



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: June 27, 2018

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department, Planning Division

SUBJECT: CONDITIONAL USE PERMIT (CUP 7049-2017)

An application for a Conditional Use Permit (CUP 7049-2017) to allow the construction of a 1,392 square foot detached structure to be used as an employee lounge and the addition of six pre-fabricated shade canopies for an existing recycling business in the M-2 (General Industrial) zone located at 2490 Pomona Boulevard (APN 8707-017-018).

STAFF RECOMMENDATION

The Planning Division recommends Planning Commission adopt the attached PC Resolution approving Conditional Use Permit (7049-2017) (Attachment 1), subject to conditions.

PROJECT/APPLICANT INFORMATION

Project Location: 2490 Pomona Blvd.
APN Information: 8707-017-018
Project Applicant: Ai Buangsuwon
Property Owner: Randy and Gloria Costales
City Council District: District #1
Historic/CBD: Not Applicable
Specific Plan: Not Applicable

EXISTING ENTITLEMENTS

1. Resolution 7710, Modification to Conditional Use Permit for truck freight facility, approved September 11, 1991 (Attachment 5). The City of Pomona does not have an archival record of the original Conditional Use Permit.

PROJECT DESCRIPTION

The subject site is located along Pomona Boulevard, west of Humane Way and due east of SR-71 on a 217,765 square foot (5 acres) lot (Attachment 2). The applicant is proposing to construct a

new 1,392 square detached structure near the front of the property to be used as an employee lounge, along with the addition of six pre-engineered shade canopies at the rear of the property to be used to store existing materials. The property is located in the M-2 General Industrial zoning district.

Applicable Code Sections

Section .580-J of the Pomona Zoning Ordinance (PZO) requires a Conditional Use Permit for industrial facilities of over 20,000 square feet of gross floor area or lots greater than one acre in size in all M zones. Section .420 sets use and development standards for the M-2 General Industrial district.

Surrounding Land Use Information

The subject parcel is surrounded by the following land uses:

Land Use Summary Table

	Existing Land Use	Zoning	General Plan Designation
Subject Site	Industrial	M-2	Workplace District
North	Industrial	M-2	Workplace District
South	Industrial/Railroad	M-2	Workplace District
East	Industrial	M-2	Workplace District
West	Industrial	M-2	Workplace District

Site Design

The existing site consists of a 10,400 square foot building with employee and truck parking stalls. Access to the site is provided via a single two lane driveway approach along Pomona Boulevard. The remaining frontage is landscaped. The proposed 1,392 square foot employee lounge will replace approximately 14 parking stalls and will be located towards the front of the property, approximately 40 feet from the front property line. The loss of stalls is offset by the availability of excess stalls beyond minimum parking requirements. The pre-engineered accessory structures consist of four 800 square foot shade canopies and two 1,125 square foot shade canopies, all of which will be located at the rear of the property.

Structural Design

The proposed employee lounge consists of a rectangular structure with plaster coating, painted wood, and a sloped asphalt shingle roof. The perimeter of the lounge will consist of 495 square feet of landscaping to include trees and shrubs. The floor plan includes restroom stalls, break space, and showers. The pre-engineered canopies consist of double posts with sheet metal roofing along pipe rafters.

Site Operations

The site is currently leased to Stericycle. Since 1999, the site has been used as a truck transfer facility for hazardous waste. The following is a history of operators at the site. An approved business license is on file for each of these businesses:

1991: Yellow Freight System, Inc.
1999: Island Environmental Services
2007: General Environmental Management
2010-Present: Phillip Service Corporation/Stericycle

The facility receives drums of sealed hazardous waste and transfers them to trucks for transport to various destinations. The transfer takes place within an existing 10,400 square foot warehouse. Six existing unpermitted canopies are currently located at the rear of the property. Four of these canopies are currently used to store spare empty drums for ease of access as part of the transfer operation and the remaining two canopies are used for the daily service of trucks. The facility intends to continue these uses of the canopies. No truck transfer operations are conducted under any of the canopies. Conditions have been added to prohibit the canopies to be used for truck transfer, and to prohibit incidental storage outside of the six canopies.

