

PC RESOLUTION NO. 05-092

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING CONDITIONAL USE PERMIT CUP 05-035 TO CONSTRUCT A NEW 17,362 SQUARE FOOT INDUSTRIAL BUILDING AT AN EXISTING INDUSTRIAL FACILITY WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE ON PROPERTY LOCATED AT 750 SOUTH RESERVOIR STREET

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

WHEREAS, there has been heretofore been submitted by Halex Corporation a proposed Conditional Use Permit CUP 05-035, pursuant to Section .580 of the Zoning Ordinance to allow the construction of a building on a lot greater than one acre in size located at 750 South Reservoir Street in the M-1 (Light Industrial) zone and is designated as "Industrial" on the General Plan Land Use Map;

WHEREAS, the proposal meets all the development standards of the M-1 (Light Industrial) zone;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing concerning requested Conditional Use Permit CUP 05-035;

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:

SECTION 1. The Planning Commission exercising 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 a Section 15302, Class 2 exemption (Replacement or Reconstruction), in that the action involves the demolition and replacement of two buildings with a new building with substantially the same purpose and capacity.

SECTION 2. The Planning Commission hereby finds and determines 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 industrial building will contribute to the general well being of the community by improving the commercial tax base and providing potentially valuable job opportunities to City residents.

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

The proposed project will be developed in strict compliance with the latest editions of the Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code and the National Electrical Code. The building will not have a significant aesthetic impact on the neighborhood in that it is compatible in design and materials with existing buildings on the subject site and it is sufficiently set back from the front property line to limit its visibility from the street. Therefore, the proposed development will not be detrimental to the residents or their property.

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 with the land and uses in the neighborhood and make it compatible thereto.*

The subject property is 6.8 acres in size, relatively flat in topography, and adequate to accommodate the requirements of the Zoning Ordinance. The plans meet or exceed all the development standards of the M-1 zone.

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

The site directly abuts Reservoir Street, an arterial street adequate in size to accommodate any additional traffic generated by the proposed use.

5. *The granting of such 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 Zoning Ordinance.*

The proposed development meets all the development standards of the M-1 zone. In addition, the proposed industrial building will improve the commercial tax base and provide potentially valuable job opportunities to City residents. As a result, the proposed project meets the following objective of the Community Design Element of the General Plan:

To insure that industrial areas function to their full potential and are a positive element in the City's environment.

SECTION 3. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit, CUP 05-035 subject to the following conditions:

Planning Division

1. The subject property shall be developed and/or used in the manner requested and shall be in substantial conformity with the submitted plans approved by the Planning Commission on December 14, 2005 and attached herein as exhibit A, unless revisions and/or additional conditions are specifically required in the resolution of approval.
2. This approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within one (1) year from the date of this approval.
3. The project shall be subject to an appeal period of twenty (20) days. A written appeal may be filed by the applicant, any person owning property within four hundred (400) feet of exterior boundaries of the applicant's property, or a City Council member may appeal a decision of the Planning Commission for City Council review.
4. Prior to the issuance of permits, detailed site development plans, including plot plans, floor plans, building elevations and landscape and irrigation plans shall be submitted to the Building Division for review and approval.
5. Conformance with all included conditions of this resolution shall be achieved prior to the issuance of a Certificate of Occupancy and/or the issuance of a business license/zoning clearance.
6. All rooftop mechanical equipment shall be adequately screened from public view, per approval of the Planning Division.
7. No signs, advertisements, or graphics shall be painted on any building wall or placed on the roof, nor shall any pennants, flags, streamers or other type of temporary signage be allowed unless the Planning Division grants approval.
8. Prior to the issuance of building permits, the applicant shall submit detailed landscaping and irrigation plans for the review and approval of the Planning Division. The submitted plans shall include additional plant material to sufficiently screen to office area in the north portion of the site. The location, size, and type of plants shall be determined by the Planning Division.
9. All planter areas adjacent to off-street parking facilities shall be protected by a concrete curb of not less than six inches in height and maintained with a permanent irrigation system.

10. The storage of trucks and materials is prohibited in required parking areas.
11. The parking of trucks on the street in front of the subject property is prohibited. Prior to finalization of building permits, the applicant shall post signs in front of the subject property stating that parking of trucks is prohibited on the street in front of the subject property.
12. Any graffiti shall be removed within 24 hours of discovery or upon notification of the City.
13. Prior to issuance of a Certificate of Occupancy, the applicant shall install clearly legible address numbers on the elevations of the main building.
14. Prior to issuance of a Certificate of Occupancy, the applicant shall install bike racks on the site subject to Planning Division review and approval.

