

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN REVIEW (DPR 6535-2016) FOR THE CONSTRUCTION OF 36 MULTIPLE-FAMILY RESIDENTIAL UNITS ON PROPERTY THAT IS 2.24 ACRES IN SIZE LOCATED AT 203 MYRTLE AVENUE.

WHEREAS, the applicant, Stephen Pincin, has submitted an application for Development Plan Review (DPR 6535-2016) for the construction of 36 multiple-family residential units at three stories in height (“proposed project”) on property located at 203 Myrtle Avenue (“subject site”);

WHEREAS, the subject site is currently located within the PCSP, in the “Urban Neighborhood Expansion Zone” and also identified as R-2-PD (Low Density Multiple-Family Residential Planned Development);

WHEREAS, the subject site is designated as an Urban Neighborhood place type in the T4-A transect zone by the City’s General Plan;

WHEREAS, the applicant has concurrently submitted Specific Plan Amendment (SPA 6114-2016) to request Urban Neighborhood Expansion Zone regulations to be applied to a property that is within Urban Neighborhood Expansion Zone, but is not contiguous with a property within the Pomona Corridors Specific Plan (PCSP) and Tentative Parcel Map 74696 (PARCELMAP 5850-2016) to consolidate two parcels into one for the proposed project;

WHEREAS, the proposed development includes requests for deviations from the development standards of the Pomona Corridors Specific Plan (PCSP) to exceed the maximum allowable building length, to provide a courtyard that is not consistent with the PCSP development standards, to not provide the public open space as required by the PCSP, to provide a gated community which is discouraged by the PCSP and General Plan, to provide a surface parking lot – rear type that is not consistent with the PCSP, and to allow reductions the minimum off-street parking requirements.

WHEREAS, the proposed project will revitalize an existing underused site which has sat vacant for many years with a development that responds to diverse community needs in terms of housing types, costs and location;

WHEREAS, the applicant requests the Pomona Planning Commission and City Council’s approval 36 multiple-family residential units at two and three stories in height on property located at 203 Myrtle Avenue which both multi-family with common entry and multi-family with individual entries are allowed uses under the Pomona Corridors Specific Plan;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on March 22, 2017, concerning the requested Development Plan Review (DPR 6535-2016) and the concurrent application of a Specific Plan

Amendment (SPA 6114-2016) and Tentative Parcel Map 74696 (PARCELMAP 5850-2016);
and

WHEREAS, the Planning 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 by the Planning Commission of the City of Pomona, California as follows

SECTION 1. In compliance with the California Environmental Quality Act (CEQA) guidelines, staff has determined that the proposed project meets the criteria for a Class 32 Categorical Exemption pursuant to Section 15332, (In-Fill Development Projects) of CEQA. The proposed project is consistent with the City's General Plan and Zoning Ordinance; the proposed project site is less than five (5) acres; the project site has no value as habitat for endangered, rare or threatened species; the proposed project will not have any significant effects upon the environment; and the site can adequately be served by all required utilities and public services.

SECTION 2. In any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 3. Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds that the proposed Specific Plan Amendment is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

SECTION 4. In accordance with Section 2.0.5.A.4 of the Pomona Corridors Specific Plan (PCSP), the Planning Commission must make four findings in order to recommend City Council approval of Development Plan Review (DPR 6535-2016). Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the City Council hereby finds as follows:

1. *The project is consistent with the City's General Plan and all applicable requirements of the Pomona City Code.*

The subject site is identified by the City's General Plan as an Urban Neighborhood place type and in the T-4A Transect zone. Urban Neighborhoods are described as moderately intense clusters of development. Specifically, northern railroad track neighborhoods will

transition to a mix of multi-family housing. The Planning Commission finds that the proposed project is consistent with the General Plan in that the Urban Neighborhood Place and T-4-A Transect zone allows for multi-family housing up to a maximum of 70 dwelling units per acre at a maximum allowable height of four floors. The proposed project, proposed at 16 dwelling units per acre and three stories in height, substantially complies with this General Plan requirement. Although the proposed project does not strictly meet all of the applicable standards of the Pomona Zoning Ordinance, such as off-street parking, the PCSP allows for deviation requests, up to 20% of any single standard or at the discretion of the City Council, to be considered by the City, in which the applicant is exercising this allowance.