Code Enforcement

The proposed project was submitted to the Planning Division on March 8, 2017 in response to an Administrative Correction Notice issued by Code Enforcement. On November 21, 2016, Stericycle was issued a letter summarizing an inspection conducted as requested by the Pomona City Council related to the Waste and Recycling Task Force. The following violations are being addressed through the submittal of this application:

1. Unpermitted metal canopy systems along rear of property require permits.
2. Unpermitted portable office structure needs to be removed.

In place of the removed portable office structure, the applicant has proposed a permanent building for use as an employee lounge. As Section .580-J of the Pomona Zoning Ordinance (PZO) requires a Conditional Use Permit for industrial facilities of over 20,000 square feet of gross floor area or lots greater than one acre in size in all M zones, addressing these violations necessitates an application for a Conditional Use Permit.

The following violations also identified in the letter have since been addressed:

1. Security wire fencing along front property line requires removal.
2. Landscape planter areas along Pomona Blvd. require maintenance replacement plants.

Cal EPA Violations

The facility was cited on December 20, 2017 by the California Environmental Protection Agency for three violations:

1. Four 55-gallon drums of hazardous waste were observed to be open. Violation was corrected and returned to compliance on January 18, 2018.
2. A used oil tank was observed without proper label. Violation was corrected and returned to compliance on January 18, 2018.
3. The chemical inventory submitted was not accurate. Violation was corrected and returned to compliance on January 18, 2018.

No enforcement actions have been taken by Cal EPA to date.

Compliance with Pomona Zoning Ordinance

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the Pomona Zoning Ordinance and all applicable code sections. This compliance is illustrated below.

Project Summary Table

Development Standards	PZO Requirements	Proposed Project	Compliance Determination
Lot Area	No requirements	N/A	Yes
Lot Depth	No requirements	N/A	Yes
Front Yard	25'	40'	Yes
Side Yard	No requirements	N/A	Yes
Rear Yard	No requirements	N/A	Yes
Coverage	No requirements	N/A	Yes
Building Height	Six stories, 75'	One story, 15'-6"	Yes
Off-Street Parking	1 per 500 sf (mfg) = 19 1 per 250 sf (office) = 5 1 per 200 sf (recreational) = 7 Total = 31	61 standard 21 oversize/truck	Yes

Staff has evaluated the proposed site design and has determined that the proposed development complies with the development standards of the M-2 General Industrial zoning district. The proposed project conforms to the Zoning Ordinance, and as a result, the granting of this Conditional Use Permit will not adversely affect the General Plan or the Zoning Ordinance.

Compliance with General Plan

The project is consistent with the City's General Plan in that the proposed industrial use is consistent with the "Workplace District" place type site shown on the General Plan Land Use Map. In particular, Goal 6F.G1 states: "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 construction of an employee lounge and additional shade canopies contributes to supporting an existing business use in the city.

ENVIRONMENTAL ANALYSIS/DETERMINATION

Upon submittal of the project, staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, staff has determined that the proposed project meets the criteria for a Class 3 Categorical Exemption pursuant to Section 15303, (New Construction or Conversion of Small Structures) of CEQA. Specifically, the proposed project is located in an urbanized area, does not exceed 10,000 square feet in floor area, is currently zoned for the proposed use, does not involve the use of significant amounts of hazardous substances, is not an environmentally sensitive area, and is served by necessary public services and facilities. As the proposed project does not represent an expansion or intensification of the existing use, a traffic impact study was not required. Staff is recommending that the Planning Commission adopt a Categorical Exemption for the proposed project.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on June 1, 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 May 30, 2018 (Attachment 4).

CONCLUSION

The proposed project is consistent with the City's General Plan and meets or exceeds the minimum development standards of the Pomona Zoning Ordinance. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with existing and 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 approving Conditional Use Permit (CUP 7049-2017), subject to conditions.

