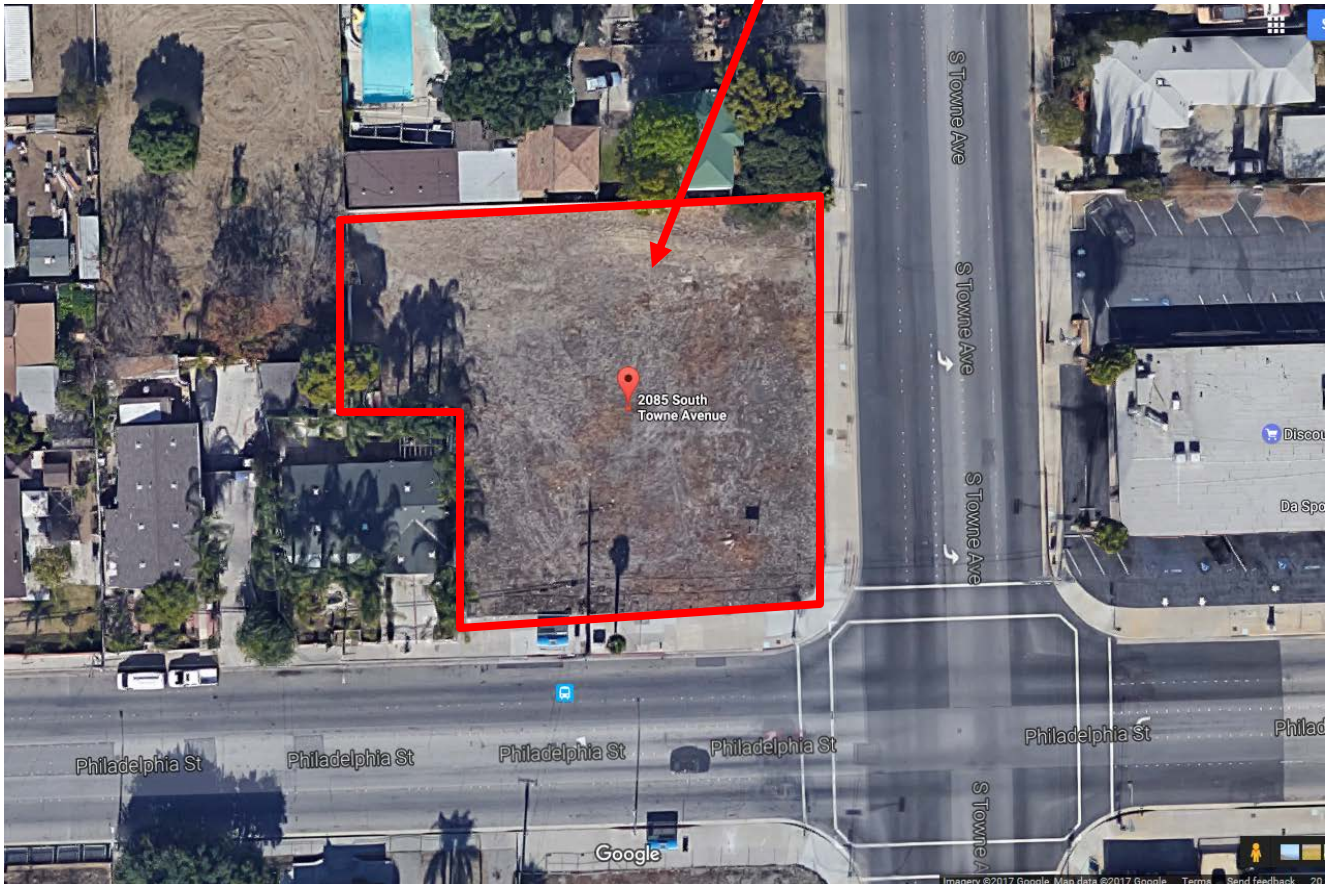
AYES:  
NOES:  
ABSTAIN:  
ABSENT:

"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 Sec. 1094.6 C.C.P."