2. *The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;*

The Planning Commission finds that the proposed project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood in that the proposed project would transform a 2.24 acre site that has sat vacant for many years into a multi-family residential development which would improve the aesthetics of the site, increase the available housing stock in the city and have a positive impact to the value of the properties in the neighborhood.

3. *The project will not adversely affect the Circulation Plan of this Specific Plan;*

The development Project will not adversely affect the Circulation Plan of this Specific Plan. The proposed project was evaluated by the City of Pomona Public Works Department, who determined that the proposed project details did not generate enough trips to warrant a traffic study from the applicant. The existing circulation pattern is adequate in serving the proposed project.

4. *The project complies with the applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations.*

The project design has been reviewed and determined to meet all applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations with exception of the requested deviations. The Pomona City Council has reviewed and approved the requested deviations and determined them to be adequate for the proposed land use.

5. *The Request for Deviation is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review.*

The granting of Request for Deviation to exceed the maximum allowable building length, to provide a courtyard that is not consistent with the PCSP development standards, to not provide the public open space as required by the PCSP, to provide a gated community which is discouraged by the PCSP and General Plan, and allow reduction in the minimum off-street parking requirements. The Planning Commission has reviewed and determined that despite the project's lack of compliance with all applicable development standards, a desirable living environment would be promoted with a design that allows additional architectural enhancements along all building façades.

SECTION 5. Based upon the above findings, the Planning Commission recommends City Council approve Development Plan Review (DPR 6535-2016), subject to the following conditions:

PLANNING DIVISION

General Conditions

1. The subject property shall be developed and/or used in a manner consistent with the project plans as reviewed and recommended to the City Council by the Planning Commission on March 22, 2017. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Manager.
2. Development Plan Review (DPR 6535-2016) shall lapse and become void if construction has not commenced under a valid building permit, within two (2) years from the date of City Council approval, in accordance with Pomona Corridors Specific Plan (PCSP) Section 2.0.5A(6). The Planning Division may extend this period for a maximum of two, one (1) year extensions upon receipt of an application for a Time Extension request submitted by the applicant at least thirty days before the expiration date of this approval, consistent with PCSP Section 2.0.5(A) 6.
3. The applicant shall include all conditions of approval from Tentative Tract Map 74696 (PARCELMAP 5850-2016) related to the project which shall be placed on the title sheet of construction plans prior to plan check submittal.
4. The proposed development shall comply with all applicable Tentative Tract Map 74696 (PARCELMAP 5850-2016) conditions of approval.
5. The applicant shall make reductions of all approved resolutions related to the project, which shall be placed on the title sheet of construction plans prior to the Plan Check submittal.

6. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.
7. In case of violation of any of the conditions of approval, mitigation measures or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or a subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval, mitigation measures and/or City law, including, but not limited to, revocation of the herein Development Plan Review.

Project Conditions

8. Development Plan Review (DPR 6535-2016) shall be subject to the attached Project Plans, **“Exhibit A”** and all applicable provisions and requirements contained in the PCSP.
9. Prior to the issuance of building permits, landscape and irrigation plans shall be prepared by a licensed landscape architect and presented to the Planning Division for review and approval. Landscaping to include a variation of drought tolerant trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all common areas of the project site, and shall be in substantial conformance to the conceptual landscaping plan

submitted as part of the Development Plan Review process. The plans shall conform to the State Model Water Efficient Landscape Ordinance per AB 1881 and landscape requirements contained in the PCSP and applicable portions of Section .503-J of the Pomona Zoning Ordinance. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping. Amount shall be determined by the Development Services Manager.

10. Approval of Development Plan Review (DPR 6535-2016) is strictly for the development of the subject site.
11. The applicant shall submit construction drawings for plan check to all required City of Pomona departments. Plans shall be consistent with all required development standards outlined in the Corridors Specific Plan Section 2.1.12 Neighborhood Parkway Segment outlined in Section 2.1.12.A Development Standards Chart, unless deviations expressly approved through the Conditions of Approval or within the allowed deviations allowed under section 2.0.5E.
12. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Backflow prevention devices shall be not be located in the front yard setback and shall be screened from view.
13. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
14. Buildings shall be "four-sided" meaning that all facades including the side and rear facades should be considered visible and treatment with an equivalent quality of articulation and materials to the satisfaction of the Development Services Manager.
15. Exterior material consisting of foam material shall be prohibited.
16. Design of exterior door and garage doors shall be provided to the satisfaction of the Development Services Manager.
17. Prior to the issuance of building permits, Development Services Manager approval during the Plan Check process, shall be obtained for the design and materials of the proposed courtyard recreation area.