Respectfully Submitted:

Prepared By:

Emily Stadnicki

Ata Khan

Development Services Manager

Senior Planner

ATTACHMENTS:

- 1) Draft PC Resolution for CUP 7049-2017
- 2) Location Map and Aerial Photograph
- 3) Project Plan Reductions
- 4) 400' Radius Map and Public Hearing Notice
- 5) Resolution No. 7710 – Modification of CUP, 1991

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 7049-2017) FOR A 1,392 SQUARE FOOT EMPLOYEE LOUNGE AND SIX PRE-ENGINEERED SHADE CANOPIES ON A PROPERTY LOCATED AT 2490 POMONA BOULEVARD.

WHEREAS, the applicant, Ai Buangsuwon, has submitted an application for Conditional Use Permit (CUP 7049-2017) for a 1,392 square foot employee lounge and six pre-engineered shade canopies on a property located at 2490 Pomona 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 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 June 27, 2018 concerning the requested Conditional Use Permit (CUP 7049-2017); 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. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the project is categorically exempt under Section 15303 of the California Public Resources Code, which exempts New Construction or Conversion of Small Structures. Specifically, the proposed project is located in an urbanized area, does not exceed 10,000 square feet in floor area, is currently zoned for the proposed use, does not involve the use of significant amounts of hazardous substances, is not an environmentally sensitive area, and is served by necessary public services and facilities.

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 Conditional Use Permit (CUP 7049-2017). 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 construction of an employee lounge and installation of shade canopies, will contribute to the general well-being of the neighborhood and the community by improving an existing job-generating land use.

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.*

As 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. The project will not be detrimental to the use, valuation, and enjoyment of property and improvements in the vicinity as the proposed addition does not create any significant nuisance or externality to surrounding properties, and is a use that is compatible with the underlying zoning district.

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.*

As this project's footprint, including the proposed canopies, represents a small percentage of the five acre lot, the site can still sufficiently accommodate parking, loading, drive aisle width, and other site requirements, which allows it to be compatible with surrounding land uses.

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 Pomona Boulevard, a minor arterial going east and westbound. The proposed project will not trigger an increase in traffic beyond current day-to-day operations.

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 project is consistent with the City's General Plan in that the proposed industrial use is consistent with the "Workplace District" place type site shown on the General Plan Land Use Map. In particular, Goal 6F.G1 states: "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 construction of an employee lounge and additional shade canopies contributes to supporting an existing business use in the city.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 7049-2017) 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

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 June 13, 2018, 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 Development Services Manager.
2. This approval shall lapse and become void if the privilege authorized is not utilized within two years from the date of this approval (June 13, 2020), 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 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.

Plan Check:

6. The applicant shall include all conditions of approval from Conditional Use Permit (CUP 6656-2017) on the title sheet of construction plans prior to plan check submittal.
7. 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. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the adjacent property owner(s) cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls

located on the subject property. Any removal of walls on private property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.

8. Prior to the issuance of any building permits, the following must be completed:
 - a) 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.

Site Development & Maintenance:

9. 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.
10. 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.
11. The construction area shall be kept clean at all times prior to, during, and after construction.
12. 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 Manager.
13. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Conditional Use Permit 7049-2017. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes shall require approval by the Development Services Director.
14. There shall be no truck transfer operations under the canopies permitted by this approval.

15. Storage of incidental items related to truck transfer operations shall not be located outside of the canopies permitted under this approval.

BUILDING & SAFETY

16. The design must be reviewed and stamped by an architect or engineer licensed in the State of California - (Business and Professions code Sections 5537, 5538 and 6737.1).
17. 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.
18. All grading shall conform to the 2016 California Building Code, 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.
19. 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 a grading geotechnical/soils report as approved by the City of Pomona.
20. 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.
21. 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.
22. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

WATER & SEWER

1. There currently exists a twelve-inch (12") ACP water main within Pomona Boulevard. There is also an existing eight-inch (8") ACP water main onsite that currently serves an existing hydrant. This eight-inch (8") ACP water main onsite shall be connected to a DCDA to serve the existing hydrant. The existing onsite hydrant shall be considered private at painted red. The existing localized static pressure of the project area is 60-70 psi.
2. There is currently an existing 2" meter serving 2490 Pomona Boulevard. A low-lead (0.25%) reduced pressure principle assembly (RPPA) is required for meter backflow protection. Please identify if this existing meter will be used with the proposed development.