**ATTACHMENT 2**  
**LOCATION MAP AND AERIAL PHOTOGRAPH**

# Location Map & Aerial Photograph

## 2085 S. Towne Avenue



**ATTACHMENT 3**  
**PROJECT PLANS REDUCTIONS**







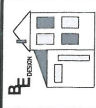


## MATERIAL AND EQUIPMENT

- EXTERIOR WALLS:  
7/8" STUCCO OVER METAL LATH, OVER MOISTURE BARRIER, OVER BUILDING FRAMING. SLATE VENEER OVER MOISTURE BARRIER OVER BUILDING FRAMING. SEE ELEVATIONS FOR EXTERIOR FINISHES.
- DOOR HARDWARES:  
ALL DOOR HARDWARES TO COMPLY WITH DISABLED ACCESSIBILITY STANDARDS. DOORS MUST BE OPERABLE FROM INSIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT.
- INTERIOR WALLS AND CEILING:  
ALL INTERIOR WALLS SHALL BE 5/8" TYPE X GYP. BRD.
- EXTERIOR MAN DOORS:  
STEEL DOOR AND FRAME.
- ROOF LADDER:  
ROOF LADDER WITH LOCKABLE PLATE COVER.
- ELECTRICAL PANEL:  
ELECTRICAL PANEL MOUNTED ON EXTERIOR WALL WITH IN METAL ENCLOSURE. ENTIRE FACE OF PANEL TO BE UNOBTURCATED FOR WORK SPACE. SEE LOCATION ON PLAN.
- BUILDING SIGN:  
BUILDING SIGN EXTERIOR MOUNTED SHALL BE UNDER A SEPARATE PERMIT, DRAWING AND CALC. AND SPECIFICATIONS TO BE SUBMITTED TO GOVERNMENT AGENCY FOR PLAN CHECK AND APPROVAL BEFORE OCCUPANCY.
- FUELING EQUIPMENT:  
ALL FUELING EQUIPMENT AND INSTALLATION UNDER A SEPARATE PERMIT AND IT IS NOT PART OF THIS SUBMITTAL.
- FUELING STORAGE:  
LOCATION OF COMPRESSED GAS STORAGE TANKS. ALL FUELING INSTALLATION AND STORAGE UNDER A SEPARATE PERMIT AND IT IS NOT PART OF THIS SUBMITTAL.
- EMERGENCY SHUTDOWN CONTROL BE PROVIDED. SEE LOCATION ON PLAN.

## ADDITIONAL NOTES

- FINISHED GRADE TO BE 1" BELOW ALL WALKS, CURBS AND PAVING.
- CONTRACTOR TO INSPECT ALL EXISTING CONDITIONS ON SITE AND LOCATE ALL EXISTING UTILITIES BEFORE CONSTRUCTION BEGINS.
- CONTRACTOR TO REPAIR AT HIS OWN EXPENSE ALL PROPERTY DAMAGE WHICH OCCURS DURING PROJECT INSTALLATION.
- LANDSCAPE AREA WILL BE DECORATED WITH PLANTS, AGONY, PINE TREES, IRIDESCENTIA AND FIRE STICK..... PER CITY APPROVED.
- ALL SWINGING DOORS TO HAVE A LEVER TYPE HANDLE COMPLYING WITH DISABLED ACCESSIBILITY STANDARDS. PER CBC 1133 B2.5.2 UNINTERRUPTED SURFACE CBC 1133 B2.6
- BOTTOM 10 INCH OF ALL DOORS EXCEPT AUTOMATIC AND SLIDING SHALL HAVE A SMOOTH UNINTERRUPTED SURFACE. CBC 1133 B2.6
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SIGNAGE IS INSTALLED TO COMPLY WITH REQUIRED PLANS AND THE CALIFORNIA BUILDING CODE FOR DISABLED ACCESS