18. The majority of the hardscape within the interior of the development, shall be provided with decorative elements to include, but not limited to, patterned stained/colored concrete, stamped concrete, stone, concrete overlays or other similar treatment.
19. The applicant shall provide to the Planning Division an off-street parking assignment plan for each of the residential units during the plan check process.
20. The enclosed parking garages shall be assigned to the living units that they are attached to.
21. The enclosed parking garages shall be provided with belt drive garage door openers that feature quiet operation. A detail of the garage door opener shall be provided during the plan check process.
22. Parking along the driveway or in front of garages shall be prohibited.
23. Guest parking spaces shall be marked "Guest Parking Only".
24. The proposed project shall be provided with triple pane windows to the satisfaction of the Development Services Manager.
25. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to an approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with adjacent property owners and make reasonable attempts to construct one common property line wall. If coordination between property owners cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by the property owners of adjacent property. The plans shall identify materials, seep holes and drainage.
26. Pursuant to City of Pomona Ordinance No. 3506, prior to issuance of any grading or building permits, the applicant or developer shall pay the following Development Impact "Miscellaneous Fees". Traffic Signal & Control Device Program; Road & Highway Improvement Program; Parks & Recreation improvement program; and Public Safety Improvement Program.
27. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code including the noise provisions shall

be adhered to. All activities including truck deliveries associated with construction, grading, be limited to Monday through Saturday, between 7:00 AM and 8:00 PM, and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare and safety.

28. The construction area shall be kept clean at all times prior to, during, and after construction.
29. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Development Services Manager. In the event that graffiti is on material that is not meant to be painted (brick, stone, tile, etc.,) necessary measures (such as sandblasting) shall be used instead of paint to remove the graffiti.
30. There shall be no activity conducted on the subject site that exceeds the noise and vibration parameters of Pomona City Code Section 18-301, *et seq.*, and City Council Ordinance No. 3939 at any time, or such other ordinance enacted related to noise and vibration.
31. The installation of fences and walls that were not contemplated as part of this permit will require the submittal of a "Fence and Wall Permit" for review and approval by the Planning Division.
32. Fencing and gates within the front yard setback area shall be subject to the review and approval of the Development Services Manager.
33. The private front entry porches for the units facing Myrtle Avenue shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
34. Garage areas shall not be used for storage to the exclusion of parking of vehicles.
35. The provided "Common Open Space" shall be available to all residents of the project and their guests.
36. The development's driveways shall not be used for the repair of vehicles.
37. Outdoor storage shall be prohibited.

38. Oak trees on the subject site that are to be trimmed or removed shall be subject to the Oak Tree Preservation ordinance.
39. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 5850-2016). Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the City approval authority.
40. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Development Services Manager. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Development Services Manager.
41. Prior to ground disturbance, the applicant shall enter into an agreement with the Gabrieleno Band of Mission Indians-Kizh Nation to allow for a certified Native American Monitor to be on site during any and all ground disturbances to protect any cultural resources which may be affected during construction or development.
42. Prior to issuance of construction permits, the applicant shall submit, concurrently with the Plan Check process, and obtain the approval from the Planning Division of a lighting plan (photometric) demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and open space areas. The lighting plan shall include a site plan showing the locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings. The plans shall conform to applicable requirements of the PCSP.
43. Prior to issuance of building permits, the applicant shall obtain approval from the Planning Division of a mechanical plan demonstrating the location, type, size, and appropriate screening of all ground-mounted equipment. All mechanical equipment shall be screened from public view as applicable of the PCSP.
44. The applicant shall conform to Section .5809-24 of the Pomona Zoning Ordinance pertaining to public art requirements for private development by complying with one of the following two options:
 - a) Placement of an approved Public Art on the Project site.

