



# CITY OF POMONA

## PLANNING COMMISSION

### MEMORANDUM

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**DATE:** November 14, 2018

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

**FROM:** Planning Division

**SUBJECT:** CONDITIONAL USE PERMIT (CUP 9813-2018):

A request for a Conditional Use Permit (CUP 9813-2018) to allow the operation of a boarding school on an 8.75 acre site at 2322-2350-2370 S. Garey Avenue in the Neighborhood Parkway Segment of the Pomona Corridors Specific Plan.

#### STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached Resolution (Attachment 1) approving Conditional Use Permit (CUP 9813-2018), subject to conditions.

#### PROJECT/APPLICANT INFORMATION

<b>Project Location:</b>	<b>2322-2350-2370 S. Garey Avenue</b>
APN Information:	8331-012-025, -026 and -027
Project Applicant:	Grand Sequoia Global Holding Corp.
Property Owners:	Grand Sequoia Global Holding Corp.
<b>CC District:</b>	<b>District # 3</b>
Historic/CBD:	Not Applicable
Specific Plan:	Pomona Corridors Neighborhood Parkway Segment
General Plan:	Neighborhood Edge (westerly half of project) and Residential Neighborhood (easterly half of project)

#### ANALYSIS

At the public hearing of October 10, 2018, the Planning Commission raised a variety of questions that required further research by City staff and the applicant related to Southern California Air Quality Management District (SCAQMD) enforcement actions, the safety and security of schoolchildren on the property, and the use of buses by the school. This memorandum updates the Commission on these items.

The Commission learned of the existence of SCAQMD enforcement actions taken against the applicant related to work performed without necessary City or SCAQMD permits or paperwork that may have involved the disturbance of asbestos. The applicant and the SCAQMD have provided documentation that describes the circumstances and the timeline. On or before July 10, 2018, the applicant was engaged in various activities on the property that included cleaning various rooms of the buildings. On July 10, the applicant received a Notice to Comply from the SCAQMD to stop work and comply with SCAQMD regulations. The SCAQMD served a warrant on the property on July 13, 2018, accessed the site and began an inspection of the facilities. During July and August, the applicant subsequently hired testing companies to sample the site for asbestos contamination, and then clean any contamination. Contamination was found in a limited portion of the site. Remediation was performed to remove the contamination. Subsequent testing found no additional contamination of the buildings, soil or air. The plan for testing and remediation, including the use of appropriate testing and remediation companies, was forwarded to and approved by the SCAQMD. According to the applicant, as of November 1, 2018, the SCAQMD considers the case to be closed. Staff has not been able to confirm this as of the writing of the report.

On September 13, 2018, a “Stop Work” notice was issued by the City for possible work being conducted without required permits. Another stop-work order was issued by the City on October 3, 2018, for possible roof work being performed on the property without appropriate permits. A Building inspector met the applicant at the site. An inspection revealed minor patchwork conducted on the roof that did not require permits.

The applicant has stated that they are accredited through an organization known as AdvancED. The website for the group has the following description:

“AdvancED is the largest community of education professionals in the world. We are a non-profit, non-partisan organization that conducts rigorous, on-site reviews of a variety of educational institutions and systems to ensure that all learners realize their full potential. While our expertise is grounded in more than a hundred years of work in school accreditation, AdvancED is far from a typical accrediting agency. Our goal isn’t to certify that educational institutions are good enough. Rather, our commitment is to help these institutions continuously improve.”

The applicant submitted an email that describes the security measures for the campus. According to that document:

“1) There will be a single (double door) entrance/exit facing the interior of the complex used by students for each of the two dorm buildings. Only staff will have access to side doors, and all other exterior doors will be equipped with alarms and used only in case of emergency.

- 2) There will be residence hall staff that will reside in the dorm buildings that will be supervising dorm activities and study hall. The overall teacher/staff to student ratio of our school will be 1:5.
- 3) There will be 24 hr guards for the entrance gate, surveillance cameras and the campus will be locked down at nights.
- 4) We will apply for a permit to construct a good quality new fence built up to the sidewalk that wraps around Garey Ave and Olive St corner. It will have beautiful block pillars and black metal bar fence in between. We will plant additional vegetation along the fence to cover the bars, give students privacy, and make the street frontage look nice.”

According to the Corridors Specific Plan (CSP), Section 2.6.8, walls and fences along frontages should be attractive; be composed of “thick and thin” elements such as wrought iron sections separated by pilasters; may be up to 8 feet tall when necessary for security in special situations; and may be as close as 10 feet from Garey Avenue and 20 feet from Olive Street. The fencing described by the applicant appears to meet the general standards as long as they adhere to the setbacks described in the CSP.

By email, the applicant has said that they will use buses to take students on field trips; that they “will be contracting bus companies to transport our students” and that they “will also have some of our own buses for greater flexibility.” They state that they plan “to keep 3-4 buses on campus with 30-60 seats” each.

## **RECOMMENDATION**

The Planning Division recommends that the Planning Commission adopt the attached Resolution (Attachment 1) approving Conditional Use Permit (CUP 9813-2018), subject to Findings and Conditions of Approval.

Respectfully Submitted By:

Prepared By:

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Mario Suarez, AICP  
Development Services Director

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Jeff Hamilton  
Contract Planner

## **ATTACHMENTS:**

- 1) Draft PC Resolution
- 2) October 10, 2018 Staff Report
- 3) October 10, 2018 Draft PC Resolution
- 4) Exhibit A to Draft PC Resolution
- 5) Location Map & Aerial Photograph
- 6) Project Narrative
- 7) Radius Map & Public Hearing Notice
- 8) Project Plan Reductions