



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: April 12, 2017

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **CONDITIONAL USE PERMIT (CUP 4607-2016) AND TENTATIVE TRACT MAP (TTM 4947-2016):**

An application for Tentative Tract Map No. 74367 (TTM 4947-2016) which proposes to subdivide two lots totaling approximately 46,550 square feet for residential detached condominium purposes, and Conditional Use Permit (CUP 4607-2016) for a proposed fourteen-unit residential development at 1198-1236 S. San Antonio Ave. in the R-2-S (Low Density Multiple Family with Supplemental Overlay) zone.

STAFF RECOMMENDATION

The Planning Division recommends Planning Commission adopt the attached PC Resolution approving Tentative Tract Map (TTM 4947-2016) (Attachment 1) and Conditional Use Permit (CUP 4607-2016) (Attachment 3), subject to conditions.

PROJECT/APPLICANT INFORMATION

Project Location: 1198-1236 S. San Antonio Ave.
APN Information: 8327-005-007 & 8327-005-008
Project Applicant: Shahram Tork
Property Owner: Tork, Inc.
City Council District: District #3
Redevelopment Area: Not Applicable
Historic/CBD: Not Applicable
Specific Plan: Not Applicable

PROJECT DISCRIPTION

The proposed project was previously heard by the Planning Commission on January 11, 2017. During the public hearing, the Planning Commission expressed concerns with the density of the

project and the potential impact that the number of occupants would have on parking and traffic on the site and in the surrounding area. Additionally, the Planning Commission questioned whether the proposed project would fit in with the existing development in the vicinity. The Planning Commission heard testimony from adjacent property owners and occupants who were concerned with the shadow that may be cast by the proposed two-story buildings on the agricultural use taking place on single-family residential property to the north. The owner of the property to the north, Rishi Kumar, provided the Planning Commission with two petitions with signatures against the proposed project (Attachment 12). The Planning Commission requested to continue this item to allow the applicant the opportunity to potentially redesign the project and have a shade and shadow analysis completed.

The subject site is located on the east side of San Antonio Ave., north of Grand Avenue (Attachment 5). Both of the subject parcels are currently vacant. The applicant is proposing to construct fourteen new two-story residential condominium units with two-car garages in six buildings. Each unit will have enclosed private open space areas. Vehicular access into the off-street parking facilities of the project will be through a common driveway access from San Antonio Avenue. The project is designed with common areas, including driveways, walkways, guest parking, planting, and recreational amenities (Attachment 6). This project is located in the R-2 zone with an "S" (Supplemental Overlay), which requires the applicant to obtain a conditional use permit to develop 14 residential units on the project site.

Applicable Code Sections

Pursuant to Chapter 29 of the Pomona City Code (Subdivision) and the State Subdivision Map Act, a Tentative Tract Map is required for the subdivision for condominium purposes. Pursuant to Section .440 of the Pomona Zoning Ordinance, the approval of a conditional use permit by the Planning Commission is required for residential projects in zones with an "S" – Supplemental overlay. Section .580 of the Pomona Zoning Ordinance establishes criteria for approval of a Conditional Use Permit and Section .280 of the Pomona Zoning Ordinance establishes requirements for the R-2 zone.

Surrounding Land Use Information

The surrounding properties to the north and east are developed with residential uses. The surrounding properties to the south are developed with commercial and residential properties. The property to the west is Washington Park. The zoning, General Plan and existing land use designations for the surrounding properties are delineated in the following table:

Land Use Summary Table

	Existing Land Use	Zoning	General Plan Designation
Subject Site	Vacant Lot	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood

North	Residential, Multiple-Family	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
South	Residential, Multiple-Family	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
East	Residential, Multiple-Family	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
West	Recreational Facility (Washington Park)	O, Publicly Owned Land	Open Space

ZONING COMPLIANCE ANALYSIS

Site Development Standards

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the R-2 zone. In order to provide the Planning Commission with a comparison of the required development standards and that of the proposed project, staff has prepared the following table for consideration.

Project Summary Table

Standard	R-2 Zone Requirement	Proposed Project	Compliance Determination
Lot Size	3,000 sf min.	46, 550 sf	Yes
Lot Width	70 ft min.	165.58 ft	Yes
Lot Depth	100 ft min.	280.90 ft	Yes
Density	7-15 units per net acre	14 units per acre	Yes
Unit Size	1,300 sf for 3 bedrooms 1,500 sf for 4 bedrooms	Unit 1: 1,622 sf Unit 2: 1,638 sf Unit 3, 5, 6 & 8: 1,630 sf Unit 9-14: 1,700 sf	Yes
Front Yard	25 ft min.	25 ft	Yes
Side Yard	9.5 ft, based on equal to one-half the adjacent building wall height (19')	10 ft and 27'-6"	Yes
Rear Yard	19 ft based on the height of the wall facing the rear	19 ft	Yes

	yard (19 ft)		
Building Separation	15 ft between buildings	15 ft and 56'-4"	Yes
Building Height	35 ft/ 2 stories	27'-1 1/2 stories	Yes
Private Open Space	150 square feet, minimum per unit	Unit 1, 12 & 13: 270 sf Unit 2, 3, 5 & 8: 300 sf Unit 4 & 7: 325 sf Unit 6 & 7: 320 sf Unit 9: 275 sf Unit 10 & 11: 360 sf Unit 14: 350 sf	Yes
Common Open Space	7,500 sf	8,400 sf	Yes
Off-Street Parking	Two-car garage per each unit Four guest parking spaces	Fourteen two-car garages Eleven guest parking spaces	Yes

Site Plan

The applicant is proposing to construct a total of 14 condominium residential dwelling units. The size of the units will vary from 1,622 square feet to 1,700 square feet. Each unit will have an attached two-car garage. All 14 units will be two stories in height, and each unit will have private open space that range from 270 to 360 square feet. As originally proposed, each unit was to have four bedrooms. However, the applicant is now proposing nine three-bedroom units and five four-bedroom units.

