



Staff Report

City of Pomona Zoning Administrator

June 18, 2025

FILE NO: DPR-021912-2023

A request for a Development Plan Review (DPR) to conduct a major façade remodel of an existing eating establishment, currently operating as a “Jack-in-the-Box,” including the demolition of 154 square feet of the existing building, as well as a twenty (20) square foot addition and associated site improvements on a +/- 14,332 square foot (0.33 acre) site within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP)

ADDRESS: 100 E. Holt Avenue (APNs: 8336-021-008, 8336-021-007, 8336-021-006)

APPLICANT: Gabriela Marks; Marks Architects

PROJECT PLANNER: Alan Fortune, Associate Planner

ENVIRONMENTAL REVIEW: This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines in that the project consists of a façade remodel of an existing facility with associated on site improvements.

RECOMMENDATION: Approve File No. DPR-021912-2023 and adopt ZA Resolution No. 25-003 (Attachment No. 1).

Project Information:

GENERAL PLAN DISTRICT: Transit Oriented District: Core

ZONING DISTRICT: N/A

TRANSECT: T6-B

SPECIFIC PLAN DISTRICT: Pomona Corridors
Specific Plan (PCSP) -
Downtown Gateway

GENERAL PLAN DENSITY: 20-100 DU/AC

Important Dates:

DATE SUBMITTED: June 27, 2023

DATE DETERMINED COMPLETE: February 26, 2025

Critical Issues:

- The existing building was constructed prior to the adoption of the Pomona Corridors Specific Plan, therefore many features of the building and conditions on site are non-conforming to the current development standards of the PCSP, including the drive-through configuration.
- The proposed project consists of the demolition of approximately 154 square feet of the existing building to accommodate the elimination of the dining area and relocated drive-through window as well as the addition of twenty (20) square feet of building area.
- The project proposes to eliminate three (3) parking spaces to reduce the total number of existing on-site parking spaces from thirteen (13) to ten (10), less than the fifteen (15) spaces required when the project was originally approved.

Project Request:

The proposed project consists of a major façade remodel of an existing eating establishment, currently operating as a “Jack-in-the-Box,” including the demolition of 154 square feet of the existing building, as well as a twenty (20) square foot addition and associated site improvements on a +/-14,332 square foot (0.33 acre) site within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP) (Attachments No. 2 and 3). Though the establishment is proposed to continue operating as a “Jack-in-the-Box” restaurant, the existing on-site dining area will be entirely removed with operations now being limited to drive-through, pick-up, and to-go orders only. Other on-site modifications associated with the request include an increase in landscaped area, the reconstruction and relocation of the existing solid waste enclosure, and the reduction of on-site parking spaces from thirteen (13) spaces to ten (10). There are no proposed modifications to the existing drive-through queue; the drive-through component of the establishment will not be expanded nor intensified.

Project Background:

On December 13, 1978, the Planning Commission approved a Conditional Use Permit under PC Resolution No. 4646 (Attachment No. 4) to allow for a new drive-through restaurant at the subject site. This approval continues to allow for the existing drive-through configuration of the establishment. Because drive-through establishments are now prohibited in the Downtown Gateway segment of the Pomona Corridors Specific Plan, the existing drive-through queue and configuration must remain as is and is not allowed to be altered or expanded. The building on site was constructed the following year in 1979.

On July 27, 2023, the applicant, Gabriela Marks of Marks Architects, submitted an application for a Development Plan Review. The proposed project does not include any modifications for the drive-through component of the establishment. Pursuant to Section 2.0.5.C.1, A Development Plan Review (DPR) hearing is required for any project within the Plan area for “exterior façade renovations that change the character of existing street facing facades or facades that are clearly visible from public rights of way.

Discussion of Critical Issues:

1. **Legal, non-conforming drive-through use.** Drive-through uses are currently prohibited within the Downtown Gateway Segment. However, the existing drive-through is legally operating and was previously approved through a Conditional Use Permit (PC Resolution No. 4646) prior to the adoption of PCSP in 2014. Therefore, the existing drive-through configuration of the site is legal and non-conforming. There are no proposed expansions or intensifications of the drive-through queue. All modifications are limited to the building and elsewhere on site, such as increasing landscaping, the reconstruction and relocation of the trash enclosure, reduction in size of the vehicle access driveway on Garey Avenue, and the reduction in number of parking spaces.
2. **Legal, non-conforming structure.** The building on site was constructed in 1979, prior to the adoption of the current development standards of the PCSP in 2014. Therefore, there are several form and design standards that the existing building does not meet. Aside from the drive-through configuration, these form standards include maximum setback along Garey Avenue, frontage coverage zone along both Holt and Garey Avenues, and the location of surface parking between the building and street. These existing conditions are legal and non-conforming and are not proposed to be altered, therefore are able to remain as the non-conformity will not be expanded or intensified. A compliance table of all applicable standards of the Pomona Corridors Specific Plan and Downtown Gateway Segment has been provided below.
3. **Proposed structure modifications.** The proposed project consists of the demolition of approximately 154 square feet of the existing building to accommodate the elimination of the dining area and relocated drive-through window and the addition of twenty (20) square feet of building area. The existing use as an "eating and drinking establishment" is permitted within the Downtown Gateway Segment of the PCSP. However, because the scope of the project includes the elimination of the dining area and limiting the interior lobby of the structure to pick-up or to-go orders, the designated use will change from an "eating and drinking establishment" to a "convenience use." Convenience Uses are defined by the PCSP as "small businesses selling food and goods, or providing convenience services, to serve nearby residential neighborhoods such as **eating & drinking establishments with less than twelve (12) seats.**" Both uses are permitted in the Downtown Gateway Segment as Retail Use Types. According to Section 2.2.1 of the PCSP, these uses would be limited to either "corner store" or "neighborhood center" special retail configurations if the subject building either represented new development or did not consist of a drive-through configuration.
4. **Parking modification.** The project proposes reducing the number of on-site parking spaces from a total of thirteen (13) to ten (10). This is less than the fifteen (15) parking spaces required by the previously approved Conditional Use Permit (PC Resolution No. 4646). A reduction in the number of required parking spaces is possible due to the subject site being located within ½ mile from the Pomona Regional Transit Center, a major transit stop serviced by both Metrolink and Amtrak Trains as well as both Foothill Transit and OmniTrans buses. Through **AB 2097**, no parking minimum may be applied to the development at this site. Additionally, due to the elimination of the dining area, the designated use will change from an "eating and drinking establishment" to a "convenience use," as defined by the Pomona Corridors Specific Plan (PCSP). The parking requirements for a convenience uses are a minimum of 3 parking spaces for every 1,000 square feet. With the proposed building at 2,700 square feet, the minimum number of required parking spaces is 8.1 or nine (9). The project proposes a total of **ten (10)** parking spaces, with one ADA space and one space dedicated for mobile orders, therefore the project has satisfactory parking.

Community Input and Noticing:

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on June 6, 2025 and was sent to the owners and occupants of properties within a 1,000-foot radius of the subject site on June 4, 2025 (Attachment 5). As of the date of this report, Staff has not received any comments in opposition to or in support of the proposed project.

Project Review:

Applicable code sections include those within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP). All applicable development standards have been provided in the following compliance table below.

Transect Zone	Allowable Density	Proposed Project	Compliance Determination
T-6B	20 du/ac (minimum) 100 du/ac (maximum)	N/A	Yes
Development Standards:	PCSP Requirement	Proposed Project	Compliance Determination
2.2 Building Use Regulations			
2.2.1 Use Types	A. Retail <ul style="list-style-type: none"> 1. Community Oriented Anchors 2. Eating & Drinking Establishments (Neighborhood Center configuration) 3. Specialty Goods & Foods 4. Entertainment & Recreation 5. Convenience Uses 6. Business Services 7. Personal Services 8. Service Commercial and Repair 	Convenience Use	Yes (Existing structure)
2.2.2 Special Retail Configuration	Drive-through – Prohibited	Drive-through (Existing)	Yes (Existing)
2.3 Building Scale Regulations			
2.3.1 Building Height	Minimum: 1 story & 20 feet	1 Story	Yes