Public Works Department, Water Engineering Division

15. All improvements to the City's water system shall be installed at the developer's expense in accordance with the provisions of the City of Pomona Water Code, Construction Standards and the Department of Health Services requirements.
16. All requirements of the Los Angeles County Fire Department (LACFD) must be met. Proof of LACFD approval is required at time of Site Plan sign-off and final water improvement plan submittal to the Public Works Department. Contact the LACFD for information at (909) 620-2402.
17. Prior to Conditional Use Permit (CUP) or Tentative Subdivision Map (TSM) approval. Developer may be required to provide a hydraulic evaluation of existing water facilities and projected impact to facilities serving the proposed project site and adjacent sites. This evaluation shall be performed by a Registered Civil Engineer and submitted for review approval of the City Engineer. The Developer shall include as part of the project, all recommended improvements required to meet minimum Federal, State (DHS), County (LACFD), and City requirements to the City's Water System.
18. Master water meters as well as all commercial/industrial water services will require installation of Reduced Pressure Backflow Preventers. The Reduced Pressure Principal Back-flow Prevention Device shall be installed above grade in the customer's service line by his contractor as close as practical to the water meter and shall be between the water meter and the first point of connection to the service. A record of approved testing is required before acceptance by the City. Contact Water Quality Control at (909) 620-3670 for information.

19. Existing water facilities that serve or have served the project properties and will not to be used by the project shall be removed to the satisfaction of the City Engineer, replacement facilities will be required.
20. Prior to issuance of grading permits in areas of existing public water facilities, grading plans for such areas shall be submitted for Public Works Department – Water Division review and City Engineer approval. The Developer/Owner shall not place buildings, structures, trees and/or change any elevations within any related water easements nor within 7 ½ feet of any City maintained water line without prior written approval from the City of Pomona.
21. All meters larger than 2 inches and Double Check Detector Assemblies shall be located in easements outside of the public right-of-way.
22. Developer shall pay to the City, all 2-inch and smaller water meter-setting fees and all additional water facility advance payments. Water meters and water services larger than 2” shall be installed by the Developer’s contractor.
23. Developer shall have a Registered Civil Engineer submit plans for review and approval of the Public Works Department for all additional water facilities that are required and/or are to be installed by the developer’s contractor, and may elect to pay City for installation of water services 2-inch or smaller. Submittal of the water improvement plans will require the following:
 - a) An initial plan check deposit in the amount of \$1,000 at the time of the water plan submittal.
 - b) Submitted on 24” x 36” sheet size with a standard City title block prepared under the direction of and signed by a Registered Civil Engineer showing all existing and new utilities, including existing and proposed water facilities and water services. Plans must correctly show property address, legal description, property lines, street centerline, curb-line, existing and proposed utility easements, and right-of-way with dimensions.
 - c) Shall include as part of the project, all recommended improvements required to meet minimum Federal, State (DHS), County (LACFD), and City requirements to the City’s Water System.
 - d) All project related trench repairs in City maintained streets shall be per City Std. A-26-02.
 - e) Double Check Detector Assemblies shall be installed for all fire services.
 - f) The Mylar water development plan shall also be provided to the City on disk in Auto CAD V.2000 format.

- g) All new water main lines shall be DIP with a minimum of 8-inches diameter, placed underground and 6' offset from curb lines, or as approved by the City Engineer.
 - h) Water Development plans shall be for public water improvements only, and private water improvements shall be addressed on separate plans.
24. All improvements to the City's water system shall be installed at the developer's expense in accordance with the provisions of the City of Pomona Water Code, Construction Standards and the Department of Health Services requirements.
25. Public water facilities that are to be installed on private property shall require the following:
- a) Approval of the City Engineer
 - b) Dedicated easements that will be 15-foot wide minimum and shown on the water plans. All easement-processing fees shall be paid by the Developer/Owner prior to the water plan approval.
 - c) Access to City water facilities for water operation crews shall be made available at all times for servicing and maintaining the water system and for reading water meters.
26. Prior to issuance of a grading permit, Developer/Owner shall:
- a) Submit final water improvement plans (AS APPLICABLE) for approval of the City Engineer.
 - b) Submit a performance bond in the amount of 100% of the estimated construction cost of the proposed water facilities shall be posted with the City prior to water plan approval.
 - c) Pay to the City of Pomona all estimated costs to be incurred by the City, plus 30% overhead, for plan check, inspection, water operation cost, etc. associated with the proposed water facilities for the development.
27. Following construction, Developer/Owner shall provide "AS BUILT" drawings of the final constructed improvements to the satisfaction of the City Engineer prior to acceptance of the improvements by the City.

