



City of Pomona

ZONING ADMINISTRATOR STAFF REPORT

DEVELOPMENT SERVICES | URBAN DESIGN DIVISION

September 4, 2024

FILE NO: DEVELOPMENT PLAN REVIEW - DPR-000288-2024
 A request to develop a 100% affordable Housing Development Project consisting of a 160 unit, six-story multi-family structure as well as associated on/off-site improvements on a 1.32 acre site.

ADDRESS: 221 W. Holt Ave. (APNs 8336014016, 8336014017, 8336014027)

APPLICANT: Meta Development, LLC

PROJECT PLANNER: Vinny Tam, Supervising 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-000288-2024 and adopt Draft Resolution No. 24-004 (Attachment 1)

Project Information:

GENERAL PLAN DISTRICT:	Transit Oriented District: Neighborhood	ZONING DISTRICT:	N/A
TRANSECT:	T5	SPECIFIC PLAN DISTRICT:	PCSP, Downtown Gateway Segment
GENERAL PLAN DENSITY:	80 DU/AC		
NEW HOUSING UNITS:	160	DENSITY BONUS:	Yes
HOUSING UNITS LOSS:	None	CONNCESSIONS:	Yes (4)
AFFORDABLE UNITS:	160	WAIVERS:	Yes (3)
MODERATE:	None	SB 330 PRE-APPLICATION:	Yes (4/2/24)
LOW:	160		
VERY-LOW:	None		

Important Dates:

Date Submitted:	2/22/2024
Date Determined Complete:	4/2/2024
Deadline to make a Decision:	4 of 5 public meetings remaining per SB 330

Project Background:

The applicant, Meta Development, LLC, is requesting to develop a 100% affordable Housing Development Project consisting of a 160 unit, six-story multi-family structure as well as associated on/off-site improvements on a 1.32 acre site (Attachment 2). The property is located within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP), the TOD: Neighborhood land use place type, as well as the T5 transect. A Development Plan Review is required in order to approve the proposed site and building design.

Design Review:

2.2 BUILDING USE REGULATIONS

2.2.1 Use Types – Retail: A.4/A.5/A.7/A.9/A.8 – Live Work – Residential: F.1/F.2
COMPLIANT – Proposed use is multiple family residential.

2.2.2 Special Retail Configurations – Neighborhood Center or Corner Store
N/A – No retail use(s) proposed.

2.2.3 Minimum Residential Unit Size – 1br: 600sf min/ 2br: 800sf min/ 3br: 1,000sf min
COMPLIANT WITH RELIEF –

The 1br units (76 total) are 575 sf in area. Eligible for relief under Request for Deviation; Any deviation up to twenty percent (20%) of any single standard, may be considered by the Development Services Director.

The 2br units (44 total) are 778 sf in area. Eligible for relief under Request for Deviation; Any deviation up to twenty percent (20%) of any single standard, may be considered by the Development Services Director.

COMPLIANT –
The 3br units (40 total) are 1,079 sf in area.

2.3 BUILDING SCALE REGULATIONS

2.3.1 Building Height – 1 story/20-feet minimum; 3 stories/36-feet maximum; 6 stories/72-feet maximum in height overlay (The subject property is located within the height overlay)
COMPLIANT (For portions of the structure not subject to the Special Building Heights standard) –
The proposed building height is 6 stories; 68-feet to the top of parapet and 72-feet to the top of stairwell.

2.3.2 Special Building Heights –

A. Along Holt Ave. / Mission Blvd. / Garey Ave. – 4 stories/48-feet max.

COMPLIANT WITH RELIEF – The proposed building height is six (6) stories; 68-feet to the top of parapet and 72-feet to the top of stairwell. Eligible for relief per GC Sec. 65915(d)(2)(D); If the project is located within one-half mile of a major transit stop, the applicant shall also receive a height increase of up to three (3) additional stories, or 33 feet. In this case the project is located within one-half mile of the Pomona Transit Center.