- i) The Applicant may decide to place an approved Public Art on a private development site. The Public Art, and all eligible expenditures associated with installation of the Public Art (as described in the Manual), shall be in an amount equal to or in excess of the Public Art Allocation.
 - ii) A Final Design Plan of the Public Art to be installed on Project site shall be approved by the Cultural Arts Commission before issuance of a building or grading permit for the Project.
 - iii) The Public Art shall be installed on the Project site before issuance of a Certificate of Occupancy, including any temporary Certificate of Occupancy, for the Project. In cases where the Public Art cannot be installed on the Project site before issuance of a Certificate of Occupancy, the Applicant may post a cash bond to assure installation of the Public Art. The cash bond shall be in an amount equal to the Public Art Allocation or an amount based on any remaining, unexpended artwork budget as determined by the Development and Neighborhood Services Director. The bond shall not be released until the Public Art has been completed and installed on the Project site in accordance with the approved Final Design Plan.
- b) Payment of an In-lieu Contribution.
- i) Rather than place an approved Public Art on the Project site, the Applicant may choose to pay an In-lieu Contribution. The In-lieu Contribution shall be submitted to the City and deposited into the Public Art Fund before issuance of any building or grading permit for the Project.
 - ii) Use of In-lieu Contributions shall comply with the following:
 - (1) In-lieu Contributions shall be used for the acquisition and installation of Public Art on public or private property in the City, except that up to 1/3 of the In-lieu Contribution may be used for maintenance of the proposed Public Art or an existing Public Art that is listed on the City's registry of Public Art.
 - (2) In-lieu Contributions may be aggregated with other funds contained in the Public Art Fund for the purpose of providing a single qualifying Public Art project.

**LOS ANGELES COUNTY FIRE DEPARTMENT FIRE PREVENTION DIVISION –
LAND DEVELOPMENT UNIT**

Final Map Requirements

45. The final map shall be submitted to our office for review and approval prior to recordation.

Access Requirements

46. Verification for compliance will be performed during the architectural plan review prior to building permit issuance.
47. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
48. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the City of Pomona, Public Works and the County of Los Angeles Fire Code.
49. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.

Water System Requirements

50. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
51. The required fire flow for the public fire hydrants on this residential development is **2,000** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand.
52. Additional water requirements systems may determined by Fire Prevention Engineering during the Building Plan Check Phase.
53. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
54. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

55. This project will require an additional review by the Fire Prevention Engineering Unit during the Building Plan Check phase. Contact Fire Prevention Engineering at 909 620-2204 for information on submittals.

**LOS ANGELES COUNTY FIRE DEPARTMENT FIRE PREVENTION ENGINEERING
SECTION FIRE PREVENTION BUREAU**

56. Submit two complete sets of architectural drawings. Indicate type of construction, occupancy classification, and area jurisdiction.
57. Provide 26 feet clear to sky Fire Department Vehicular Access to with 150 feet of all exterior portions of the building.
58. Show all existing public fire hydrants (6" x 4" x 2 1/2") within 300 feet of lot frontage. Include size of barrel and outlets.
59. Provide a completed fire flow availability form (Form 196).
60. Indicate smoke and carbon monoxide detectors on floor plan.
61. Additional requirements may be required pending information provided.

BUILDING AND SAFETY DIVISION

62. The proposed project is subject to the 2016 California Building Code.
63. The undergrounding of utility facilities is required. (PMC 62-31)
64. This project falls under section .5809-24 of the Zoning Code "Public Art requirement for private development – Public Art Allocations". (Ordinance No. 4151)
65. The design must be reviewed and stamped by an architect or engineer licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1).
66. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2016 California Building Codes.'
67. Geotechnical and/or soils reports required in order to obtain a grading permit shall be submitted to the Building Official for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the City of Pomona.

68. All proposed work shall comply with the 2016 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
69. Proposed project shall comply with the 2016 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
70. Proposed project shall be sprinkered and comply with all other relevant laws, ordinances and resolutions governing residential sprinklers as adopted by the City of Pomona.
71. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
72. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
73. Fence and wall plan required.

