



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: July 24, 2019

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **CONDITIONAL USE PERMIT (CUP 11666-2019):** A request for a Conditional Use Permit to place a convenience recycling facility in the parking lot of commercial shopping center located at 1645 W. Holt Avenue (APN 8357-018-024) in the Neighborhood Center Segment of the Pomona Corridor's Specific Plan (PCSP).

STAFF RECOMMENDATION

The Planning Division recommends the Planning Commission adopt the attached draft Resolution recommending the Planning Commission approve Conditional Use Permit (CUP 11666-2019), subject to conditions (Attachment 1).

PROJECT/APPLICANT INFORMATION

Address	1645 W. Holt Avenue
Assessor's Parcel Number (APN)	8357-018-024
Lot Size	145,869 SF (3.3 acres)
General Plan Land Use Designation	Neighborhood Edge
Zoning District	Neighborhood Center
Historic District	N/A
Specific Plan	Pomona Corridor's Specific Plan
City Council District	1
Applicant	Jose Ponce
Property Owner	Shalabi Enterprises

RELATED ACTIONS

Historic Preservation	None
Code Enforcement	None
Building & Safety	None
Planning	CUP 11-015 to place a small recycling collection facility, denied 11/9/11.

PROJECT BACKGROUND AND DESCRIPTION

The subject property is a three (3) acre site that consists of a 33,900 square foot grocery store (Cardena's Market) and a 1,530 square foot T-Mobile retail store. It is surrounded by an apartment complex to the north in the Neighborhood Center Segment of the PCSP; by retail and apartments to the east in the Neighborhood Center and Downtown Gateway Segments; by retail/services and a full-service carwash to the south and by auto repair shops, apartments and condominium units under construction to the west in the Downtown Gateway Segment (Attachment 2). Photographs of the existing conditions of the site are attached as Attachment 3.

The applicant is requesting a Conditional Use Permit to establish a convenience recycling facility at the rear portion of the super market parking lot, adjacent to the existing loading area (Attachment 4). A convenience recycling facility is defined as a recycling facility located in a convenience zone as defined and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code Section 14500 et seq.). In order to qualify as a "Convenience Zone", the property must be within a half-mile of a supermarket with annual gross sales of \$2 million or more; must be a "full-line" store that sells a line of dry groceries, canned goods, or non-food items and perishable items ; and is identified in the Progressive Grocer Marketing Guidebook. Only cans, bottles, and plastic containers and other containers and material identified or adopted under the Public Resource Code Section 14500 et seq. are accepted at a convenience recycling facility.

The collection facility will be approximately 43 feet away from the northern property line and 122 feet away from the eastern property line. The size of the collection facility is proposed to be 522 square feet, consisting of two roll off storage containers and a kiosk with dimensions of 29 feet long, by 18 feet wide and 9 feet high. The recycling facility will occupy a total of four parking spaces and with a striped queuing area. With the elimination of the four parking spaces, the shopping center will still meet its parking requirements and will have surplus of 52 parking spaces.

The convenience recycling facility will collect recyclable material eligible for refund value, such as empty beverage containers made of aluminum, glass and plastic. The materials will be collected, weighed and stored in two safely secured roll off container bins. Main Street Fibers Inc., will pick up the roll off container bins twice a week at 8:30 a.m. and will leave two empty containers on the site. The bins collected will be then shipped in a front loader truck to their processing center in Ontario. There will be two attendants at all times of operation and the facility will operate Monday through Sunday from 9:00 a.m. to 5:00 p.m. To address screening and security of the facility, the applicant is proposing a decorative masonry block wall, two wrought iron gates and landscaping directly to west of the recycling facility.. Attachment 4 shows proposed elevation drawings and photographs of a similar facility for Commission consideration.