Public Works Department – Environmental Engineering

Standard Urban Storm water Mitigation Plan (SUSMP) conditions:

28. Before issuance of a grading permit, the applicant shall submit building plans to the Building and Safety Division for review and approval by the Environmental Engineering Division showing compliance with SUSMP requirements. Building plans shall show the following:

- a. Hydrology analysis determining the design flow rate (QPM) of Volume (VM) for the first $\frac{3}{4}$ " of rainfall that must be mitigated calculating the item of concentration. Calculations must show all variables used in the analysis. This includes identifying the longest overland flow path for the sub-area (L).

Storm water Pollution Prevention Plan (SWPPP) conditions:

29. Before issuance of a grading permit, applicant shall submit plans to the Building and Safety Division for review and approval by the Environmental Engineering Division of the Public Works Department showing compliance with SWPPP requirements.

Utilities Services Department

30. Verify the existing static pressure within the existing 10-inch main by requesting a fire hydrant flow test from the Public Works Department.
31. There is an existing fire hydrant in front of the site. Verify with the Los Angeles County Fire Department if additional fire hydrants are required near the frontage of the site prior to the CUP permit approval. If any new fire hydrants are required, the hydrants must be within five feet or more from proposed driveways and off of parking spaces.
32. Any fire hydrants within the site are considered private and are to be maintained by the site owners, not be City personnel.
33. Provide "hot tap" connections between the existing water main and all new service lines for each meter within the proposed project site.
34. The existing 1 $\frac{1}{2}$ - inch domestic service meter and 8-inch fire service meter can continue to be used for the site. If these existing meters will not be used, abandon them appropriately. Contact the Utility Business Services at (909) 620-2241 for information on new meters and all applicable meter fees. The City will install meters less than or equal to 2 inches in size. The Contractor for the project is responsible for installing meters greater than 2 inches in the public right-of-way.
35. For an extra fee, the City staff can also install the services lines between the existing main and all new meters. Provide individual service lines from the main to each meter. Do not use manifold service lines from the main. Individual meters should be spaced 18 inches or more from each other.

36. The edge of all new meter vaults should be located in public right-of way 2 inches from the face of the curb per Standard No.'s 11 and 12 of the Water Specifications. Do not place meters in driveways or parking spaces to allow City personnel access to these meters for future maintenance.
37. Approved backflow devices are required for all service lines to this site. List the brand and model of these devices on utility plans. The following mains require specific types of backflow devices:
 - a) reduced pressure devices are required for irrigation service lines to this site;
 - b) Double check detector assembly devices are required for all fire sprinkler lines.

Los Angeles County Fire Department

38. The required fire flow for this development is 5000 gallons per minute for 5 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
39. Provide locations and sizes of all fire hydrants within 300 feet of all property lines. Provide evidence on LACoFD fire flow form, Form 196, that the hydrants and available flow rate meets LACoFD requirements.
40. Provide a minimum unobstructed width of 26 feet, Clear to Sky, vehicular access to within 150 feet travel distance of all portions of the exterior walls.
41. Provide the following information on the site plan: Occupancy, type of construction, extent of fire lanes (indicated on plans by shading or cross-hatching).
42. Submit architectural drawings, including: site plan, floor plan, elevations, door and window schedules to Fire Prevention Engineering, 590 S. Park Ave. Pomona 91766 Phone: 909 620-2216

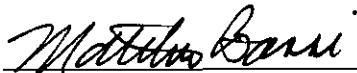
SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED this 14th day of December 2005.



TIM SAUNDERS
PLANNING COMMISSION CHAIRPERSON

ATTEST:



MATTHEW C. BASSI
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:



RICHARD L. ADAMS II
ASSISTANT CITY ATTORNEY

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

AYES: Urey, Sanchez, Martinez, Delgado, Scharf and Saunders.
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."