DESIGN BY:  
BERNARD ELIAS  
BERNARD ELIAS  
FAX: 310.642.2019  
EMAIL: BEELIAS@YAHOO.COM

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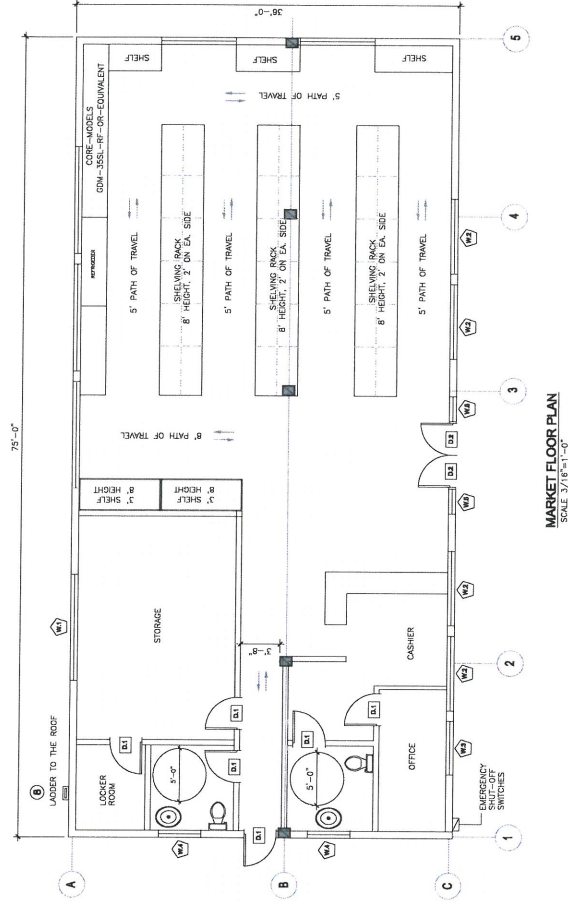
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PROJECT NAME:  
GAS STATION  
OWNER:  
FARHAD SAVARI

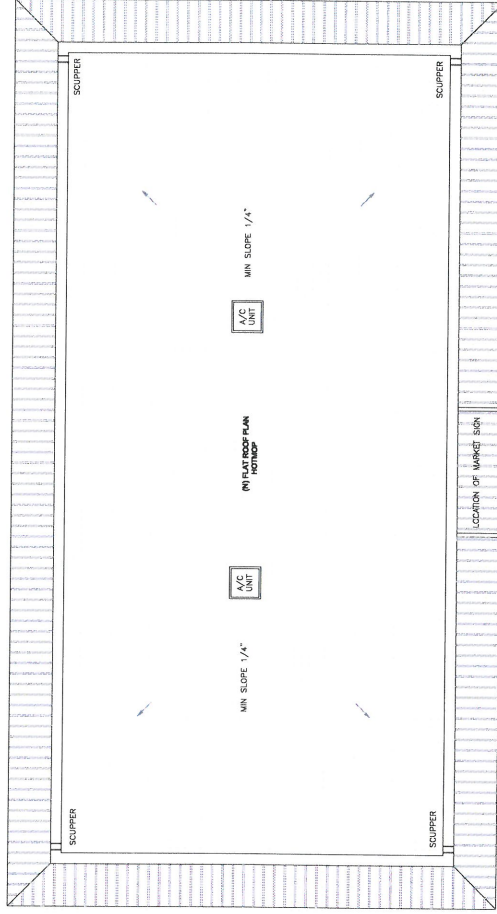
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1315 S TOWNE AVE  
POMONA, CA 91768

NOTES:  
OWNER CONTACT INFO:  
TEL: 916-518-6239

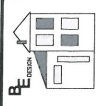
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DATE  
10/17/2016  
SHEET NUMBER  
A-2



MARKET FLOOR PLAN  
SCALE 3/16"=1'-0"



MARKET ROOF PLAN  
SCALE 3/16"=1'-0"