Applicable Code Sections

The proposed project is subject to the requirements of the Neighborhood Center Segment of the PCSP and the Waste and Recycling Ordinance (Ord. 4234). Per the PCSP, a Conditional Use Permit is required to approve a convenience recycling facility use. The zoning, General Plan land use designation and existing uses for the surrounding properties are identified Table 1:

Table 1. Land Use Summary

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Commercial Shopping Center	Neighborhood Center Segment (PCSP)	Neighborhood Edge
North	Apartments	Neighborhood Center Segment (PCSP)	Neighborhood Edge
South	Full-Service Carwash & Retail/Services	Downtown Gateway Segment (PCSP)	Urban Neighborhood
East	Apartments & Retail/Services	Neighborhood Center Downtown Gateway Segments (PCSP)	Activity Center
West	Auto Repair Shops, Apartments and Condominiums (under construction)	Downtown Gateway Segment (PCSP)	Urban Neighborhood

ZONING COMPLIANCE ANALYSIS

Site Development Standards

The proposed project does not constitute a significant addition, therefore the development standards of the PCSP do not apply with the exception of the proposed masonry block wall. Staff has evaluated that the proposed project does not impede or decrease the subject sites compliance with the minimum parking requirements. The existing development is in compliance with applicable development standards.

ISSUES ANALYSIS

Zoning Ordinance Compliance

In order to approve a Conditional Use Permit, five specific findings must be made per Section .580 of the Pomona Zoning Ordinance. The required findings are noted below and have been incorporated into the attached Resolution:

- 1. That the proposed use at the particular location will contribute to the general wellbeing of the neighborhood or community.*

The proposed use of the subject site for the development of a convenience recycling

facility will contribute to the general well-being of the neighborhood and the community by expanding the opportunity for residents to redeem a refund value within a convenient location as it will be located within an existing commercial shopping center. It will also provide a service to the residents as recycling centers are prohibited in the City.

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 recycling facility is only 522 square feet in size and will be located at the rear portion of the super market parking lot, adjacent to the existing loading area. The recycling facility will only collect material eligible for refund value, such as empty beverage containers made of aluminum, glass and plastic which will be weighed and directly stored in two containers with a lock. It will also be screened from the public right-of-way behind a six-foot high decorative masonry wall, landscaping, and two security wrought iron gates to ensure security during non-hours of operation. Although the site is adjacent to residential land uses, the convenience recycling facility it will be located within the existing loading area and it will be 43 feet away from the apartments to the north, 122 feet away from the apartments to the east, and at least 150 feet away from the apartments to the west. Therefore, 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.

3. *That the site for 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.*

The subject site is rectangular in shape and relatively flat with an area of approximately 3.3 acres. Therefore, the site has the adequate topography, size and shape to accommodate the proposed convenience recycling.

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

The subject site has street access directly to Holt Avenue, a Principal Arterial and Erie Street, a local street, which are of adequate width and improved to carry the traffic generations that are typical for commercial development projects.

5. *That 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 granting of the conditional use permit will not adversely affect the General Plan and conforms to the provisions of the Pomona Zoning Ordinance. The proposed use is consistent with the “Neighborhood Edge” place type as designated on the General Plan Land Use Map. The project would also promote the following General Plan goal:

Goal 7A.G2: Promote a balanced mixed of uses throughout the city that can be a part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

Land Use Compatibility

The existing neighborhood is predominately commercial and retail/services with the exception of the three apartment complexes to the north; however, they are significantly removed from the convenience recycling center.

GENERAL PLAN CONFORMITY

The project conforms to the City’s General Plan in that the proposed development is consistent with the “Neighborhood Edge” place type as identified on the General Plan Land Use Map. The project would also promote the following General Plan goal:

Goal 7A.G2: Promote a balanced mixed of uses throughout the city that can be a part of an integrated and sustainable local economy that supports harmonious diversity and economic prosperity.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project meets the criteria for the General Rule exemption pursuant to Section 15061(b)(3) and a Class 3 Categorical Exemption (New construction or conversion of small structures) pursuant to Section 15303(a) in that the project involves the construction of one 522 square foot structure.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on July 12, 2019 and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on July 9, 2019 (Attachment 5).

CONCLUSION

The proposed project is consistent with the Pomona Zoning Ordinance and the intent of the General Plan. Based on staff's analysis, the proposed project has been condition and will not result in any negative impacts to the surrounding neighborhoods.

Respectfully Submitted:

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ATTACHMENTS:

- 1) Draft PC Resolution
- 2) Vicinity Map & Aerial Photograph
- 3) Site Photographs
- 4) Project Plans
- 5) Radius Map & Public Hearing Notice