WATER AND WASTEWATER OPERATIONS DEPARTMENT (WWOD)

74. There is currently an existing six-inch (6") ACP water main within Myrtle Avenue. A portion of this water main may have to be replaced with a larger diameter water main to accommodate the new demand from this project. There is also an existing two-inch (2") steel main within the UPRR right-of-way connected to the main in Myrtle Avenue. This existing steel main shall be assessed and included in the public water development design constraints.
75. The existing localized static pressure of the project area is 50-60 psi. Booster pumps may be required to accommodate the domestic and fire water demand. Further design comments shall be issued by the WWOD regarding this requirement.
76. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the extent of proposed public main within the proposed project area.
77. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
78. Any private onsite water improvements are the owner's responsibility and not the City's.

79. Any existing public water infrastructure located on private property shall be installed within a City of Pomona easement, and will be maintained by the City.

Domestic and Fire Service Line

80. There is currently no existing domestic meter associated with 203 N. Myrtle Avenue. This development shall be served through a master meter for domestic purposes. The master meter shall be located above ground within a steel security cage. Consider the aesthetic quality of this meter with perimeter wall and landscape design.
81. The applicant/developer shall calculate the new water demand (based on fixture units) for the proposed development. This hydraulic analysis report shall verify if the existing water infrastructure can accommodate the water demand, given existing the size, pressure and age of the existing water system. This calculation shall include fire and domestic water demands. This hydraulic analysis report shall be submitted to the WWOD.
82. Contact the WWOD at (909) 620-2212 for information regarding meter installation fees.
83. The City may install meters that are two-inches (2") in size or less. The project contractor shall install all proposed meters that are greater than two-inches (2") in size.
84. There are public fire hydrants within 500 feet of the proposed project site. All proposed onsite private hydrants shall be served through a double check detector assembly (DCDA) and be painted red. This DCDA shall be located above ground. Consider the aesthetic quality of this backflow device within the project design.
85. Contact the Los Angeles County Fire Department to determine if additional public fire hydrants are required for this site. If new fire hydrants are required, they shall be placed at least five-feet (5') away from proposed driveways and parking spaces.
86. The edge of all new meter vaults, if necessary, shall be located in public right-of-way or the sidewalk two-inches (2") from the back of the curb per Standard Numbers 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) shall not be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
87. All newly installed water lines shall be disinfected per the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006* before connection to the existing water main.

88. Effective January 1, 2016, the City has adopted new connection charges for water service. For further information on how charges are assessed contact the City's Public Works Business Services Division.
89. Approved low-lead (0.25%) backflow devices (list the brand and model) are required for the following service lines to the site:
 - a) Reduced principal pressure assembly (RPPA) devices are required for dedicated irrigation service lines to the proposed site, and
 - b) Reduced principal pressure assembly (RPPA) devices are required for all domestic services; and
 - c) Double check detector assembly (DCDA) devices for all fire sprinkler service lines and onsite hydrants
90. Submit water development plans to the City for review and building approval showing water meters, service lines, approved backflow devices, and proposed/existing water mains. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

SEWER

91. There currently is an existing eight-inch (8") VCP sewer main within Myrtle Avenue. The existing sewer infrastructure shall be shown on the site plan. A new manhole shall be installed within Myrtle Avenue to accommodate the proposed development.
92. The applicant/developer shall calculate the expected wastewater generated by the building(s) to properly size the sewer lateral(s) to serve the new site. These calculations/reports shall be submitted to the WWOD for review and acceptance.
93. The sewer lateral from the public main to the site is considered private and shall be maintained by site owners.
94. New sewer laterals must be constructed per Standard No. B-8-61 per *City of Pomona Public Works Department Standard Drawings March 2006* (Public Works Standards). Construction shall also comply with the Public Works Standard No. A-26-02 for trench pavement restoration.
95. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.

96. Effective January 1, 2016, the City has adopted new service charges for sewer service. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
97. The applicant/developer shall submit and include the following items in the sewer development plan:
 - a) The proposed sewer lateral(s) with a profile and connection to the existing sewer laterals and sewer main.
 - b) Construction Notes: The Contractor shall provide all temporary seals enclosures, forced ventilation or other devices as maybe necessary to prevent odor nuisance and solid objects from entering the existing sewer line during construction.
98. Submit sewer development plans to the Public Works Department for review and approval prior to the building permit approval showing all existing and proposed sewer mains, laterals, and manholes. WWOD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

PUBLIC WORKS DEPARTMENT—TRANSPORTATION & DEVELOPMENT DIVISION:

99. The following conditions and public improvements, as well as all applicable plan check fees, permit fees and bond deposits shall be complied with, completed and paid for by the Developer in accordance with the City standards, fee schedules and applicable laws including but not limited to: California Subdivision Map Act, all applicable City of Pomona ordinances and resolutions, City of Pomona Water Code, City of Pomona Standard Drawings and Fee Schedule, Construction Standard Specifications for Public Works Construction, Los Angeles County Department of Public Health requirements, California Code of Regulations, Title 22, California Department of Transportation Highway Design Manual. All the required plans, studies and calculations shall be performed by a registered civil engineer or other registered/licensed professional as required, and submitted for review and approval of the City Engineer.