3. There is currently an existing eight-inch (8") VCP main within Pomona Boulevard. The existing sewer infrastructure shall be shown on the site plan. State if the existing four-inch (4") VCP sewer lateral is to remain in service.

PUBLIC WORKS DEPARTMENT

Improvement plans requirements

23. Applicant/Developer shall submit the **grading, drainage and erosion control plans** for review and approval by the Public Works Department, Planning and Building and Safety Divisions.
 - a. The scale used for the plans needs to be large enough (1" = 10') to clearly show all the details; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
 - b. One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
 - c. The plans shall include sufficient cross sections to show all block wall locations, parkway width, and all permanent facilities that might require maintenance and access easements.
 - d. Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
24. Prior to issuance of the grading permit the Applicant/Developer shall submit a **soils and geologic report** to address the soil's stability and geological conditions of the site.
25. Applicant/Developer shall submit **public street improvement plans** to include the following items and are responsible for the construction thereof:
 - a. In the event that the project-related wet and/or dry utility pavement cuts are needed along the Pomona Boulevard frontage, overlay paving shall occur in accordance with the City standard A-26-02.
 - b. Upgrade one (1) existing street light luminaire with LED luminaire, per City standards.
 - c. Show all existing sewer, water and storm drain infrastructure, including laterals.
 - d. Parkway landscaping; the parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496 and a note to this effect shall be added to the public street improvement plans.
 - e. Undergrounding of all existing and proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added to the public street improvement plans.
 - f. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.

- g. Note: It is the owner's and the contractor's responsibility to repair all damage to the 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 the said public improvements and a note to this effect shall be added to the public street improvement plans.
26. 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.
27. 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.
28. If future placement of permanent structures conflicts with location of existing public utilities (water, sewer and storm drain), then improvement plans proposing the relocation or abandonment of identified utilities must be submitted, reviewed and accepted by the Public Works Department. No public utility infrastructure shall be removed or modified as part of the onsite demolition plan approved by the Building and Safety Department.
29. Applicant/Developer shall implement **stormwater** Good Housekeeping Best Management Practices (BMPs) for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
30. 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 and the project's **water and sewer connection fees**.
31. Prior to issuance of the building permits applicant/developer is responsible for paying the **development tax** associated with the proposed project.
32. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in AutoCAD v. 2010. 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 AutoCAD v. 2010 and .pdf formats.
33. The plans shall be submitted on 24" x 36" sheet size with a standard City title block, and must correctly identify the property owner, address, legal description, property lines, street centerline, curb-lines, existing and proposed utilities (water, sewer, and storm drain), utility easements, and the public right-of-way areas with dimensions.

Public Works Improvements Permit

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

34. **Prior to the issuance of the building permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: street paving, parkway landscaping, existing and proposed overhead lines undergrounding, water and sewer improvements.**
35. 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.
36. Permittee shall pay fees associated with and possess the City of Pomona Business License.
37. 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.

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

APPROVED AND ADOPTED THIS 13TH DAY OF JUNE, 2018.

LUIS JUAREZ
PLANNING COMMISSION CHAIRPERSON

ATTEST:

