



Staff Report

City of Pomona Zoning Administrator

DATE: November 19, 2025

FILE NO: DPR-000238-2024
A request for a Development Plan Review to develop a site with 61 dwelling units and two ground floor commercial units within one five-story building with private and common open spaces, parking, landscaping, and trash facilities. The property is located within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP).

ADDRESS: 416 N. Garey Avenue (APNS: 8336-021-027, 8336-021-030)

APPLICANT: Harold Azalte

PROJECT PLANNER: Karina Diaz, Assistant Planner

ENVIRONMENTAL REVIEW: This project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the California CEQA Guidelines.

RECOMMENDATION: Approve File No(s). DPR-000238-2024 and adopt Resolution No. 25-008 (Attachment No. 1).

Project Information:

GENERAL PLAN DISTRICT:	Transit Oriented District: Core	ZONING DISTRICT:	Specific Plan Area
TRANSECT:	T6-B	SPECIFIC PLAN DISTRICT:	Pomona Corridor Specific Plan, Downtown Gateway Segment (Height Overlay)
GENERAL PLAN DENSITY:	20 DU/AC MIN 100 DU/AC MAX	CITY COUNCIL DISTRICT:	District 4, Ontiveros-Cole
NEW HOUSING UNITS:	61 Units	DENSITY BONUS:	Yes
HOUSING UNITS LOSS:	None	CONCESSIONS:	Yes (1)
AFFORDABLE UNITS:	9 Units	WAIVERS:	Yes (5)
Moderate:	None	SB 330 APPLICATION:	No
Low:	9	COMMERCIAL UNITS:	2 Units
Very-Low:	None		

Project Background:

The applicant, Harold Azalte, is requesting to develop a mixed-use Housing Development Project consisting of sixty-one (61) apartment units and two (2) commercial units on the ground floor, as well as associated on/off site improvements on a 27,933 square-foot (0.64 acre) site in the south-west quadrant of the city (Attachment No. 2-3). The development will include a total parking count of 68 spaces; all located within a submerged podium parking structure. Forty-five (45) units out of the sixty-one (61) units will have private open space in the form of a balcony. For units without private open space, modifications to the site have been made to create pockets of common open space throughout the complex. The primary amenity spaces within the development include a roof top deck, a courtyard, a gym, a dog run, and view decks. These spaces will include landscaping, permanent seating, and barbeque grills for the residents. The property is located within the Downtown Gateway Segment of the Pomona Corridor Specific Plan (PCSP), the TOD: Core land use place type, as well as the T6-B transect. Additionally, the site is within a one-half mile radius of the Pomona Transit Center. A Development Plan Review is required in order to approve the proposed site and building design.

Project Review:

The housing development reflects a Contemporary architectural design. Design materials include smooth finish stucco, brick veneer, and metal panels varying in color. Each elevation contains varying depth, window size and type, and balconies. Additionally, the project contemplates the placement of onsite public art to satisfy the City of Pomona Art in Public Places Program, which requires 1% of the building valuation to be spent toward Public Art.

Staff analyzed the request against applicable specific plan standards. A summary of this analysis, along with key issues and resolutions, are provided below for consideration.

DESIGN REVIEW:

Pursuant to Section 2.0.5 of the PCSP, a Development Plan Review hearing is required for new development within the plan area. A Compliance Summary table with a detailed analysis of the project's compliance with the applicable standards of the Downtown Gateway Segment of the PCSP is provided below. Note that any requested waivers, concessions, or deviation requests by the applicant are noted in **bold** text.

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.2.1 Use Types	Permitted Residential - Multi-Family w/Common Entry - Multi-Family w/Individual Entries - Attached Single Family Permitted Retail - Eating & Drinking establishments	Multi-Family w/Common Entry Ground floor commercial	Compliant

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
	2. Specialty Goods & Foods 3. Entertainment & Recreation 4. Convenience Uses 5. Business Services 6. Personal Services		
2.2.2 Special Retail Configurations	1. A maximum size of 2,500 SF per use 2. A maximum size of 5,000 SF per total cluster 3. Corner store retail must be located on the corner of a block, and the entrance must face a public street, square, or plaza place.	Retail 1 – 2,223 SF Retail 2 – 1,032 SF Total: 3,255 SF	Compliant
2.2.3 Minimum Residential Unit Size	1 BR – 600 SF 2 BR – 800 SF 3 BR – 1,000 SF	Studios: +/- 418 SF 1 BR: +/- 601 SF 2 BR: +/- 800 SF	Compliant
2.3.1 Building Height	Minimum: 1 story & 20 feet Maximum: 3 Stories In Height Overlay: 6 stories	5 stories, 61 feet to the top of structure	Compliant
2.3.2 Special Building Height Limits	Holt/Mission/Garey: 4 stories maximum Adjacent to Housing: required	Exceeds 4 story maximum, not meeting Adjacent to Housing	Waiver #1 Waiver #2
2.3.3 Building Length	Maximum: 300 feet	197'-5¼" on Center St	Compliant
2.3.4 Special Building Length Limits	Limited Corner Building: 120 feet maximum Limited Mid-Block Building: 80 feet maximum	N/A	N/A
2.3.5 Building Massing- Length(L): Height(H)	Along Garey Avenue 3L:2H: to 5L:2H (1.5) to (2.5)	Along Garey Ave 80'-8"L:52'-3"H (1.5)	Compliant