Land Development Requirements

100. Tentative Parcel Map PARCELMAP 5850-2016, Parcel Map PM 74696 has been submitted concurrently with the DPR 6535-2016. The parcel map shall be recorded prior to the issuance of building permits.

Improvement Plan Requirements

101. Applicant/Developer shall submit the **grading, drainage and erosion control plans** for review and approval by the Public Works, Planning and Building and Safety Departments.
 - a) The scale used for the plans needs to be large enough (1"= 10' is preferred) to clearly show all the details; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
 - b) One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
 - c) The plans shall include sufficient cross sections to show all block wall locations, parkway width and all permanent facilities that might require maintenance and access easements.
 - d) Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
102. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications of adjacent property owners regarding the direct and indirect impact associated with the proposed construction. The notification shall include a statement confirming that the existing public services (sewer, water, storm drain) to adjacent property owners will not be affected by the proposed development. The proposed development shall accept the conveyance of the existing offsite drainage.
103. Prior to the issuance of the grading permit the applicant/developer shall provide non-interference letters from all applicable utility agencies for all utility easements located within the areas subject to grading activities. All such documents shall be subject to review and approval by the City Engineer.
104. Prior to issuance of the grading permit the Applicant/Developer shall submit a soils and geologic report to address the soil's stability and geological conditions of the site.
105. Applicant/Developer shall submit public street improvement plans to include the following:
 - a) New driveway approach in conformity with the City standards and the ADA requirements.
 - b) New sidewalk, curb and gutter along the entire property frontage and around the southerly cul-de-sac boundary.
 - c) Cul-de-sac:
 - (1) Design and construction of the westerly half of the cul-de-sac to allow adequate circulation; a passenger car turning template shall be provided to verify the U-turn movement completion without any conflicts.
 - (2) Full depth paving of the currently unpaved area, and
 - (3) Grind and overlay paving of the remainder cul-de-sac area; additional paving may be necessary, based on the required wet and/or dry utility cuts.

- (4) Construct drainage outlet per approved plan FA 1463.
 - d) Overlay paving of Myrtle Street in compliance with the City paving standards, as follows: along the lot frontage, from gutter to street centerline or over the entire street width, based on wet and/or dry utility cuts.
 - e) Street Lights: install two (2) new public street lights per City standards.
 - f) Existing sewer, water and storm drain infrastructure.
 - g) Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
 - h) Undergrounding of all existing and proposed utility lines per City of Pomona Municipal Code Section 62-31(b).
 - i) Note: It is the owner's and the contractor's responsibility to repair all damage to the existing public improvements due to the proposed construction activities and to address all repairs requested by the Public Works Inspector based on the inspector's review of the current condition of the said public improvements.
 - j) Note: The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
 - k) The demolition or relocation of all public improvements (street lights, signs, trees, vaults, catch basins, hydrants, etc.) due to the proposed project construction must be coordinated and agreed upon by the appropriate City departments, shall be designed per City standards and applicable ADA requirements, and must be reviewed and approved by the Engineering Division of the Public Works Department.
106. Applicant/Developer shall identify the existence of all City utilities that may be in conflict with the development and submit protection measures to the City Engineer for those City utilities.
107. If future placement of permanent structures conflicts with location of existing public utilities (water, sewer and storm drain), then improvement plans proposing the relocation or abandonment of identified utilities must be submitted, reviewed and accepted by the Public Works Department. No public utility infrastructure shall be removed or modified as part of the onsite demolition plan approved by the Building and Safety Department.
108. Applicant/Developer shall prepare a detailed hydrology study based on a 50-year storm event and a hydraulic analysis of the existing and proposed drainage conveyance capacity. The Developer is responsible to comply with the approved hydrology/hydraulic study recommendations necessary to meet minimum Federal, State, County and City requirements. The hydrology/hydraulic study shall be approved prior to the approval of the grading plan.
109. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain the City approval of the final Standard Urban Stormwater Mitigation Plan (SUSMP) for the proposed project. The SUSMP shall be prepared in accordance with the City of Pomona's