EMILY STADNICKI
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

ANDREW JARED
ASSISTANT CITY ATTORNEY

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

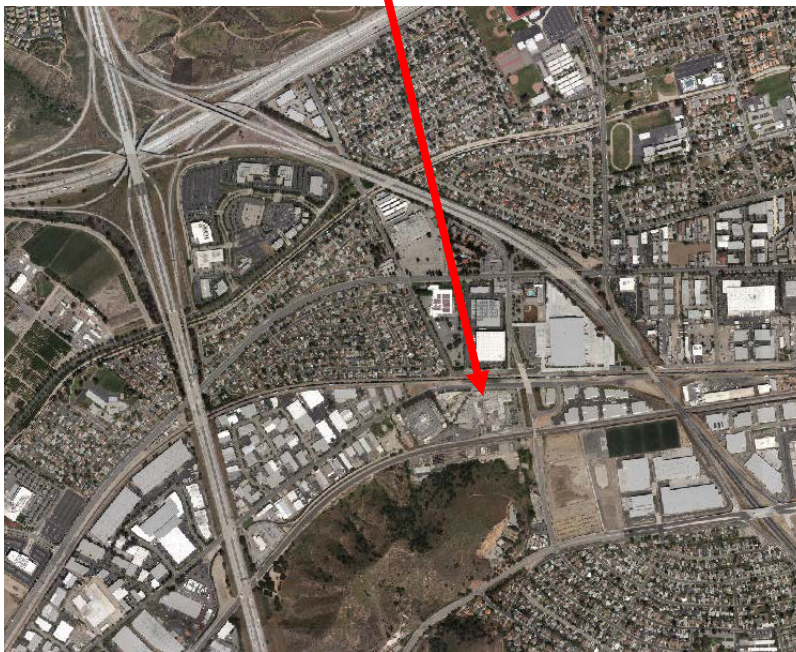
AYES:
NOES:
ABSTAIN:
ABSENT:

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 California Code of Civil Procedure Section 1094.6.

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Vicinity Map & Aerial Photograph

2490 Pomona Blvd.



DECLARATION OF MAILING

I, Maria Jaramillo, say that on the 30th of May, 2018 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: 2490 Pomona Boulevard

Project: Conditional Use Permit (CUP 7049-2017)

Meeting Date: Public Hearing – June 13, 2018

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


Executed at Pomona, California on May 30, 2018

NOTICE OF PUBLIC HEARING

Project Title: Conditional Use Permit (CUP 7049-2017)

Project Applicant: Ai Buangsuwon

Project Location: 2490 Pomona Blvd.

Project Description: Conditional Use Permit (CUP 7049-2017) to allow the construction of a 1,392 square foot detached structure to be used as an employee lounge and the addition of six pre-fabricated shade canopies for an existing recycling business in the M-2 (General Industrial) zone located at 2490 Pomona Boulevard.

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

Public Hearing Date & Location/Time: The public hearing is scheduled for **Wednesday, June 13, 2018 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 15303 (Class 3 – New Construction or Conversion of Small Structures), 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 June 13, 2018.

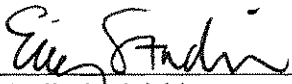
Public Hearing Notice

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 or about June 7, 2018. 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: May 29, 2018


Emily Stadnicki
Development Services Manager

Publication Date: June 1, 2018

Eva Buice
City Clerk, City of Pomona

CERTIFIED PROPERTY OWNERS LIST

Affidavit

I, SUSAN MORENO, HEREBY
CERTIFY THAT THE ATTACHED LIST CONTAINS THE NAMES AND ADDRESSES
OF ALL PERSONS TO WHOM ALL PROPERTY IS ASSESSED, AS THEY APPEAR
ON THE LATEST AVAILABLE ASSESSMENT ROLL OF THE COUNTY, WITHIN
THE AREA DESCRIBED ON THE ATTACHED APPLICATION AND FOR A DIS-
TANCE OF 400 (FOUR HUNDRED) FEET FROM THE EXTERIOR BOUNDARIES OF
THE PROPERTY DESCRIBED ON THE ATTACHED APPLICATION.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.

AND TO ALL OCCUPANTS

(SIGNED)