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
	All Other Streets 2L:3H to 5L:2H (0.67) to (2.5)	Along Center St 80'-0"L:50'-6"H (1.5)	
2.4.2 Private Frontage Types	Types Permitted: - Shop-Front articulation length 50ft max - Corner Entry - Arcade - Grand Portico - Forecourt - Common Lobby Entry - Stoop - Edge Treatment: Fenced - Edge Treatment: Terraced - Edge Treatment: Flush Limited Types: - Front Vehicular Door	Shop Front & Common Lobby Entry	Compliant
2.4.3 Front Yard Setback	On Garey Avenue Minimum: 5 feet Maximum: 15 feet All Other Streets Minimum: 5 feet Maximum: 15 feet	On Garey Avenue Minimum: 5' Maximum: 13'-4½" On Center Street Minimum: 4'-8½" Maximum: 9'-8½"	Deviation Request #1
2.4.4 Side Yard Setback	Minimum w/living space windows: 10 feet Minimum w/out living space windows: 0 feet	North Side P/L 8'-1" East Side P/L 10'-1"	Deviation Request #2
2.4.5 Rear Yard Setback	Minimum: 10 feet	N/A	N/A
2.4.6 Alley Setback	Minimum: 5 feet	N/A	N/A
2.4.7 Frontage Coverage	Minimum Garey Ave: 70% Minimum on Other Streets: 70%	Garey Ave: 92% Center St: 85%	Compliant
2.4.8 Space Between Buildings	Minimum: 20 feet	N/A	N/A

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.4.9 Build-to Corner	Required	Building is within build-to-corner	Compliant
2.5.1 Improvements to Existing Streets	Grand Boulevard Improvements: Required along Garey Avenue	<i>Subject to PW Conditions of Approval</i>	<i>Subject to PW Conditions of Approval</i>
2.6.1 Provision of Public Open Space	Residential Open Space: 150 SF per unit Retail: 50 SF / 1,000 SF Required: 9,313 SF	Provided: 2,547 SF of Common Amenity Space	Concession #1
2.6.4 Public Open Space Types	Permitted: - o Park - o Linear Green - o Square - o Plaza - o Mid-Block Green - o Courtyard Plaza - o Passage/Paseo - o Pocket Park/ Playground	Common Amenity Space Provided: - o View deck - o Dog run - o Balcony Seating areas with barbeque pits - o Gym	Waiver #3
2.6.3 Provision Of Private Open Space	Residential: Attached & Multi-Family 60 SF per unit Required: 3,3660 SF	Provided: 8,648 SF	Compliant
2.6.5 Private Open Space Types	Permitted: - o Courtyard - o Private Yard - o Rooftop Deck or Garden - o Balcony	Provided: - o Courtyard - o Rooftop Deck with Pickleball Court and BBQ area - o Balconies	Waiver #4
2.6.6 Setback Area Landscape Types	A. Perimeter Block Setback Areas Permitted: - o Sidewalk Extension - o Boulevard Landscaping – Required	A. Perimeter Block Setback Area o Boulevard Landscaping – Compliant	Waiver #5

PCSP, Downtown Gateway Segment			
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
	- Neighborhood Street Landscaping B. Interior Block Setback Areas - Groundcover- Required - Moderate or Heavy Screening-Required	B. Interior Block Setback Area - Ground Cover – Compliant - Moderate Screening – Not Compliant	
2.7.1 Provisions of Parking	Residential Uses: - Spaces per studio unit 1 minimum / 1 maximum - Spaces per 1br unit 1.5 minimum / 1.5 maximum - Spaces per 2br unit 2 minimum / 2 maximum - Spaces per additional unit beyond 2 bedroom .5 spaces - Guest spaces per 4 units 1 minimum / 1.2 maximum - Location: on Site Unit Count: Studios: 18 spaces 1 BR: 18 2 BR: 25 Required (110 spaces): 95 parking spaces 15 guest parking spaces	Provided: 68 Parking Spaces	Compliant per AB 2097 and GC Sec. 65915(p)(3)(a)
2.7.2 Parking Types	Permitted Types: - Surface Lot – Rear - Structure – Wrapped (All Levels) - Partially Submerged Podium - Structure - Underground	Partially Submerged Podium	Compliant

STATE HOUSING REQUIREMENTS/RESTRICTIONS

Summary of Senate Bill 330 ("SB 330"). On October 9, 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 also known as SB 330. SB 330 creates new state laws regarding production, preservation and planning for housing. It amends the State Housing Accountability Act, Permit Streamlining Act and Planning and Zoning Law all under Title 7 of the California Government Code. The bill (and subsequent amendments) establishes a statewide housing emergency for ten (10) years from January 1, 2020, to January 1, 2030.