DESIGN BY:  
BEHROUZ ELIASI  
11111 S. 10TH AVE.  
PO BOX 518  
P.O. BOX 518  
P.O. BOX 518  
P.O. BOX 518

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OWNER:  
FARMAD SAVARI  
GAS STATION  
PROJECT NAME:

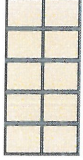
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PROJECT ADDRESS:  
POMONA, CA 91760  
200 S. 10TH AVE.  
POMONA, CA 91760

NOTES:  
OWNER CONTACT INFO:  
TEL: 818-518-8239

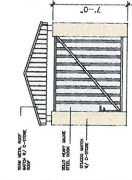
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10/17/2016

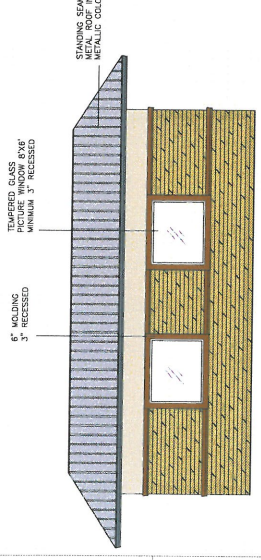
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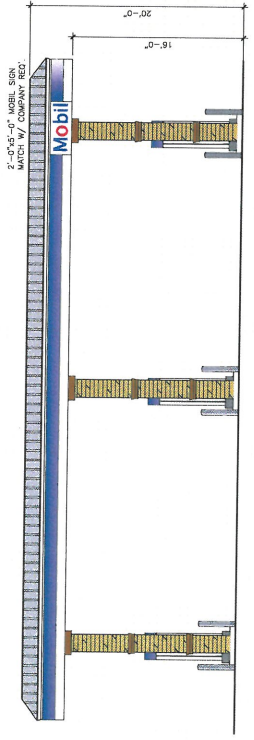
CONCRETE DOORCASE  
MATCH W/ 2-STORY COLOR