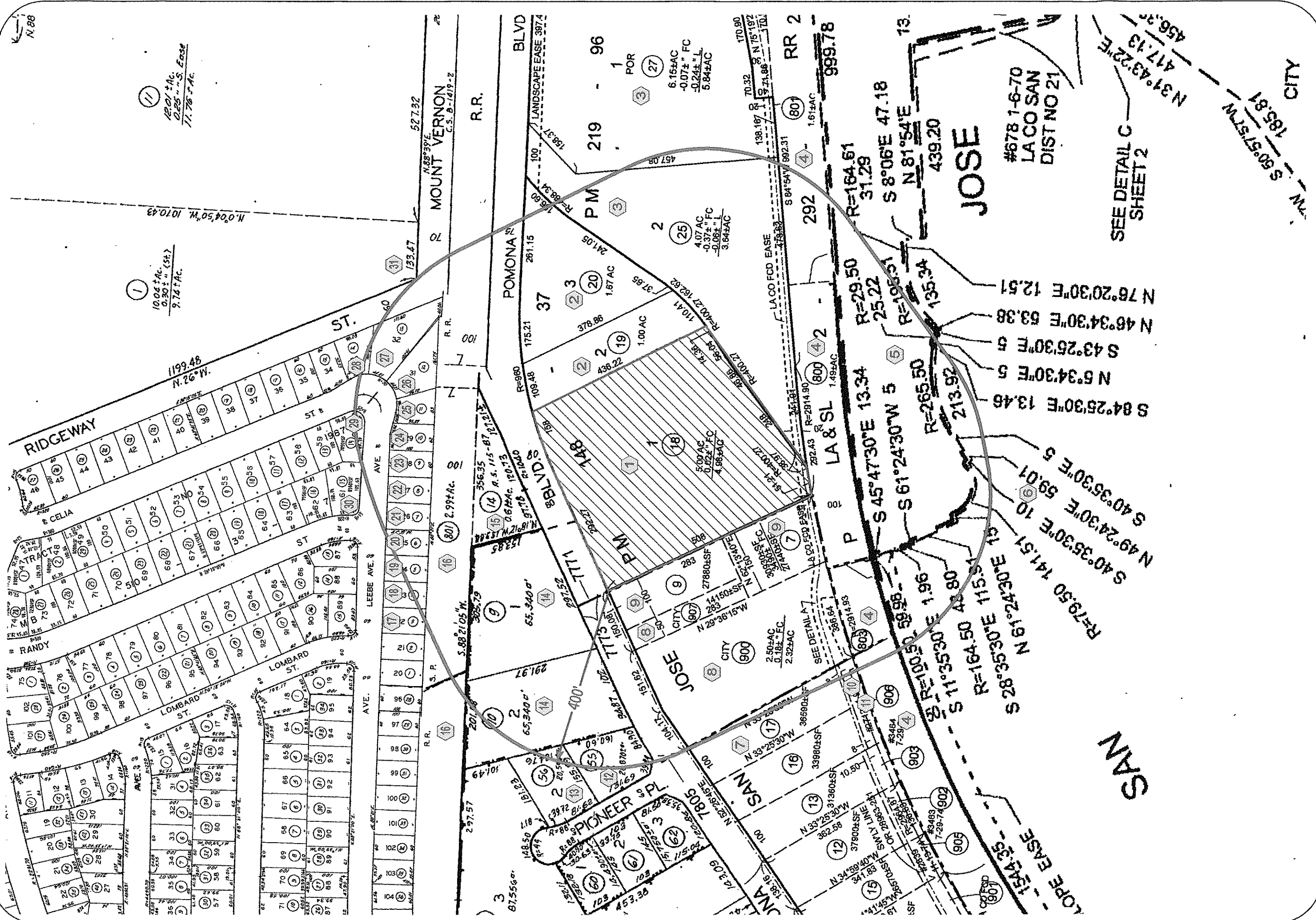
Susan Moreno

(PRINT) SUSAN MORENO MORE SERVICES (626) 350-5944

(DATE) 5/16/2018

CERTIFICATE PERTAINS TO PARCEL NUMBER 8707 - 017 - 018

PROPERTY ADDRESS 2490 W. POMONA BLVD



Sue Moreno
Services

SUE MORENO
(626) 350-5944
morenoservices@aol.com

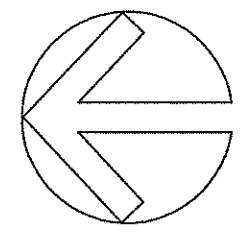
OWNERSHIP / OCCUPANTS LIST
RADIUS MAPS - LAND USE - PLANS
MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE. EL MONTE, CA 91732 - FAX (626) 350-1532

PROJECT INFORMATION

2490 POMONA BLVD.

POMONA, CA.

