

RESOLUTION NO. 8398

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING MODIFICATION OF CONDITIONAL USE PERMIT CUP 95-026, WITH CONDITIONS, TO ALLOW A 2,350 SQUARE FEET OFFICE ADDITION AND TO RENOVATE AN EXISTING 2,000 SQUARE FEET OFFICE BUILDING WITHIN 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 allow a 2,350 square feet office building and renovate an existing 2,000 square feet office building within 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 95-026;

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 that 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 addition and renovation will increase the aesthetics of the site and will allow the development of a partially developed lot to achieve its highest and best use. Additionally, the project will be beneficial to the City in that it will upgrade an existing site as well as support businesses expansion, which will promote a positive image for the City.

SECTION 3. Modification of Conditional Use Permit MCUP 95-026, 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 September 14, 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 size of the parking stalls as shown on the site plan shall be change to 9 1/2 X 18 as required by the Zoning Ordinance.
6. All Conditions of Planning Commission Resolution Nos. 8312, 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 8th day of November, 1995.


ED TESSIER
PLANNING COMMISSION CHAIRPERSON

ATTEST:


DENNIS R. MACKAY
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

John G. Henrichs
JOHN HENRICHS
DEPUTY CITY ATTORNEY

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

AYES: Warren, Jimenez, Bruyn, Lustro and Tessier.
NOES: None.
ABSTAIN: None.
ABSENT: Russo and Tharpe.

"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"