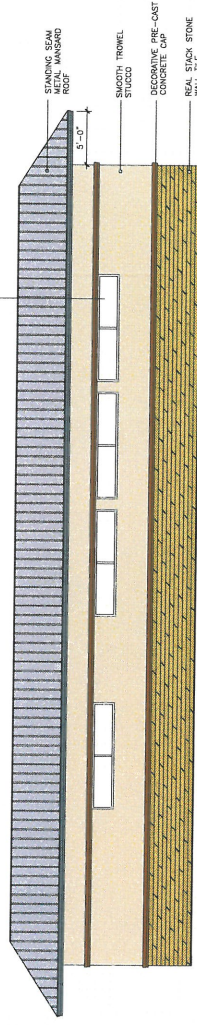
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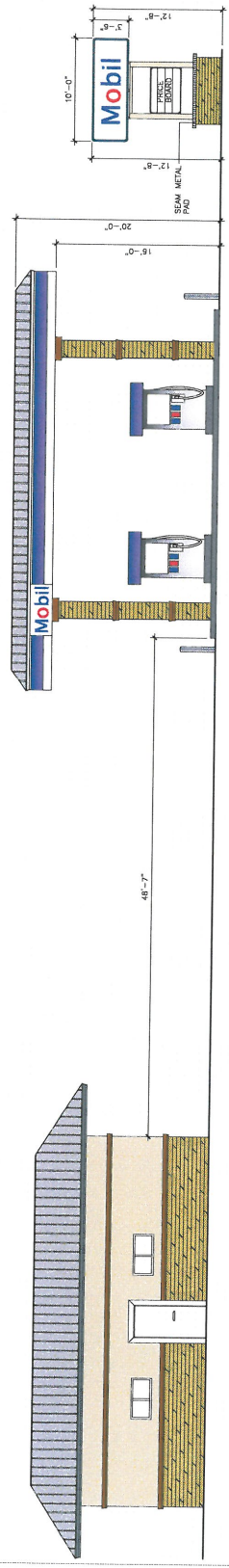
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SOUTH ELEVATION  
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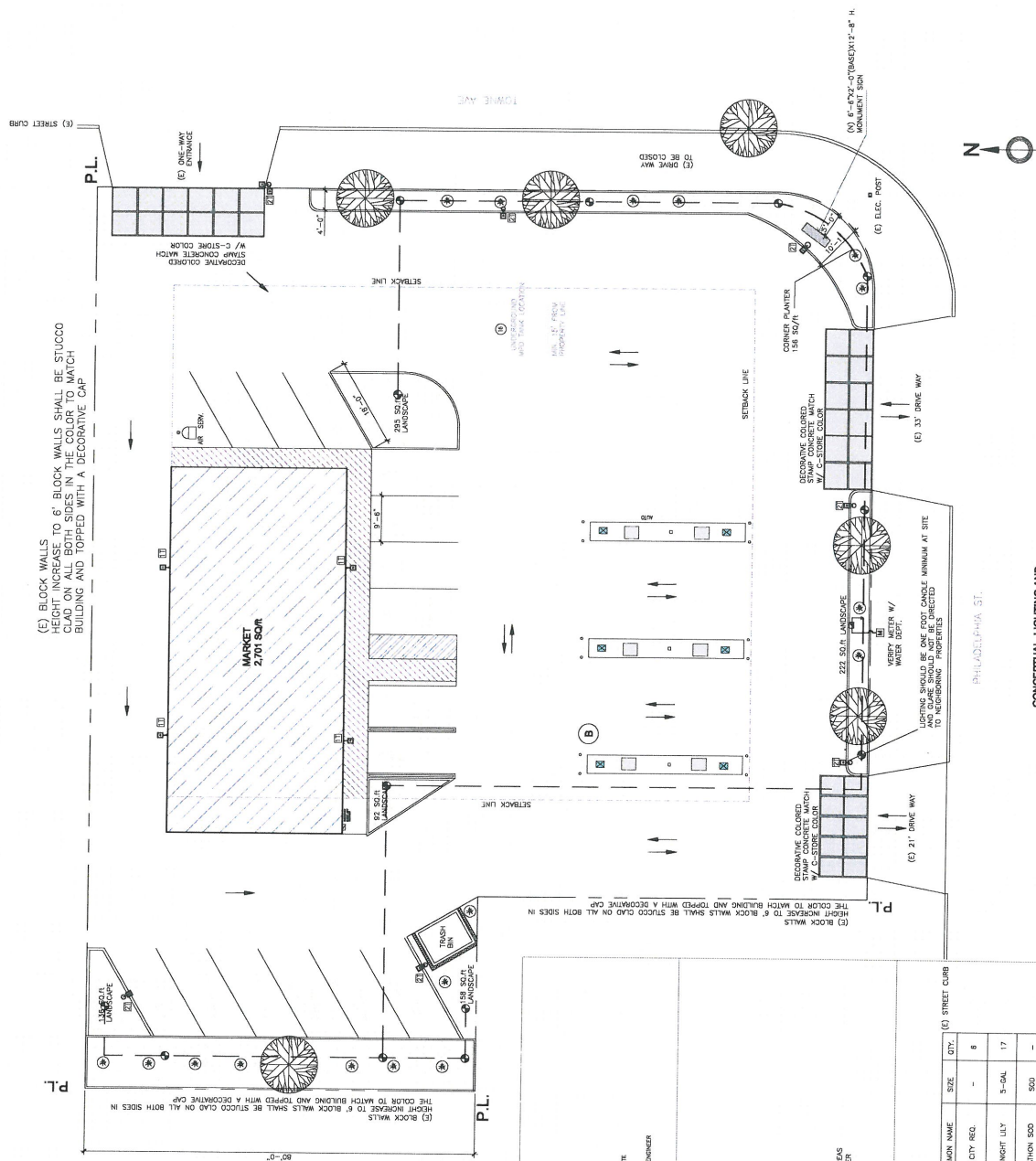


NORTH ELEVATION  
SCALE 3/16"=1'-0"







