



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: March 14, 2018

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: CONDITIONAL USE PERMIT (CUP 9239-2018):

A request for a Conditional Use Permit (CUP 9239-2018) to allow the operation of a charter bus company at 1326-1352 E. 9th Street in the M-2 (General Industrial District) zone.

STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached Resolution (Attachment 1) approving Conditional Use Permit (CUP 9239-2018), subject to conditions.

PROJECT/APPLICANT INFORMATION

Project Location: 1326-1352E. 9th Street
APN Information: 8327-016-003 and 8327-016-015
Project Applicant: Durham School Services L.P.
Property Owners: Muhamet Cifligu c/o Nathan Peery & Don Palmer
CC District: District # 3
Historic/CBD: Not Applicable
Specific Plan: Not Applicable

PROJECT DESCRIPTION

The applicant, Durham School Services L.P., is requesting a Conditional Use Permit (CUP 9239-2018) to allow the operation of a charter bus company at 1326-1352 E. 9th Street. The 4.37 acre site includes several existing buildings totaling 70,864 square feet. The property consists of two parcels in the M-2 (General Industrial District) zone and is designated Workplace District in the General Plan (Attachment 2).

The applicant anticipates having a total of 140 employees on the premises during peak hours. The plans indicate that 15-25 of the employees will be shuttled to the site each day. In addition to parking for the employees, the plans show 145 spaces for buses. Of those, 27 will be sized (40'x12') to accommodate large buses; the remaining 118 spaces are sized (24'x12') for smaller

buses. Seventy-eight (78) of the buses, all the smaller 24' size, will be parked in the largest (60,365 square feet) existing building on the property. An additional 14 parking spaces are in that building for passenger cars. Sixteen (16) parking spaces for passenger cars, and 12 bus parking spaces, are designed as tandem spaces.

BACKGROUND

The applicant originally applied for a business license to operate as a permitted use in the zone, but the Development Services Manager determined that the use was subject to a CUP. The applicant appealed the determination and the Planning Commission upheld the decision at a public hearing on August 9, 2017. The applicant appealed that decision and on September 11, 2017 City Council upheld the Planning Commission action.

Applicable Code Sections

Section .580.B of the Zoning Ordinance establishes criteria for approval of a Conditional Use Permit.

Surrounding Land Use Information

The following table summarizes the surrounding land uses, zoning and general plan designations for Planning Commission consideration.

Land Use Summary Table

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Formerly a Recycling Facility	M-2 (General Industrial)	Workplace District
East	Industrial	M-2	Workplace District
North	Industrial	M-2	Workplace District
South	Industrial	M-2	Workplace District
West	Industrial	M-2	Workplace District

ZONING COMPLIANCE ANALYSIS

Site Development Standards

Since the project is a conditionally permitted use in the M-2 zone, the proposed project is subject to development standards of that zone. Staff has evaluated the proposed project and determined that it complies with the minimum development standards of the zone, with the exception of

certain landscaping standards. In order to provide the Planning Commission with a comparison of the required development standards and that of the proposed project, staff has prepared the following table for consideration.

Project Summary Table

Development Standard	Zoning/Code Requirements	Proposed Project	Compliance Determination
Lot Area	No requirement	4.37 acres	Yes
Lot Dimensions	No requirement	Frontage of 247', width at midpoint of 320', depth of 620'	Yes
Building Coverage	No requirement	Approx. 37%	Yes
Height	Max. 75' or 6 stories	1 story, approx. 35' for largest building"	Yes
Front Setback	Min. 25' for new construction and for parking lot	No new construction. All but one parking space (not a required space) behind the setback line.	Yes
Side Setback	No requirement	Approx. 2' along westerly property line, approx. 3' along easterly property line	Yes
Rear setback	No requirement	Approx. 21'	Yes
Building Separation	No requirement	Min. 19'	Yes
Parking	Office: 1/250 s.f. Warehousing: 1/1000 s.f. Storage: 1/500 s.f.	95 spaces required based on use breakdown; 124 spaces provided	Yes
Parking Area Landscaping	Min. 6% of parking area to be landscaped Min. planter width: 3' Min. planter width adjacent to side and rear property lines: 5' Min. planter width between street and parking area: 10' One tree per 5 parking spaces Min. width of tree planters: 5' Min. 40% of the parking	14.5% of parking area Min. 4' planter width interior to parking lot Min. 4' planter along property lines Min. 25' planter between street and parking area No trees in parking area	N/A*

Development Standard	Zoning/Code Requirements	Proposed Project	Compliance Determination
	area to be shaded by trees at 15 years after planting		
Parcel Landscaping	All unpaved areas not used for vehicular and pedestrian access shall be landscaped At least 15% of parcel to be landscaped and one tree per 600 s.f., other than parking area and planters in parking area	No additional landscaping provided	N/A*

*Can be waived by Director's action pursuant to Code Sec. 503-J.C.A. In this case, the applicant has agreed to a condition of approval to rehabilitate the existing landscaping (approximately 14.5 % of the parking area) with drought-tolerant plantings and irrigation.

Vehicular Circulation, Access & Parking

The existing site has two driveways each over 30 feet wide. Drive aisles on the property generally are over 29 feet wide throughout the site; aisles are 25 feet wide in the passenger car parking area near the street. Only the areas devoted to passenger car parking near the front of the site are designated as parking areas. The majority of the site is storage space for the buses used by the business. The storage area has no requirement for drive aisles or parking space dimensions since it functions at the pleasure of the applicant and is not open to the public or even to most of the employees. Within the parking area, 16 parking spaces are tandem spaces. Tandem parking spaces can be permitted by the Planning Commission per Section .503.B.4. Since the site is not open to the public and the operator has control over the parking configuration, tandem spaces appear to be a reasonable solution to maximize site useability.

