



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: May 23, 2018

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **MODIFICATION OF CONDITIONAL USE PERMIT
(MODCUP 6844-2017):**

A request for a modification of Conditional Use Permit (CUP 14-058) to reduce the building square footage, eliminate excess parking, and remove certain conditions of approval related to on-site and off-site improvements contained within Planning Commission Resolution No. 15-014 for a badminton club in the C-4 (Highway Commercial) located at 2780 S. Reservoir Street.

STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) approving Modification of Conditional Use Permit (MODCUP 6844-2017), subject to conditions.

PROJECT/APPLICANT INFORMATION

Project Location: 2780 S. Reservoir Street
APN Information: 8330-013-028
Project Applicant: G & R Puente, LLC
Property Owner: G & R Puente, LLC
Council District: District # 3
Historic/CBD: Not Applicable
Specific Plan: Not Applicable
General Plan: Workplace District Edge

PREVIOUS ENTITLEMENTS

- Minor Conditional Use Permit to replace an existing freeway sign and Variance to increase the height of such freeway sign from 40' to 80' and increase the signage area from 150 square feet to 398 square feet. Planning Commission Resolutions No. 8547 and 8548 (6/25/97)

- Conditional Use Permit 07-058 for an on premise sign and Variance 07-009 to allow an 83'6" sign, a sign face area of 754 square feet per side and six lines of copy. Planning Commission Resolutions 08-005 and 08-006 (2/13/08)

PROJECT DESCRIPTION & BACKGROUND

On March 25, 2015, the Planning Commission of the City of Pomona approved Conditional Use Permit (CUP 14-058, Resolution No. 15-014) to establish a badminton club on the subject property, located at 2780 S. Reservoir Street, in the C-4 (Highway Commercial) Zoning District (Attachment 4). The subject site is developed with one industrial building totaling approximately 50,000 square feet (SF) (Attachment 2).

The applicant was proposing to convert and operate the badminton club in two phases, but delays and increasing construction costs have postponed the opening and eliminated the phasing. At the time of approval, a retail business (Mattel Toy Store) occupied 22,140 SF of the building. The applicant occupied the remaining 27,860 SF until the expiration of the lease for the Mattel Toy Store and then expanded the badminton club into that space, and now occupies the entire building. As part of this work, they built to standards from the Olympics, including sprung wood flooring for the safety of the players, upgraded and repaired the HVAC units, added efficient lighting, added low water consumptions fixtures, and other similar upgrades. There are now locker rooms for both Men and Women with 20 Badminton Courts, ping pong areas, a gym, and fitness related services (Attachment 3). The current size is 55,000 SF (50,000 square foot ground floor space and a 5,000 square foot mezzanine) which is 3,500 SF smaller than proposed in 2015.

Planning Commission approved a traffic and parking study (Attachment 6), conducted by K2 Traffic Engineering, Inc., to evaluate the impacts of the operation on the site. The study found that the peak weekday demand was 120 spaces and the peak weekend demand was 67 spaces. The study concluded that there is more than enough parking existing on the site to accommodate the badminton club use as it is proposed. Additional parking on the Chino parcel (AIN #1016-291-130-000) that the applicant had intended to obtain wasn't necessary. That portion of the proposed project was abandoned.

The applicant is requesting the removal of the following conditions of approval related to on-site and off-site improvements: Condition Numbers 14, 15, 16, 17, 25, 26a, 26b, and 46 (see Attachment 5). Conditions 14-17, 25, and 46 concern the Chino property. The remaining conditions specify improvements along the adjacent street frontage, which is a standard Public Works requirement. (Attachment 5)

Applicable Code Sections

Sections .580 and .5809-8 of the Zoning Ordinance requires a Conditional Use Permit for Health Clubs in the C-4 (Highway Commercial) zone. Sections .580-G of the Zoning Ordinance addresses Modifications to a Conditional Use Permit. It states that: *"No such modification shall be made unless the granting body finds that such modification is necessary to protect the public peace, health and safety, or in case of deletion of such a condition, that such action is necessary to permit reasonable operation under the conditional use permit as granted."*

Additionally, in conformity with Section .503-H.F.4, the applicant submitted a parking study for the Planning Commission's review to meet the City's off-street parking requirements.

Surrounding Land Use Information

The subject site is located within a warehouse-style building. A storage facility is located directly to the north, just beyond the 60 freeway. To the south is an industrial complex used by Anheuser-Busch. To the west, there is a gas station and fast food restaurant. To the east, there is an industrial park located in the City of Chino.

Land Use Summary Table

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Warehouse Building	C-4 (Highway Commercial)	Workplace District Edge
North	Storage Facility	M-2 (General Industrial)	Activity Center
South	Industrial Complex	M-2 (General Industrial)	Workplace District Edge
East	Industrial Complex (City of Chino)	N/A	N/A
West	Gas Station Fast Food Restaurant	C-4 (Highway Commercial)	Activity Center Workplace District

ZONING COMPLIANCE ANALYSIS

Site Development Standards

The proposed project does not include any exterior renovation to the existing building. The existing site currently meets or exceeds applicable site development standards for the C-4 (Highway Commercial) district.

Project Summary Table

Development Standards	Zoning/Code Requirements	Project	Compliance Determination
Building Height	75' / 6 stories max.	1-story, 34'-6"	Yes
Parking Area Landscaping	8,930 square feet min., based on 6% of parking lot area	29,186 square feet	Yes
Parking (as proposed)	165 spaces/Parking Study	170 spaces	Yes

ISSUES ANALYSIS

Issue 1: Change to Project Description

As discussed, the project square footage will be reduced by 3,500 SF with a smaller mezzanine level than originally proposed. The Chino property that was to be used for additional parking above and beyond the required spaces, has also been eliminated from the proposal. Neither of these changes materially affect the original CUP 14-058.

Issue 2: Public Works Conditions

Conditions 14-17, 25, and 46 concern the Chino property and can be removed. The requirement for the installation of one new street light (26a) can be removed based on the additional lighting added to the building. The “grind and overlay of Walnut Avenue, along the entire lot frontage, from gutter to street centerline” in Condition 26b is standard City policy and the Public Works Department prefers to maintain that requirement.

ENVIRONMENTAL ANALYSIS/DETERMINATION

In accordance with the California Environmental Quality Act (CEQA) guidelines, the proposed project would be categorically exempt under Article 19, Section 15301 (Existing Facilities), because the proposed project will utilize an existing structure where all public services and facilities are available to serve the project.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on April 13, 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 April 11, 2018 (Attachment 7). As of the date of this staff report, staff has not received any correspondence either for or against the proposed project.

CONCLUSION

The approved project adds an additional service available to residents of the City and is consistent with the General Plan and Zoning Ordinance. The reduction of square footage, change to the project and removal of the aforementioned conditions will enable the applicants to move forward with the project in a timely manner and one that is consistent with the original Condition Use Permit.

RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution approving the Modification of Conditional Use Permit (MODCUP 6844-2017), subject to conditions.

Prepared by and Respectfully Submitted:

Emily Stadnicki
Development Services Manager

ATTACHMENTS:

- 1) Draft PC Resolution for MODCUP 6844-2017
- 2) Project Vicinity Map and Aerial Photo
- 3) Site Photos
- 4) Planning Commission Staff Report, Dated March 25, 2015 (without attachments)
- 5) Planning Commission Resolution No. 15-014, Dated March 25, 2015, with requested deletions
- 6) Traffic and Parking Study prepared by K2 Traffic Engineering, Inc.
- 7) 400' Radius Map and Public Hearing Notice
- 8) Site Plan and Floor Plans Approved March 25, 2015