	Maximum Height in Overlay: 6 Stories		
2.3.2 Special Building Height Limits	Holt/Mission/Garey: 4 stories max	1 Story	Yes
2.3.3 Building Length	Maximum: 300 feet	83'-8"	Yes
2.3.5 Building Massing- Length(L): Height(H)	Holt/Mission/Garey: 3L:2H to 5L:2H	Not Sufficient	NA
2.4 Frontage and Building Placement Regulations			
2.4.1 Building Orientation to Streets & Public Open Space	Required	Faces Holt Avenue	Yes
2.4.2 Private Frontage Types	Types Permitted: <ul style="list-style-type: none"> ○ Shop-Front (50ft max articulation length) ○ Corner Entry ○ Arcade ○ Grand Portico ○ Forecourt ○ Common Lobby Entry ○ Stoop ○ Front Vehicular Door (limited) ○ Edge Treatment: Fenced (3' tall max) ○ Edge Treatment: Terraced ○ Edge Treatment: Flush 	Shop-Front Retail	Yes
2.4.3 Front Yard Setback	Minimum: 5 feet along Garey Maximum: 15 feet along Garey Minimum: 5 feet along Holt Maximum: 15 feet along Holt	Approx. 15' ft. along Holt Ave. and 58'2" along Garey Ave.	Yes, Compliant on Holt Ave., existing on Garey Ave
2.4.4 Side Yard Setback	Minimum w/out living space windows: 0 feet	12'-8"	Yes
2.4.5 Rear Yard Setback	Minimum: 10 feet	32'-3"	Yes
2.4.6 Alley Setback	Minimum: 5 feet	NA	NA
2.4.7 Frontage Coverage	Minimum: 70% along Garey; 70 % along Holt	Existing	NA
2.4.8 Space Between Buildings	Minimum: 20 feet	NA	NA
2.4.9 Build-to-Corner	Build-to-corner: Required	Existing	NA

2.5 Street Regulations			
2.5.1 Improvements to Existing Streets	Grand Boulevard (Holt and Garey)	Will be provided	Yes
2.6 Open Space Regulations			
2.6.1 Provision of Public Open Space	Only applicable to developments over 20,000 SF	N/A	NA
2.6.6 Setback Area Landscape Types	A. Perimeter Block Setback Areas <ul style="list-style-type: none"> ○ Boulevard Landscaping (required) B. Interior Block Setback Areas <ul style="list-style-type: none"> ○ Groundcover (required) ○ Moderate or Heavy Screening (required) 		
2.6.7 Stormwater Management Types	Types Permitted: <ul style="list-style-type: none"> ○ Landscaped setback/Open Space ○ Vegetated Swale/Strip ○ Rain Garden ○ Landscaped Tree Well ○ Grated Tree Well ○ Permeable/Pervious Paving ○ Green Roof ○ Waterscape ○ Rainwater Harvesting/Vault 	NA	NA
2.6.8 General Open Space & Setback Area Guidelines	See Section 2.6.8 of the PCSP	Sufficient	Yes
2.7 Parking Regulations			
2.7.1 Provisions of Parking	Eating and Drinking Establishments: 3 min/4 max spaces per 1000 sqft.	10 spaces (9 required)	Yes
2.7.2 Parking Types	Permitted Types: <ul style="list-style-type: none"> ○ Surface Lot – Rear ○ Structure – Exposed ○ Structure - Wrapped ○ Partially Submerged Podium ○ Structure - Underground 	Existing	Yes (Existing)

2.7.3 General Parking Requirements	See Section 2.7.3 of the PCSP	Sufficient	Yes
2.8 Architectural Regulations			
2.8.1 Façade Requirements	Required	Provided	Yes (Exisitng)
2.8.2 Architectural Guidelines	See Section 2.8.2 of the PCSP	Provided	Yes
2.8.3 Architectural Character	See Section 2.8.3 of the PCSP	Provided	Yes
2.9 Signage Standards			
2.9 Signage	Required	Under Separate Permit	Yes
Other Standards			
Trash Facilities	Required	Sufficient	Yes
Water Efficient Landscape Ordinance Compliance	Required	Sufficient	Yes
Fences and Walls	Required	Provided	Yes

FORM:

The proposed re-façade will satisfy all required applicable standards of the PCSP, including architectural regulations. These regulations include building massing, which will now be met as the structure of the building will now be visually divided into multiple massing volumes, functioning as architectural detailing. The massing volumes are separated by façade offsets of six inches for further distinction and are separated by either color, a change of material, or both. Additional façade treatments include the inclusion of a base treatment at pedestrian scale in the form of a wainscot and an extruded base with a differing cladding material (brick veneer as opposed to the stucco finish on the majority of the building. Architectural top treatments are provided in the form of a cornice at the top of the parapet. Windows occupy greater than 20% of the façade height when present. This detailing continues on all facades of the building, including the non-street facing facades at the rear east and south.

Surface parking is located between the primary structure and Garey Avenue, a configuration typically not permitted however this configuration is legal and non-conforming and is not proposed to be modified.

The trash enclosure is proposed to be relocated to be beyond the front yard setback, as is required per the applicable development standards.