WEST ELEVATION  
SCALE 3/16"=1'-0"





IS VINDICATED

LANDSCAPE LEGEND			[C] STREET CURB	
SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	STREET TREE	PER CITY REQ.	-	8
	DETES SHRUBS	FORTINGHT ILY	5-DAL	17
	FESTUCA	MARSHION SOD	SOD	-
	PTCIS PUNILA	CLIMBING FIG	5-CH	-

SYM.	DESCRIPTION
—	PRESSURE LINE CLASS 315 P.V.C. 1.5"
⊕	CONTROL VALVE GB SERIES
◻	BACK FLOW PREVENTER 375

**IRRIGATION NOTES:**

- ALL HEADS TO BE 4" POP-UP FOR TURF AREAS
- 6" POP-UP FOR SHRUB AND GROUND COVER AREAS
- LANDSCAPING AND IRRIGATION PLAN WILL BE PREPARED AND SUBMITTED BY LANDSCAPING

**LIGHTING LEGEND:**

	FREE-STANDING LIGHT FIXTURE
	WALL-MOUNTED LIGHT FIXTURE
	— LIGHTING SHOULD BE ONE FOOT CANDLES AND GLARE SHOULD NOT BE DIRECTED AT NEIGHBORING PROPERTIES
	ELECTRICAL PLAN WILL BE SUBMITTED BY THE ARCHITECT

1. The first step in the process of developing a new product is to identify a market need. This involves conducting market research to determine what consumers want and need. Once a need is identified, the next step is to develop a concept for a product that meets that need.

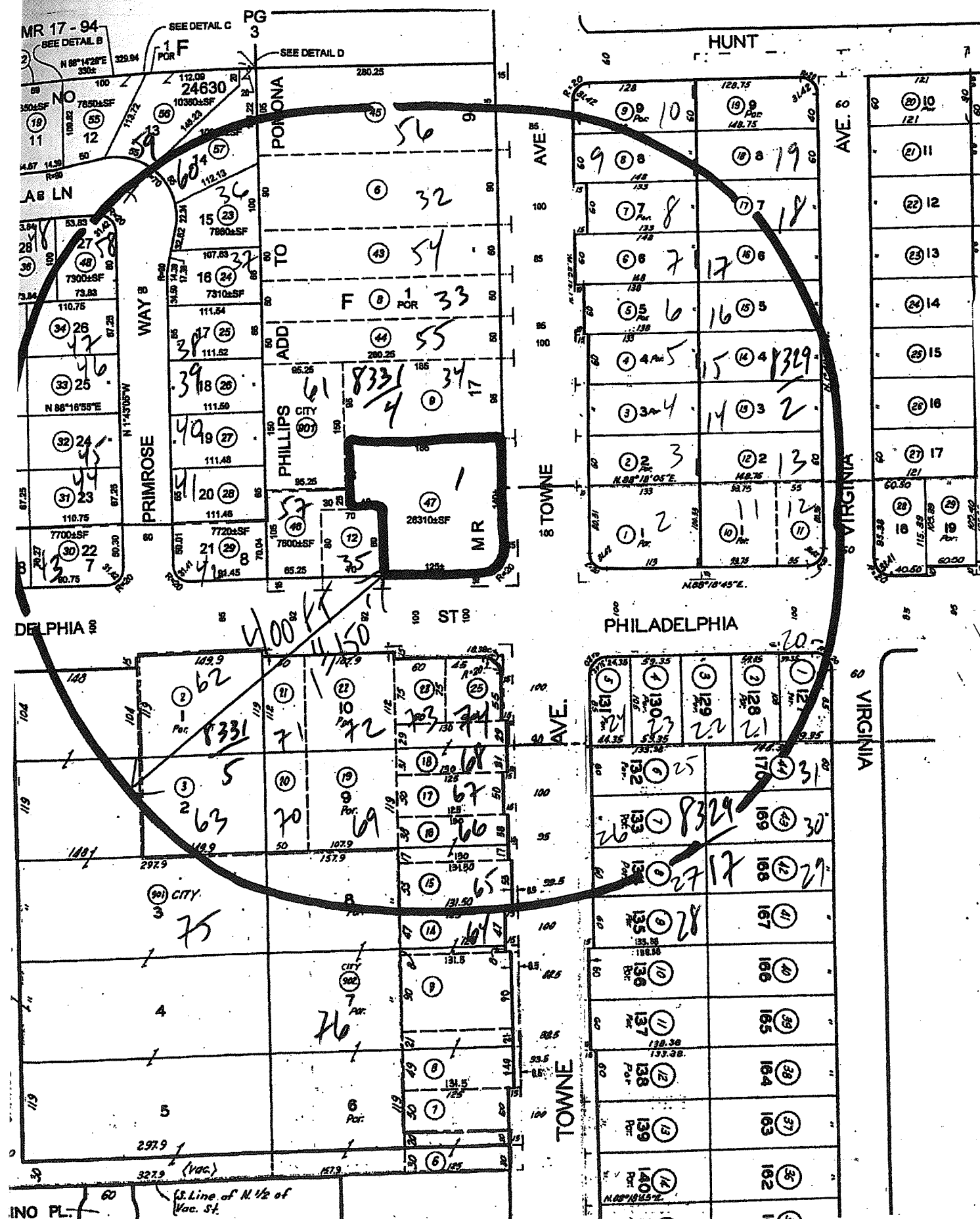
2. The second step is to develop a business plan for the product. This includes determining the costs of production, the pricing strategy, and the marketing plan. The business plan also outlines the financial goals for the product and the timeline for development and launch.

