

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA RECOMMENDING CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT (SPA 6114-2016) TO REQUEST URBAN NEIGHBORHOOD EXPANSION ZONE REGULATIONS TO BE APPLIED TO A PROPERTY THAT IS WITHIN THE URBAN NEIGHBORHOOD EXPANSION ZONE, BUT IS NOT CONTIGUOUS WITH A PROPERTY WITHIN THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) AREA ON PROPERTY LOCATED AT 203 MYRTLE AVENUE.

WHEREAS, the applicant, Stephen Pincin, has submitted an application for 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) area for the development of 35 multiple-family residential units at three-stories in height on property located at 203 Myrtle Avenue;

WHEREAS, on March 17, 2014, the City Council adopted Ordinance 4181 approving the Pomona Corridors Specific Plan;

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 Development Plan Review (DPR 6535-2016) to develop 35 multiple-family residential units designed under the PCSP Urban Neighborhood Expansion Zone regulations and Tentative Parcel Map 74696 (PARCELMAP 5850-2016) to consolidate two parcels into one for the proposed project;

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 Specific Plan Amendment (SPA 6114-2016) and the concurrent application of a Development Plan Review (DPR 6535-2016) and Tentative Parcel Map 74696 (PARCELMAP 5850-2016);

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 is requesting approval for the construction of 35 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; 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 on March 22, 2017 and unanimously denied recommending that the City Council approve Specific Plan Amendment (SPA 6114-2016), filed in conjunction with Tentative Parcel Map 74696 (PARCELMAP 5850-2016) and Development Plan Review (DPR 6535-2016) because the project proposed a courtyard that is not consistent with the PCSP development standards, did not provide the public open space as required by the PCSP, proposed a gated community which is discouraged by the PCSP and General Plan, to proposed 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 applicant revised the proposed project plans to meet PCSP development standards and Specific Plan Amendment (SPA 6114-2016), filed in conjunction with Tentative Parcel Map 74696 (PARCELMAP 5850-2016) and Development Plan Review (DPR 6535-2016) was re-noticed for public hearing before the Planning Commission;

WHEREAS, the proposed development includes requests for deviation from the development standards of the Pomona Corridors Specific Plan (PCSP) to exceed the maximum allowable building length;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on April 26, 2017, concerning the requested Specific Plan Amendment (SPA 6114-2016) the concurrent application of Tentative Parcel Map 74696 (PARCELMAP 5850-2016) and Development Plan Review (DPR 6535-2016); and

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. Pursuant to Section .580.J of the Zoning Ordinance, the Planning Commission must make the five findings listed below in order to recommend City Council approval of Specific Plan Amendment (SPA 6114-2016). Based upon a 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 as follows:

1. *The proposed specific plan amendment systematically implements and is consistent with the General Plan.*

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, complies with this General Plan requirement.

2. *The proposed specific plan amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.*

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 subject property is physically suitable for the requested land use designations(s) and the anticipated land use development(s).*

The site is physically suitable for the development in that the proposed subdivision is planned for multi-family residences with individual and common entries. Given the shape and topography of the 2.24 acre site, the consolidation of two lots into one would accommodate adequate land for 35 multiple-family dwelling units, accompanying driveways and open space areas to service the development. Further, the site is relatively flat which will allow for minimal grading and compatible building pad heights with adjacent properties surrounding the project site.

During review of the plans for construction permits, the Building & Safety Division will require the applicant to submit, but not limited to, soils reports, structural calculations, hydrology calculations, geotechnical reports and grading plans.

4. *The proposed specific plan amendment provides for the development of a comprehensively planned project that is superior to development otherwise allowed under conventional zoning classifications.*

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 subject site also identifies with the R-2-PD (R-2-PD (Low Density Multiple-Family Residential Planned Development) zoning district. The PCSP was adopted in 2014 and in comparison to the Pomona Zoning Ordinance, has a set of development standards that are superior to development otherwise allowed under the conventional zoning classification of R-2-PD.

5. *The proposed specific plan amendment will contribute to a balance of land uses so that local residents may work and shop in the community in which they live.*

While the subject site, located within the Urban Neighborhood Expansion Zone of the PCSP, but is not contiguous with a property within the PCSP area, the subject site is within the general vicinity of the PCSP Downtown Gateway Segment. Both the PCSP Downtown Gateway Segment and Urban Neighborhood Expansion Zone also allows a mix of uses in which residents will have opportunity to work and shop within the community they reside in.

SECTION 5. The Planning Commission hereby recommends City Council approval of Specific Plan Amendment (SPA 6114-2016) to allow 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) area for the development of 35 multiple-family residential units at three-stories in height on property 203 Myrtle Avenue.

SECTION 6. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

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APPROVED AND PASSED THIS 26th DAY OF APRIL, 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:
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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