18-216



SCALE 1" = 200'

RESOLUTION NO. 7710

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING WITH CONDITIONS MODIFICATION OF CONDITIONAL USE PERMIT TO ADD 3,774 GROSS SQUARE FEET OF DOCK AREA TO AN EXISTING 8,006 SQUARE FOOT TRUCK FREIGHT FACILITY LOCATED IN THE M-2 ZONE AT PROPERTY KNOWN AS 2490 POMONA BOULEVARD

THE PLANNING COMMISSION OF THE CITY OF POMONA DOES RESOLVE AS FOLLOWS:

WHEREAS there has heretofore been submitted by Richard A. Hemphill a proposed Modification of Conditional Use Permit to add 3774 gross square feet of dock area to an existing 8006 gross square foot truck freight facility, pursuant to Ordinance 1466; on ~~x~~5 acres of land located in the M-2 (General Manufacturing) zone, also known as 2490 Pomona Boulevard;

WHEREAS, the Planning Division has determined that this project meets the criteria for a Class 1 Categorical Exemption pursuant the California Environmental Quality Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

SECTION 1. The Planning Commission hereby finds and determines as follows:

1. The proposed trucking facility development is compatible with and will not be detrimental to any existing use or business in the area, in that the proposed modification to the existing truck facility is compatible with the existing facility and surrounding community.
2. The proposed facility is sufficiently removed from any existing or proposed residential development or zoning so as to be detrimental to the residential area, in that the trucking facility is located within an industrial developed area. There is no adjacent residential development or residential zones near the subject property.
3. The proposed building and site improvements are adequate to accommodate the proposed use and the overall design of the facility is such that a minimum of conflict will occur with adjoining uses, in that the proposed addition has been designed to match the existing facility which is not in conflict with adjoining industrial uses.

4. The surrounding streets and their abutting uses are adequate and will not be adversely impacted by the proposed use, in that Pomona Boulevard is 80 feet in street right-of-way, which is adequate to accommodate the additional traffic generated by the proposed addition.

SECTION 2. The Conditional Use Permit, as submitted heretofore, is hereby approved, subject, however to compliance with all existing laws and ordinances of this City and the following specific conditions, violations of which (or failure to complete any of which) shall constitute grounds for denial of a or any portion thereof:

1. The applicant and each successor in interest to the property use which is the subject of this project shall defend, indemnify and hold harmless the City of Pomona and its agents, officers, and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council, or Planning Commission concerning this use, which action is brought within the time period provided for in government Code Section 66499.37.
2. Substantial conformance to submitted plans date-stamped July 29, 1991, except as modified herein.
3. The project authorized by this Conditional Use Permit is valid for one (1) year from date of approval. The Planning Commission may extend this period for one (1) year upon receipt of written request by the applicant at least thirty (30) days prior to the expiration date.
4. Conditions of approval to be maintained on premises and surrendered for inspection by City representatives.
5. The applicant shall join the street light maintenance district.

Page Three

Reso. No. _____

6. Sign shall be monument style, subject to approval of planner.
7. The applicant shall install twenty (20) feet of red curb on both sides of each driveway.
8. The applicant shall maintain and relandscape the planter on the west property line, subject to approval of planner.

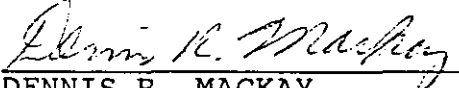
SECTION 3. That the Secretary shall certify to the adoption of this Resolution and forward to City Council, upon appeal.

PASSED, APPROVED, AND ADOPTED THIS 11th day of September, 1991.



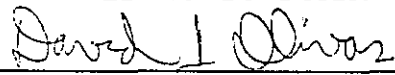
R.L. "BUD" SOTO
PLANNING COMMISSION CHAIRPERSON

ATTEST:



DENNIS R. MACKAY
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:



DAVID OLIVAS
DEPUTY CITY ATTORNEY

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

AYES: Wilkins, Marshall, Elias, Soto, Lustro,
 Warren, Cortez.
NOES: None
ABSTAIN: None
ABSENT: None

"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."