3. The third step is to develop a prototype of the product. This involves creating a physical model of the product that can be used to test the design and functionality. The prototype is typically made from a material that is easy to work with, such as wood or plastic, and is used to demonstrate the basic features of the product.

4. The fourth step is to conduct a pilot test of the product. This involves distributing a small number of the product to a group of consumers and gathering feedback on their experience. The feedback is used to make improvements to the product and to refine the marketing plan.

5. The fifth and final step is to launch the product into the market. This involves distributing the product to a larger group of consumers and monitoring sales and customer feedback. The product is typically launched in a limited geographic area first, and then expanded to other areas if it is successful.

**ATTACHMENT 4**  
**400' RADIUS MAP AND**  
**PUBLIC HEARING NOTICE**



## NOTICE OF PUBLIC HEARING

**Project Title:** Conditional Use Permit (CUP 5063-2016)

**Project Applicant:** Farhad Sayari

**Project Location:** 2085 S. Towne Avenue

**Project Description:** Conditional Use Permit (CUP 5063-2016) to allow the construction of an automotive service station in the C-1 (Neighborhood Commercial) zone.

**Lead Agency:** City of Pomona, Development and Neighborhood Services Department, Planning Division.

**Public Hearing Date & Location/Time:** The public hearing is scheduled for **Wednesday, December 14, 2016 at 7:00 p.m.** in the City of Pomona City Council Chambers located at 505 S. Garey Avenue in the City of Pomona.

### **Environmental Review**

Pursuant to the provisions of the California Environmental Quality Act (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. In compliance with Article 19, Section 15332, (Class 32 – Infill Development Projects), the proposed project described above hereby meets the guidelines for a Categorical Exemption. Therefore, no further environmental review is required. The Categorical Exemption will be considered by the Planning Commission at the public hearing for this project scheduled for December 14, 2016.

### **Public Hearing Notice**

Any interested individual may appear in person or by agent at the Planning Commission hearing and be heard on any matter relevant to such proceedings. The staff report on this matter will be available in the Planning Division on December 8, 2016. Please call the Planning Division at (909) 620-2191 with any questions you may have regarding this matter.

**PLEASE NOTE:** If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Pomona, Planning Division at, or prior to, the public hearing.