FRONTAGE:

The primary building is fronting Holt Avenue. Though a portion of the structure facing Holt Avenue is to be demolished, the façade will remain no greater than 15' away from the front property line, the maximum allowable setback per the Downtown Gateway Segment. There will be two entrances to the structure, one facing

Holt Avenue and the other facing Garey Avenue and the surface parking area. The frontage along Holt Avenue is designed to satisfy the "Shopfront Retail Frontage Type," among the required frontage options that all development must conform to within the PCSP. The frontage along Garey Avenue will remain primarily the same as the distance will not be changing. Transparency is proposed, where feasible, at the northern end of the structure.

SITE:

The project site is located at the southeast corner of Holt and Garey Avenues, within Pomona's corridor. Adjacent land uses include the "Pomona Passport Inn" Motel directly to the east; a Mobil Gasoline Station and Circle K convenience store with an accessory automobile repair use to the north across Holt Avenue; a vacant commercial office building across Garey Avenue to the west; and a vacant lot directly to the south, former multi-tenant commercial building now demolished due to fire damage. To the northeast is Purpose Church and to the northeast is an "El Pollo Loco" restaurant, also a drive-through eating establishment.

The subject site of 100 E. Holt Avenue consists of three (3) lots (APNs: 8336-021-008, 8336-021-007, 8336-021-006), totaling +/- 14,332 square feet or 0.33 acres.

LAND DEVELOPMENT:

The existing use as an "eating and drinking establishment" is permitted within the Downtown Gateway Segment of the PCSP. However, because the scope of the project includes the elimination of the dining area and limiting the interior lobby of the structure to pick-up or to-go orders, the designated use will change from an "eating and drinking establishment" to a "convenience use." Convenience Uses are defined by the PCSP as "small businesses selling food and goods, or providing convenience services, to serve nearby residential neighborhoods such as **eating & drinking establishments with less than twelve (12) seats.**" Both uses are permitted in the Downtown Gateway Segment as Retail Use Types. According to Section 2.2.1 of the PCSP, these uses will be limited to either "corner store" or "neighborhood center" special retail configurations if the subject building either represented new development or did not consist of a drive-through configuration. Drive-through uses are currently prohibited within the Downtown Gateway Segment therefore, because the drive-through was legally operating and was previously approved through a Conditional Use Permit (PC Resolution No. 4646), the existing drive-through configuration of the site is legal and non-conforming. There are no proposed expansions or intensifications of the drive-through queue.

TRANSPORTATION:

The proposed project will not be intensifying any on-site use, rather the building will be reduced in size from 2,832 square feet to 2,700 square feet. The site will be able to accommodate any increase in traffic that may result from the project.

The entrance to the drive-through queue will have additional landscaping to better circulation at that portion of the site. The drive-through window will be relocated so that the existing drive-through lane will be able to accommodate one additional vehicle, bringing the total from an existing capacity of seven (7) to eight (8). This does not represent an expansion of the drive-through configuration as the physical build-out of the existing

drive-through lane will not be changing. The length of the drive-through queue will remain at approximately 180' long and the width will remain at approximately 8' wide along the east property line. The queueing lane at the southern end of the property, at 12'6" wide, is conditioned to be reduced in width to the extent feasible to accommodate additional landscaping.

There are a total of three vehicle access points to the site, one on Garey Avenue and two on Holt Avenue. The driveways are both one directional with one 17'6" wide driveway leading into the parking area and the other driveway (at 11' wide) is an exit lane for the drive-through queue. The access driveway on Gaery Avenue will be reduced in size from an existing 31' wide to 24' wide. All driveways are conditioned to be resurfaced with decorative paving or stamped concrete. Separately, there is a dedicated pedestrian entrance that is separate from the vehicular entrances. This is proposed to be expanded and is required to have decorative paving such as colored and/or stamped concrete.

The project proposes reducing the number of on-site parking spaces from a total of thirteen (13) to ten (10). This is less than the fifteen (15) parking spaces required by the previously approved Conditional Use Permit (PC Resolution No. 4646). A reduction in the number of required parking spaces is possible due to the subject site being located within ½ mile from the Pomona Regional Transit Center, a major transit stop serviced by both Metrolink and Amtrak Trains as well as both Foothill Transit and OmniTrans buses. Through **AB 2097**, no parking minimum may be applied to the development at this site. Additionally, due to the elimination of the dining area, the designated use will change from an "eating and drinking establishment" to a "convenience use," as defined by the Pomona Corridors Specific Plan (PCSP). The parking requirement for convenience uses within the Downtown Gateway Segment is a minimum of 3 parking spaces for every 1,000 square feet. With the proposed building at 2,700 square feet, the minimum number of required parking spaces is 8.1 or **nine** (9). The project proposes a total of ten (10) parking spaces, with one ADA space and one space dedicated for mobile orders, therefore the project has satisfactory parking.