The applicant is proposing to provide common open space areas throughout the project, one of which will consist of a BBQ and permanent seating area at 3,050 square feet. The remaining open space areas are spread out throughout the site and consist of landscaped open areas. The project meets the common open space requirements.

ISSUES ANALYSIS

Issue 1: General Plan Conformity

The project is consistent with the City's General Plan in that the proposed residential use is consistent with the "Residential Neighborhood" place type site shown on the General Plan Land Use Map. The project furthers the following goal of the General Plan in that the project, as designed, with its amenities, contributes to ensuring a *safe, family-oriented, human-scaled, walkable, and livable residential neighborhoods (Goal 6G.P3)*.

Goal 6G.G6 states that to ensure that new developments provide an integrated pattern of streets and pedestrian paths that provide connections between neighborhoods and as part of the City's

Subdivision ordinance, gated entrances and restricted public access are discouraged in subdivision/residential streets. As such a condition of approval has been included that would prohibit the installation of a gated entrance in conformance with the General Plan.

Issue 2: Zoning Ordinance Compliance

Staff has evaluated the proposal in terms of conformance to the development standards of the R-2 zone. As provided in the Zoning Compliance Analysis section, the project conforms to the development standards of the R-2 zone. Therefore, the granting of the Conditional Use Permit will not adversely affect the intent and purpose of the Pomona Zoning Ordinance.

Issue 3: Land Use Compatibility

The subject site is located in an area with properties used, zoned, and planned for residential uses. The proposed total of 14 units on the subject site, equal to a density of approximately 14 units per acre, is consistent with the densities allowed on surrounding properties also zoned R-2 zone. Based on these factors, staff finds that the residential project is compatible in the context of the surrounding neighborhood and will be a positive addition to the area.

Issue 4: Architectural Elevations

The proposed architectural theme of the proposed project is Spanish. The proposed elevations have various architectural treatments that have been used to enhance the aesthetic appeal of this project. The use of arched openings, smooth stucco and barrel tile roofing support the proposed architectural style. Additionally, stone veneer around the base of dwellings, recessed windows, and pop-out trim are proposed to enhance the architectural design.

Issue 5: Project Circulation & Access

The entrance to the project site will be located on San Antonio Avenue. The garages for the units and the guest parking spaces will be accessed from the proposed 26 foot wide driveway. The driveway will “T” off at the end of the driveway in order to provide an adequate Fire Department turnaround. Pedestrian access through the site to the units and common open spaces will be provided along paths throughout the setbacks along the sides and rear of the property.

Issue 6: Shade Analysis

At the previous public hearing, the Planning Commission heard testimony from the adjacent property owner, Rishi Kumar, regarding the shadow that may be cast on their property by the proposed two-story buildings. Mr. Kumar asserted that the proposed two-story buildings would cast a large shadow on his property threatening the agricultural use at the rear of the property. Prior to the public hearing, Mr. Kumar provided the Planning Division with a letter and shade and shadow analysis that he prepared.

The applicant has provided a shade and shadow analysis (Attachment 9). The analysis shows that the proposed project will cast a shadow along the southern property line of Mr. Kumar's property during November, December, January and February. Based on analysis provided, the shade/shadow will not be cast on the agricultural use in the rear of the property and will not negatively impact Mr. Kumar's use.

ENVIRONMENTAL ANALYSIS/DETERMINATION

Upon submittal of the project, staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, 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. Therefore, based on the above findings, staff is recommending that the Planning Commission adopt a Categorical Exemption for the proposed project.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on March 30, 2017 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on March 27, 2017 (Attachment 7). Prior to the January 11, 2017 public hearing, staff was contacted by adjacent property owners in opposition of the project (Attachment 11). Staff also received written correspondence from members of the public in opposition to the project after the public hearing (Attachment 10).

CONCLUSION

The proposed project is consistent with the place type designation contained in the City's General Plan and meets or exceeds the minimum development standards of the Zoning Ordinance. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods. Further, the project has been designed in a manner that will enhance the aesthetics of the site and complement the existing character of the surrounding area.

RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution approving Conditional Use Permit (CUP 4607-2016) and Tentative Tract Map (TTM 4947-2016), subject to conditions.

Respectfully Submitted:

Prepared By:

Brad Johnson
Development Services Manager

Cecily Session-Goins
Assistant Planner

ATTACHMENTS:

- 1) Draft PC Resolution Approving TTM 4947-2016
- 2) Draft PC Resolution Denying TTM 4947-2016
- 3) Draft PC Resolution Approving CUP 4607-2016
- 4) Draft PC Resolution Denying CUP 4607-2016
- 5) Location Map and Aerial Photograph
- 6) Project Plan Reductions
- 7) 400' Radius Map and Public Hearing Notice
- 8) Excerpt From Minutes from Planning Commission Hearing on January 11, 2017
- 9) Shade Analysis Provided by Applicant
- 10) Public Correspondence Received After Hearing on January 11, 2017
- 11) Letter Dated January 4, 2017 From Adjacent Property Owner
- 12) Petitions Provided by Adjacent Property Owner
- 13) Full Size Plans (Separate Cover)

\\STORAGE\CH-Depts\Planning\Master Planning\PLANNING COMMISSION\Staff Reports\Conditional Use Permit\1198-1236 S. San Antonio Ave. (CUP 4607-2016 & TTM 4947-2016)_continued from January 11.doc