SB 330 aims to increase certainty in the development process, speeding the review of new Housing Development Projects, preserving existing affordable housing and preventing certain zoning actions that reduce the availability of housing. Specifically, SB 330 does the following:

1. Vesting. Creates a new vesting process for fees, zoning and land use ordinances, policies, and standards in place at the time that a preliminary application is submitted, with limitations;
2. Historic Properties. Requires that the historic status or designation of any site be determined at the time an application for a discretionary action is deemed complete;
3. Design Standards. Prohibits imposing or enforcing non-objective design review standards established after January 1, 2020;
4. Time Limits. Shortens required permit review timeframes and limits the number of public hearings for housing projects that meet all applicable objective zoning standards;
5. Downzoning Restrictions. Prohibits legislative actions that reduce total zoned capacity for housing (i.e. "downzoning") in the City and clarifies the circumstances under which Housing
6. Development Projects may have their density reduced under the Housing Accountability Act;
7. Housing Loss. Prohibits approval of a Housing Development Project that results in a net loss of housing units; and
8. Protected Units and Tenant Protections. Creates new housing replacements, eviction protections, relocation assistance, and right-of-return requirements.
9. Rezoning Prohibition. Local agencies are prohibited from requiring an applicant to rezone a site if the housing development project is consistent with objective general plan standards and criteria.

Limitations on Applying Objective Development Standards

Furthermore, Government Code Section 65589.5(j)(4) states, *"If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project."* According to State regulations, the City may only apply applicable development standards to the extent that they accommodate the allowed density for the subject site. If the application of an objective development standard would not accommodate the allowed density for the subject site, the City would be limited from applying that standard.

Disapproving Housing Development Projects

In addition, SB 330 establishes specific written findings that must be made in order to disapprove a housing development project. A local agency shall not disapprove a housing development project ... unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

1. The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rules, or standards.
2. The housing development project or emergency shelter as proposed would have a specific, adverse impact upon public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.
3. The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.
4. The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.
5. The housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use

designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

DENSITY BONUS REGULATIONS:

The applicant has requested to utilize State Density Bonus law that grants benefits to residential developments that propose a percentage of units as affordable. Any applicant who meets the requirements of the state law is entitled to receive benefits which include an increase in permitted density, reduction in site development standards, and special parking requirements. The development will not be utilizing State Density Bonus law to go over the maximum allowable density for the site, as the proposed density is 95 dwelling units per acre (du/ac) and under the maximum density allowed of 100 du/ac. They will be utilizing Density Bonus Law for Waivers and Concessions.

CONCESSIONS REQUESTED:

Density Bonus law requires that the City shall grant one or more incentives or concessions to each project which qualifies for density bonus. The number of required incentives or concessions a City is required to allow is based on the percentage of affordable units the project is proposing. Based on the level of affordability offered by the applicant, the proposed project is eligible to receive one (1) incentive or concession. As an eligible project, the applicant has requested the following incentive/concession for the proposed project:

Table 3. Breakdown of Concessions

#	Development Standard	Requirement	Proposed Project
1.	Section 2.6.1 - Public Open Space	Public Open Space	Common Amenity Space in-lieu of Public Open Space

WAIVERS REQUESTED:

In addition to incentives/concessions, local governments are not permitted to apply any development standards which physically precludes the construction of the project at its permitted density and with the granted incentives/concessions. The City may waive or reduce said standards to accommodate the development at the request of the applicant. Waivers (or the reduction in a development standard) do not count as incentives or concessions. There is no limit to the available number of waivers or reductions that may be requested or granted. As an eligible project, the applicant has requested the following five (5) waivers:

Table 4. Breakdown of Waivers

#	Development Standard	Requirements	Proposed Project
1.	Section 2.3.2(A) – Special Building Height Limits, Along Garey Avenue	Height of development along Garey Avenue is limited for a distance of 65' on fourth floor.	No setback to building along Garey Avenue.