Bicycle racks are proposed to be provided, the minimum number of which will be determined by the California Building Code. Specifications of the minimum of two (2) proposed bicycle racks for a total capacity of four (4) bicycles is provided within the project plans.

No traffic or queueing studies were prepared for the analysis of this project as the establishment represents an existing drive-through configuration with no significant modifications. Such studies would be required for the introduction of any new drive-through establishments.

SOLID WASTE:

The existing trash enclosure is proposed to be demolished and reconstructed in a different location further away from the street. The existing structure is located within the front yard setback, not permitted within the PCSP. The relocation of the trash enclosure will allow for a smaller vehicular driveway entrance, an increased area dedicated to landscaping, and for a redesigned structure featuring a decorative canopy that designed to match the primary building. The new location ensures that the enclosure doors will not obstruct any vehicular drive aisle when open.

As conditioned by the Solid Waste Division, the trash enclosure shall be able to accommodate a minimum of one 4-yard trash container, one 4-yard recycling container, and one 95-gallon cart for organics. Conditions of approval also require that the existing vehicular driveway on Garey Avenue be reduced in size from 31' to 24'

wide and that the enclosure be designed to match the architecture of the primary building and be composed of decorative masonry, such as having a stucco finish. Lastly, the enclosure must meet all applicable requirements of the Pomona Zoning and Development Code. Full conditions of approval pertaining to solid waste are included in the attached draft Director Hearing Resolution No. ZA 25-003.

BUILDING AND SAFETY:

A majority of the building is proposed to remain with a 154 square foot demolition and a twenty (20) square foot addition to accommodate the elimination of indoor dining area and relocated drive-through window. The project must comply with 2022 California Building Codes. Full Building and Safety Division conditions of approval are included in the attached draft Director Hearing Resolution No. ZA 25-003.

WATER RESOURCES:

The existing water and sewer services is in compliance with any Water Resources Department requirements. The proposed project will not result in any required increase in service. Full Water Resources Department conditions of approval are included in the attached draft Director Hearing Resolution No. ZA 25-003.

FIRE:

Due to the size of the subject property, as well as the location of the existing building within the property, emergency response vehicles are able to access the site directly from the public streets and rights-of-way and do not require a fire apparatus access road nor a fire lane. Additionally, the placement of the building is existing; the twenty square foot building expansion, 154 square foot demolition, new trash enclosure, and new landscaped areas will not interfere with any required or existing fire access.

Required Findings:

The findings required in Section 2.0.5(A.4) of the Pomona Corridors Specific Plan for a Development Plan Review are contained in the attached resolution (Attachment 1). In order to approve a Development Plan Review application, the Zoning Administrator shall make the following findings:

- a. The project is consistent with the City's General Plan and all applicable requirements of the Pomona City Code; and
- b. The project will not be detrimental to the general welfare of persons working or residing in the vicinity on or detrimental to the value of the property and improvements in the neighborhood; and
- c. The project will not adversely affect the Circulation Plan of this specific Plan; and
- d. The project complies with the applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations.

Conclusion:

The proposed project consists of only a façade modification and other site improvements, including increased landscaping, a new trash enclosure, and reduced parking. The existing, legal, non-conforming drive-through configuration, currently a prohibited use, will not be modified or expanded and was previously approved through an associated conditional use permit. Though several features of the building remain non-conforming to applicable development standards, such as minimum building frontage along Garey Avenue, the proposed project will bring the building into conformance with multiple standards that the current building does not comply with. Current non-conforming standards that the subject building will now comply with include façade requirements, building massing, and frontage type. A reduced number of on-site parking spaces will allow for a better location for the trash enclosure and significantly increased landscaped areas.

The project is consistent with the City's General Plan and all applicable requirements of the Pomona Corridors Specific Plan and Zoning and Development Code. Staff recommends that the Zoning Administrator approve of the requested Development Plan Review to allow for the façade remodel of the existing eating establishment, including the demolition of 154 square feet of the existing building, as well as a twenty (20) square foot addition and associated site improvements, as conditioned in Draft Director Hearing Resolution No. ZA 25-003.

Environmental Review:

Staff has determined that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines in that the project consists of a façade remodel of an existing facility with associated on site improvements.

Conditions of Approval:

The Conditions of Approval are contained in the attached resolution (Attachment 1).

Attachments:

1. Zoning Administrator ZA Resolution No. ZA 25-003
2. Site Plans and Elevations
3. Photographs of site and surrounding area
4. PC Resolution No. 4646
5. Public Hearing Notice