Low Impact Development (LID) Ordinance, the City of Pomona's Green Streets Policy and the Los Angeles Region NPDES MS4 Permit No. CAS004001, Order No. R4-2012-0175 which includes:

- a) Site Design BMPs;
- b) Source Control BMPs; and
- c) Treatment Control BMPs.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable Best Management Practices (BMPs) proposed for the project.

Post-construction Structural and/or Treatment Control BMPs, shall be designed to mitigate (infiltrate or harvest and use) storm water run-off from the 85th percentile 24-hour rain event or 0.75-inch, 24-hour rain event, whichever is greater. The comparison must be provided in the SUSMP.

Applicant/Developer Utilize the County of Los Angeles Department of Public Works' HydroCalc program described in the LID Manual to calculate these design flows and volumes.

The program download can be found at <http://dpw.lacounty.gov/wrd/publication/>.

Applicant/Developer shall implement Good Housekeeping Best Management Practices (BMPs) for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.

The project involves soil-disturbing activities in excess of 1 acre therefore the project applicant shall apply for a State General Construction Permit (Order No. CAS000002) and submit a Stormwater Pollution Prevention Plan to the City.

- 110. Prior to issuance of the building permits applicant/developer is responsible for paying the project's impact fees for traffic signals and control devices, road and highway improvements, and public safety improvements, and the project's water and sewer connection fees.
- 111. Prior to issuance of the building permits applicant/developer is responsible for paying the development tax associated with the proposed project.
- 112. Owner is responsible for the compliance with the special annual levy assessment derived from the current inclusion of the project site into the City's Street Lighting District and Landscaping Maintenance District. The Developer shall disclose to any future buyers that

the property is within the City of Pomona Lighting and Landscaping District and is subject to annual special taxes.

113. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in AutoCAD v. 2010. Following construction and prior to acceptance of the improvements by the City, the project engineer shall provide hand drafted "AS BUILT" corrections on the original approved Mylars of the final constructed improvements to the satisfaction of the City Engineer. A corrected "AS BUILT" plan shall also be provided to the City on disk in AutoCAD v. 2010 and .pdf formats.
114. The plans shall be submitted on 24" x 36" sheet size with a standard City title block, and must correctly identify the property owner, address, legal description, property lines, street centerline, curb-lines, existing and proposed utilities (water, sewer, and storm drain), utility easements, and the public right-of-way areas with dimensions.

Public Works Improvement Permit

115. All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.
116. Prior to the recordation of the parcel map, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: streets, sewer, water, storm drains, and street lights.
117. Permittee shall procure and maintain throughout the period of the Permit the following policies of insurance:
 - a) Commercial General Liability;
 - b) Automobile Liability;
 - c) Worker's Compensation as required by the State of California;Note: The Commercial General Liability and the Automobile Liability policies shall include the City of Pomona as additional insured.
118. Permittee shall pay fees associated with and possess the City of Pomona Business License.
119. Changes and additions to the proposed work, including but not limited to detail plans for street improvement work, water plans and/or other work associated with this project and due to developer's or City's request shall require additional conditions to be completed by the applicant.

SECTION 6. The Planning Commission of the City of Pomona hereby recommends City Council approval of Development Plan Review (DPR 6535-2016) for the construction of 36

PC Resolution No.
DPR 6535-2016
203 Myrtle Avenue
Page 21 of 22

multiple-family residential units at three stories in height (“proposed project”) on property located at 203 Myrtle Avenue; and

SECTION 7. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED THIS 22nd DAY OF MARCH, 2017.

CAROLYN HEMMING
PLANNING COMMISSION CHAIRPERSON

ATTEST:

BRAD JOHNSON
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

ANDREW JARED
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

AYES:
NOES:

PC Resolution No.
DPR 6535-2016
203 Myrtle Avenue
Page 22 of 22

ABSTAIN:
ABSENT:

“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 California Code of Civil Procedure Section 1094.6.”

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