B. Across the Street from Housing – plus 2 stories max.

N/A – This standard does not apply to development located along Holt Ave. / Mission Blvd. / Garey Ave.

C. Adjacent to Housing – Required

COMPLIANT – The proposed development does not abut a parcel with any existing, proposed, or zoned residential buildings.

2.3.3 Building Length – 300-foot maximum

COMPLIANT – The longest portion of building is 238'-4" (first floor).

2.3.4 Special Building Length Limits –

A. Limited Corner Building – 120' maximum

COMPLIANT WITH RELIEF – The longest portion of the limited corner building is 238'-4". Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. The applicant has invoked the use of a waiver to provide relief from this standard.

B. Limited Mid-Block Building – 80' maximum

N/A – This standard is not applicable to the project.

2.3.5 Building Massing – L:H (Holt Ave.) 3L:2H (1.5) to 5L: 2H (2.5)

COMPLIANT WITH RELIEF – 96':68' (1.4)

Eligible for relief under Request for Deviation; Deviation requests, up to twenty percent (20%) of any single standard, may be considered by the Development Services Director.

Building Massing – L:H (other streets) 2L:3H (0.67) to 5L:2H (2.5)

COMPLIANT – Main St. – 91.75':68' (1.35)

COMPLIANT – Gordon St. – 47.42':68' (0.69)

2.4 FRONTAGE & BUILDING PLACEMENT REGULATIONS

2.4.1 Building Orientation to Streets & Placement Regulations – Required

COMPLIANT – Building is oriented to the street utilizing a “common lobby entry.”

2.4.2 Private Frontage Type – C.6 Common Lobby Entry

b. Application

i. This frontage type is appropriate for workplace, multi-family residential, or lodging uses located on upper floors or where entrances that orient to and activate streets or public spaces are not a priority.

COMPLIANT – Building entrances utilizes a “common lobby entrance.”

ii. Where common lobby entry is specified in Section 2.1 – Development Standards as “limited,” this private frontage type may only interrupt continuous ground level shopfronts

or stoops in up to two locations per block face, and may not be applied to building facades as the sole private frontage treatment along any façade elevation.

N/A

c. Façade & Entrance Treatment

i. A common lobby entry should be visually prominent and easy to identify.

COMPLIANT

ii. Multi-family residential buildings featuring common lobby entry treatments shall have a common lobby entry at least every 100 feet.

COMPLIANT WITH RELIEF – Multi-family residential buildings featuring common lobby entry treatments shall have a common lobby entry at least every 100 feet. At least one additional common lobby entry required along Holt Ave. and along Main St. Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. The applicant has invoked a concession for relief from this standard.

iii. Entrances may be inset up to 5 feet from the primary building wall and are typically raised above the sidewalk.

GUIDELINE ONLY, NOT A MANDATORY STANDARD.

d. Setback Area Treatment – Boulevard Landscaping

i. Setback areas shall be landscaped per Section 2.6.6.

COMPLIANT

ii. Where specified in Section 2.1 – Development Standards as limited,” the setback areas shall be treated as a sidewalk extension per Section 2.6.6.

N/A

2.4.3 Front Yard Setback – 12’ min / 20’ max on Holt Ave. | 5’ min / 15’ max in Height Overlay
COMPLIANT – Holt Ave., 10’-0”

Front Yard Setback – 5’ min / 15’ max other streets and corner properties.

COMPLIANT – Main Street, 10’-5”

COMPLIANT – Gordon Street, 15’-0”

2.4.4 Side Yard Setback – 10’ min w/ living space windows or 5’ w/out living space windows.
COMPLIANT – 10’-0” (northeast property line)

2.4.5 Rear Yard Setback – 10’ min.

N/A – Rear yard setbacks are not required, given that the development is a corner development.