There is no parking standard for charter bus companies. The applicant proposes to park the business by breaking down the land uses of the various buildings. Using that method, the smaller buildings 'A' and 'B' near the front of the site are parked at the office rate of 1 per 250 square feet of floor area. The large building 'C' is parked at a warehouse rate of 1 per 1,000 square feet. The smaller storage building 'D' at the rear of the site is parked as manufacturing at the rate of 1 per 500 square feet. Totaling the land uses gives a parking requirement of 95 spaces. The applicant proposes to provide 125 passenger car parking spaces on the site, with 18 spaces in building 'C', 5 near the rear property line, and the remaining 102 passenger car spaces near the front of the site. One parking space at the front near the westerly property line appears to be within the front 25-foot setback, which is not permitted. Discounting this space gives a total of

124 parking spaces for passenger cars on the property, more than sufficient to meet the 95 space requirement. It should be noted that the applicant intends to provide a shuttle service to the site for approximately 15 employees which will help further reduce the parking demand on the site.

A Traffic Study was prepared on behalf of the project by Kunzman Associates, Inc. and reviewed and approved by the Public Works Department. The results of the study show that the traffic generated by the project will not appreciably change the Levels of Service of the intersections near the site (the study intersections).

Landscaping

The site plan for the project provides landscaping to 14.5% of the parking area, exceeding the 6% standard. Recently adopted landscaping standards call for additional landscaping on the balance of the site. However the new landscaping standards may be “partially or wholly waived, at the discretion of the Director of Development Services or his/her designee, for landscape rehabilitation projects that are limited to replacement plantings with equal or lower water needs and where the irrigation system is found to be designed, operable and programmed consistent with minimizing water waste in accordance with local water purveyor regulations.” (Sec. 503-J.C.A) The project involves no new construction--no expansion of the existing buildings is proposed. The majority of the site is used for parking school buses and vehicular access routes. Staff is conditioning that the existing landscape planters be rehabilitated with new low-water landscaping and an efficient irrigation system. With appropriate conditions of approval, it is reasonable in this case for the Director to waive the new standards and allow a simpler rehabilitation plan for the existing landscaping.

ISSUE ANALYSIS

Issue 1: General Plan/Land Use

The General Plan land use map designates the subject project as Workplace District. No change to the design of the building is currently proposed. The land use is changing from a recycling facility to a charter bus operation. The project supports Goal 6F.G1 of the General Plan:

“Maintain adequate land in the City for workplace uses that contribute to the City’s diverse economy and provide jobs for the City’s residents.”

The project will provide additional jobs in the city and reuse a currently unused site.

The project supports Goal 6F.G4 of the General Plan:

“Improve the physical character of workplace districts to complement the transition of the area to lighter industrial/higher technology uses.”

The landscaping improvements to be implemented will improve the physical character of the site.

The proposed project is consistent with the following objective from the Economic Development Element of the General Plan:

“It is the policy of the City of Pomona to encourage, with all means possible, the economic development and redevelopment of the private sector.”

Approving the proposed Conditional Use Permit to allow the operation of a charter bus business would contribute to the diversification of the City’s economy and promote an increased mix of uses.

Issue 2: Zoning Ordinance Compliance

Staff has evaluated the proposed project and has determined that the proposed use is in compliance with the M-2 (General Industrial) zone. The proposed charter bus operation is a conditionally permitted use within the M-2 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.

Issue 3: Land Use Compatibility / Neighborhood Context

The applicant proposes to operate a charter bus facility in the M-2 zone. The project site is surrounded by a variety of industrial uses, including a new recycling facility to the north across 9th Street. The proposed charter bus facility appears to be compatible with the adjacent uses and neighborhood context.

ENVIRONMENTAL ANALYSIS/DETERMINATION

The proposed project was reviewed in accordance with the California Environmental Quality Act (CEQA) guidelines. The proposed project meets the criteria for a Categorical Exemption under Section 15332 (Class 32 – In-fill development projects in urbanized areas) of the CEQA Guidelines in that the proposed project is in an urbanized area and involves the re-use of existing buildings without new construction. The proposed project is consistent with the categorical exemption; therefore, no further environmental review is required.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on March 2, 2018 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 March 1, 2018 (Attachment 4). As of the date of this staff report, staff has not received any correspondence either supporting or opposing the proposed project.

CONCLUSION

The proposal is consistent with the allowed uses and development standards of the M-2 (General Industrial) zone. Based on staff's analysis of the issues, the charter bus business, as conditioned, will be compatible with the adjacent land uses and will not result in any adverse impacts to the surrounding area with the recommended operating conditions.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission adopt the attached Resolution (Attachment 1) approving Conditional Use Permit (CUP 9239-2018), subject to Findings and Conditions of Approval.

Respectfully Submitted By:

Prepared By:

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Development Services Manager

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Contract Planner

ATTACHMENTS:

- 1) Draft PC Resolution
- 2) Executive Summary from Traffic Impact Study
- 3) Location Map & Aerial Photograph
- 4) 400-foot Radius Map & Public Hearing Notice
- 5) Project Plans Reductions