#	Development Standard	Requirements	Proposed Project
2.	Section 2.3.2(C) – Special Building Height Limits, Adjacent to Housing	45-degree slope creating a one-to-one height to stepback relationship.	Meets slope for adjacent house. Height along the eastern property line of project does not meet the 45 slope.
3.	Section 2.6.4 – Public Open Space Types	Permitted: - o Park - o Linear Green - o Square - o Plaza - o Mid-Block Green - o Courtyard Plaza - o Passage/Paseo - o Pocket Park - o Playground	Common Amenity Space Provided: - o View Deck - o Dog Run - o BBQ Area - o Gym - o Balcony Seating Area
4.	Section 2.6.5(A) – Open Space Regulations, Courtyard Dimensions	Courtyard shall be a minimum of 30' along the east-west axis and 20' along the north-south axis	Courtyard dimension is 12'-9" along north-south axis near stairs and elevators on the second floor.
5.	Section 2.6.6(B)(3) – Setback Area Landscaping Types, Interior Block Setback Areas: Moderate Screening	1 tree per 30 linear feet of property Total: 7 trees along northern property line	5 trees planted elsewhere on site.

INCLUSIONARY HOUSING:

Per Ordinance No. 4295, any residential development that includes three (3) or more dwelling units is subject to the City's Inclusionary Housing Program to contribute to the City's affordable housing stock. Rental Dwelling Units may meet the inclusionary housing requirements by providing inclusionary units or through payment of an in-lieu fee. The on-site inclusionary housing production requirement is set at 13% of the dwelling units that are included in rental residential development. The inclusionary units are required to be rented to moderate-income units at lower income categories. The payment of the in-lieu is reserved for for-sale units or for residential developments of less than 30 units; furthermore, the payment of an in-lieu fee would dismiss a project's eligibility for relief under California Density Bonus Law.

To meet the City's Inclusionary Housing Program and California State Density Bonus requirements, the proposed project will provide a total of nine (9) on-site inclusionary units at the low-income category, which is 13% of the 61 total units. These nine (9) units shall be restricted to low-income levels for a term of not less than 55 years.

General Plan Conformance

The General Plan identifies Transit Oriented Districts as a priority, with an approach to promote the restructuring of these areas into higher intensity, higher activity, transit-oriented districts. This approach envisioned housing and workplace growth and intensity to areas surrounding existing and future train stations or transit hubs, with an emphasis on development being walkable, active, and integrated into the city. These place types feature a mix of uses and promote mix-use development (both horizontal and vertical) with retail, commercial, or civic activity on the ground floor and housing, lodging, or workplace uses above.

The project is consistent with the Transit Oriented District: Core place type and promotes the following goals and policies:

<i>Goal 6B:G1</i>	<i>Locate higher intensity transit-oriented development around existing and future Metrolink, Metro Gold Line, and other transit stations.</i>
<i>Goal 6B:G7</i>	<i>Increase the number of people who live, work, and shop Downtown.</i>
<i>Policy 6B:P4</i>	<i>Establish minimum density and development intensity requirements.</i>

Transit Oriented District: Core place type is an area within the city with proximity to major transit stops, contains the greatest housing density, and has the widest range of uses. The proposed mix-use housing development will provide the City with needed housing opportunities while intensifying the Garey Avenue Corridor with scale-appropriate buildings. The proposed project will bring in new residents that are likely to utilize the existing commercial centers and public transit located near the subject property. Thus, complying with the aforementioned goals and policies of the General Plan for this place type.

Conditions of Approval:

The Conditions of Approval are contained in the attached resolution (Attachment No. 1).

Environmental Review:

The project meets the criteria for a Statutory Exemption pursuant to Section 15182 of the for the California Environmental Quality Act (CEQA) Guidelines in that the proposed project is consistent with the PCSP EIR adopted in 2014. Therefore, no further environmental review is required.

Community Input and Noticing:

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on Thursday, October 30, 2025, and was sent to all property owners and occupants of properties within a 1,000-foot radius of the subject site on Thursday, October 30, 2025 (Attachment No. 4). As of the date of this report, Staff has not received any public comments.

Required Findings:

The findings required in Section 2.0.5.A.(4) of the Pomona Corridor Specific Plan for a Development Plan Review are contained in the attached resolution (Attachment No. 1).

The findings required in Section 2.0.5.F of the Pomona Corridor Specific Plan for a Request for Deviation are contained in the attached resolution (Attachment No. 1).

Conclusion:

Based on Staff's analysis of the project and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods. Further, the project has been designed in a manner that is consistent with the Downtown Gateway Segment of the Pomona Corridors Specific Plan and the 2014 General Plan.

Attachments:

1. Draft ZA Resolution No. 25-008
2. Project Plans
3. Site Photographs
4. Proof of Public Notice
5. Density Bonus Request Letter by Applicant