2.4.6 Alley Setback – 5’ min.

COMPLIANT – 12’-0” (west property line) to 15’-0” (northwest property line)

2.4.7 Frontage Coverage – Minimum 70% along Mission Boulevard; All other streets 70%

COMPLIANT – Holt Ave. – 93% coverage; Main St. – 95% coverage;

Gordon St. – 90% coverage

2.4.8 Minimum Space Between Buildings – 20’ minimum required

N/A – Single structure proposed.

2.4.9 Build-to-Corner – Required
COMPLIANT

2.5 STREET REGULATIONS

2.5.1 Improvements to Existing Streets – H. Grand Boulevard (L4) on Holt Avenue
COMPLIANT – Subject to Public Works conditions of approval.

Improvements to Existing Streets – K. Neighborhood Streets on Main Street and Gordon Street.
COMPLIANT – Subject to Public Works conditions of approval.

2.5.2 Provision of New Streets – Required per 2.5.2.1.d
N/A – acreage of land does not exceed maximum block size.

2.5.3 Block Size – Maximum Vehicle Size: 2000'; Maximum Pedestrian Size: 1600'
N/A – Project does not exceed the maximum block size.

2.5.4 Street Connectivity – Required
N/A - No new streets proposed as part of the project.

2.5.5 Required East-West Street Connection – N/A

2.5.6 Residential Transition-Boundary Street – N/A

2.5.7 Street Types (New Street Design) – See code for allowable types.
N/A - No new streets proposed as part of the project.

2.6 OPEN SPACE REGULATIONS

2.6.1 Provision of Public Open Space – Residential: 150 s.f./unit (C9 for development over 20 dwelling units)
COMPLIANT WITH RELIEF – The project is proposing a total of 160 residential units requiring the provision of 24,000 s.f. of Public Open Space. No public open space is proposed; a private courtyard totaling approximately 12,927 sf is proposed. Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. The applicant has invoked a waiver for relief from this standard.

2.6.2 Special Public Open Space – N/A

2.6.3 Provision of Private Open Space – Attached & Multi-Family Residential: 60 s.f./unit.
COMPLIANT WITH RELIEF – The project is proposing a total of 160 residential units requiring the provision of 9,600 s.f. of Private Open Space. A total of 2,824 sf of Private Open Space in the form of balconies and patios is proposed. Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. The applicant has invoked a concession for relief from this standard.

2.6.4 Public Open Space Type –
COMPLIANT WITH RELIEF – No public open space is proposed. Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. The applicant has invoked a waiver for relief from this standard (See 2.6.1).

2.6.5 Private Open Space Types –

COMPLIANT – Balconies and private yards provided.

2.6.6 Setback Area Landscaping Types –

A. Perimeter Block Setback Areas – 3. Boulevard Landscaping: Required along Holt Avenue (L4)
COMPLIANT

B. Interior Setback Areas – 2. Groundcover & 3. Moderate or Heavy Screening – Required
COMPLIANT

2.6.7 Stormwater Management – Allowed

PROVIDED. See Public Works conditions of approval.

2.6.8 General Open Space & Setback Area Guidelines

COMPLIANT

2.7 PARKING REGULATIONS

2.7.1 Provision of Parking – Refer to pg. 43 of the PCSP for a matrix of parking space requirements as well as Section .503-H of the Pomona Zoning Code.

COMPLIANT – The total parking provided is 80 spaces and the total parking required is none. Parking shall not be required per GC Sec. 65915(p)(3)(a).

Parking based on PCSP standards for reference:

- 1 bedroom units – 1.5 spaces minimum per unit; 76 units requires 114 spaces minimum
- 2 bedroom units – 2.0 spaces minimum per unit; 44 units requires 88 spaces minimum
- 3 bedroom units – 2.5 spaces minimum per unit; 40 units requires 100 spaces minimum
- Guest Parking – 1 space minimum and 1.2 spaces maximum for every 4 units; 302 units requires 76 spaces minimum
- Total parking required is 378 spaces minimum

2.7.2 Parking Types

COMPLIANT WITH RELIEF – Eligible for relief per GC Sec. 65915(b)(1), concession or waiver. Applicant has invoked a concession for relief from this standard.