**Para Información en Español, llame (909) 620-2191.**

Date: November 29, 2016

  
\_\_\_\_\_  
Brad Johnson  
Development Services Manager

Publication Date: December 2, 2016

Eva Buice  
City Clerk, City of Pomona

**ATTACHMENT 5**  
**FULL SIZE PLANS (SEPARATE COVER)**

**EXCERPTS FROM UNOFFICIAL MINUTES  
PLANNING COMMISSION MEETING  
JANUARY 11, 2017**

F-4

PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP 5063-2016) TO ALLOW THE CONSTRUCTION OF AN AUTOMOTIVE SERVICE STATION IN THE C-1 (NEIGHBORHOOD COMMERCIAL) ZONE LOCATED AT 2085 S. TOWNE AVENUE. *(Continued from December 14, 2016)*

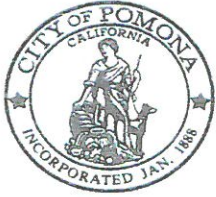
Associate Planner Bechet provided a staff report regarding a request for the construction of an automotive service station. Commissioner Ursua inquired whether the rear setback could be decreased to allow for additional maneuvering for cars in the front. Associate Planner Bechet stated 15-feet is required for the rear setback. Chair Hemming requested a condition to address a requirement for graffiti film on the windows. In addition, she requested a condition to address truck delivery times. Chair Hemming opened the public hearing. Mr. Farhad Sayari, applicant, agreed with the staff report and asked the Commission to approve. Commissioner Brown inquired on the proposed hours of operation. Mr. Farhad Sayari stated the hours of operation had not yet been set as it would depend on the volume, however, the standard hours are commonly 6am to 12am or the site may operate 24 hours. He stated he could arrange delivery hours to accommodate the residents and graffiti film could be added to the windows. Chair Hemming closed the public hearing.

The Commission discussed and agreed to add a condition requiring graffiti film on the windows, to add a condition restricting truck delivery times, and to set the operating hours from 6am to 12am.

Motion by Commissioner Grajeda, seconded by Commissioner Ramos, carried by a unanimous vote of the members present (7-0-0-0), adopting Resolution No. 17-002, approving Conditional Use Permit (CUP 5063-2016).

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City of Pomona  
505 S. Garey Avenue  
Pomona, CA 91769  
City Clerk's Office – (909) 620-2341

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### Appeal of Planning Commission Action

City's Project Identification Number(s): CUP 5063 - 2016  
Name of Project Applicant: Farhad Sayari  
Project Address (Location): 2085 S. Towne Ave.  
Date of Planning Commission Action: 1/11/17

I, the undersigned, hereby appeal the identified action of the City of Pomona Planning Commission:

- ☐ Denial of Project.
- ☐ Conditions of Approval (specify): \_\_\_\_\_
- ☒ Other (explain): \_\_\_\_\_

I, the undersigned, hereby appeal the action of the Planning Commission for the following reason(s) (please be specific, add additional pages if necessary):

Increase in traffic entering and exiting - the business will pose a danger to the large numbers of students walking to and from three neighborhood schools, a park and a community center.

Concerns about the environmental impact on the health of families, students, teaching and community center staff.

Section 560F of the Pomona Zoning Ordinance specifies that decisions of the Planning Commission are final unless appealed in writing by the applicant or any other interested person (as defined in the Code) within 20 calendar days from the date of the action. In accordance with Chapter 29 (Subdivisions), Section 29-51. Appeals, the appeal of the Planning Commission decision to the City Council with respect to tentative maps and parcel maps shall be filed within fifteen (15) days from the date of action. The appeal shall be accompanied by a filing fee as adopted by the City Council by resolution. The appeal form shall be filed with the Pomona City Clerk's Office, 505 S. Garey Ave., Pomona, CA 91769.

Cristina N. Carrizosa  
Signature  
Cristina N. Carrizosa  
Print Name  
1832 S. San Antonio Ave  
Address  
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City State Zip Code

Telephone \_\_\_\_\_