

RESOLUTION NO. 8312

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING MODIFICATION OF CONDITIONAL USE PERMIT CUP 94-044, WITH CONDITIONS, TO ALLOW AN EXPANSION OF AN EXISTING COLLECTION/RECYCLING CENTER LOCATED IN THE M-2 (GENERAL INDUSTRIAL) ZONE ON PROPERTY KNOWN AS 1326-1352 NINTH STREET

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

WHEREAS, there has heretofore been submitted by Sunrise Industries, Inc., a request for a Modification of Conditional Use Permit to expand an existing collection/recycling center in the M-2 (General Industrial) zone located at the above referenced address;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing concerning requested Modification of Conditional Use Permit CUP 94-044;

WHEREAS, the 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. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared and reviewed, finding that the proposed project will not have a significant effect on the environment. The Planning Commission hereby approves said Negative Declaration.

SECTION 2. The Planning Commission hereby finds and determines as follows:

1. The proposed modified use at the particular location is necessary to protect the public peace, health and safety and allows for the reasonable operation of said use, in that the expansion of the existing collection/recycling center will allow for the additional recycling of materials which will promote a healthier and cleaner environment. Additionally, the project will be beneficial to the City and region in that it will conserve existing resources to help the City reach its State-mandated (as per Assembly Bill 939) goals of 25% and 50% solid waste reduction requirements by the years 1995 and 2000, respectively.

SECTION 3. Modification of Conditional Use Permit MCUP 94-044, as submitted heretofore, is hereby approved subject to compliance of 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 revocation of the Conditional Use Permit or any portion thereof:

1. Substantial conformance to submitted plans date-stamped January 3, 1995, except as modified herein.
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. If the project cannot be initiated within one (1) year, a request for a time extension must be applied for thirty (30) days prior to the one (1) year expiration date.
3. The applicant shall sticky-back all approved resolutions related to the project, which shall be placed on the title sheet of construction plans prior to the Plan Check submittal.
4. 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 the City Council on its own initiative by a majority vote, may appeal a decision of the Planning Commission for City Council review.
5. The applicant shall furnish three (3) complete sets of plans for plan check submittal (structural, mechanical, electrical, plumbing, site, floor, building elevations, landscape and irrigation plans) to the Building Division.
6. The plans shall be designed to comply with the following codes and ordinances: 1991 Uniform Building Code, 1991 Uniform Mechanical Code, 1991 IAPMO Uniform Plumbing Code, 1991 Uniform Fire Code, 1990 National Electrical Code, State Title 24 Energy and Handicap Codes, Federal Americans with Disabilities Act Guidelines, and all applicable City of Pomona Ordinances.
7. All utilities, including electrical service drops, shall be located underground, subject to approval of the Building Division.
8. Any graffiti on the property shall be removed or painted over within 48 hours.

9. The applicant shall submit a lighting plan to the Building Division as part of the plan check submittal. All exterior lighting shall be mounted within tamper proof fixtures.
10. The applicant shall be responsible for the removal of shopping carts that have been abandoned adjacent to the recycling facility within the public right-of-way.
11. The applicant shall provide a minimum of five (5) foot wide landscaping planter along the parking area at the west side of the lot, subject to approval of the City Planner.
12. A total of two (2) accessible parking stalls shall be provided on the additional site and one (1) accessible parking stall shall be located on the existing site, adjacent to the office building, subject to review and approval of the Building Division.
13. The existing drive approach not being utilized shall be removed and reconstructed with curb, gutter and sidewalk per City Standard. New sidewalk shall be constructed along frontage where missing. New drive approaches shall be constructed per City Standard No. A-2-71 III; (W=26, X=4 feet).
14. The applicant shall install a minimum six (6) inch high curb surrounding the areas indicated for future expansion, which shall be hydroseeded and maintain until such time that these areas are utilized, subject to approval of the City Planner.
15. The applicant shall patch and slurry coat the existing parking, driveway and loading areas, so as to conform with all new paving.
16. The applicant shall screen the parking area from the street by providing a six foot high block wall behind the 20' landscaped front yard setback area, subject to approval of the City Planner.
17. The applicant shall remove the existing six (6) feet high chain link fencing on the side and rear property lines and replace same with eight (8) feet high masonry walls beyond the front yard setback, consistent with Condition No. 1 of the previously approved Conditional Use Permit (Planning Commission Resolution 2830).
18. All structures shall be alarmed for burglary and fire services.

19. The property address shall be visible from the street and lit during all hours of darkness.
20. The applicant shall indicate all on-site access drives proposed to the structure. A minimum unobstructed width of 26 feet clear to sky roadway to within 150 feet of all portions of the exterior walls shall be provided.
21. A public fire hydrant shall be located within 200 feet of all portions of the lot frontage and within 400 feet of all portions of the exterior walls, subject to approval of the Los Angeles County Fire Department.
22. The applicant shall complete and return an "Owner's Statement of Intended Use" Form (Form 194) pertaining to high-piled combustible storage to the Fire Department.
23. The applicant shall apply for a Lot Merger with the Public Works Department.
24. The applicant shall provide one (1) new street light along Ninth Street frontage and shall join the City Street Light Maintenance District, subject to review and approval of the Public Works Department.
25. The applicant shall provide a minimum of one (1) new trash enclosure screened from public view. Location of the trash enclosure shall be approved by the City Planner.
26. At the time of development, the applicant shall submit a site plan and grading/drainage plan with hydrology and hydraulic calculations to the Building Division. On-site drainage shall be diverted into City streets and diverted through the curb face via an approved on-site drainage facility. Prior to obtaining a Building Permit, the above noted plans shall be approved by the Building Division and Public Works Department.
27. An approved reduced pressure backflow prevention device shall be installed between the meter and the first point of service in conjunction with the proposed construction.
28. The block wall constructed at the rear of the property shall be constructed in a manner so as to prevent a gap between the subject property and the existing wall along the property to the south.
29. The applicant shall provide additional parking, as determined by the City Planner for phases 2, 3 and 4, as indicated on the submitted site plan.

30. The applicant shall provide directional signage, either painted on the pavement or otherwise, indicating circulation on the subject property, as approved by the City Planner.
31. All Conditions of Planning Commission Resolution Nos. 2830 and 2830-A shall be met.

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

PASSED, APPROVED, AND ADOPTED this 11th day of January, 1995.




SAM THARPE
PLANNING COMMISSION CHAIRPERSON

ATTEST:



DENNIS R. MACKAY
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:



RICHARD L. ADAMS II
DEPUTY CITY ATTORNEY

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

AYES: Russo, Lustro, Jimenez, Tharpe, Tessier, Bruyn
NOES:
ABSTAIN:
ABSENT: Warren

"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."

CUP1352.WP