2.7.3 General Parking and Loading Requirements

COMPLIANT – Standard stalls and drive aisles meet the minimum dimension requirements. No compact stalls are proposed.

Land Development Issues:

None.

Transportation Issues:

None. All of the study area intersections are anticipated to continue to operate at an acceptable LOS under Opening Year Cumulative (2027) Without Project traffic conditions and would continue to operate at an acceptable LOS with the addition of Project traffic.

Solid Waste Issues:

None.

Building and Safety Issues:

None.

Water Resource Issues:

None.

Fire Issues:

None.

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. In this case, the project is required to provide a minimum of 13% set aside units that are restricted to moderate income levels for a term of not less than 55 years. The project is in compliance with Inclusionary Housing Program as 100% of the 160 units shall be restricted to low-income levels for a term of not less than 55 years.

Density Bonus Regulations:

The applicant is seeking a density bonus as well as relief, incentives/concessions, and waivers/reductions as noted below. The project is eligible for five (5) incentives/concessions per GC Sec. 65915(b)(1)(G) and unlimited waivers/reductions per GC 65915(e). The housing development project is utilizing four (4) of the five (5) eligible incentives/concessions and three (3) waivers.

1. Density increase per GC Sec. 65915(f)(3)(D)(ii)
 - a. This provision precludes the imposition of maximum controls on density if the project is located within one-half mile of a major transit stop. In this case the project is located within one-half mile of the Pomona Transit Center.
2. Parking relief per GC Sec. 65915(p)(3)(a)
 - a. This provision precludes the imposition of vehicular parking standards if the project is located within one-half mile of a major transit stop. In this case the project is located within one-half mile of the Pomona Transit Center.
3. Height/Story increase per GC Sec. 65915(d)(2)(D)
 - a. This provision allows for a height increase of up to three stories or 33-feet if the project meets the criteria of GC Sec. 65915(b)(1)(G) and is located within one-half mile of a major transit stop. In this case the project meets the criteria required by GC Sec. 65915(b)(1)(G) is located within one-half mile of the Pomona Transit Center.
4. Incentives/Concessions
 - a. (1) to provide relief from PCSP 2.4.2(c)(ii) Multi-family residential buildings featuring common lobby entry treatments shall have a common lobby entry at least every 100 feet.
 - b. (2) to provide relief from PCSP 2.6.3 Provision of Private Open Space
 - c. (3) to provide relief from PCSP 2.7.2(D) Parking Structure – Exposed
 - d. (4) to provide relief from Utility Undergrounding per Pomona City Code Section 62-31
5. Waiver/Reduction
 - a. (1) to provide relief from PCSP 2.3.4(A) Limited Corner Building
 - b. (2) to provide relief from PCSP 2.6.1 Provision of Public Open Space

- c. (3) to provide relief from PCSP 2.6.4 Public Open Space Type

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 the 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) establish 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 Development Projects may have their density reduced under the Housing Accountability Act;
6. Housing Loss. Prohibits approval of a Housing Development Project that results in a net loss of housing units; and
7. Protected Units and Tenant Protections. Creates new housing replacements, eviction protections, relocation assistance, and right-of-return requirements.
8. 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, rule, or standards.

2. The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the 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.

Conditions of Approval:

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

Required Findings:

The findings required in Section 2.0.5.A.(4) of the PCSP for a Development Plan Review are contained in the attached resolution (Attachment 1).

The findings required in Section 2.0.5.F of the PCSP for a Request for Deviation are contained in the attached resolution (Attachment 1).

Environmental Review:

Staff has determined that this project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the California CEQA Guidelines.

Attachments:

1. Draft Zoning Administrator Resolution No. 24-004
2. Project Plans
3. Public Hearing Notice & Radius Map