

PC RESOLUTION NO. 15-042

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA RECOMMENDING CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT (SPA 14-008) TO CHANGE THE LAND USE DESIGNATION OF TWENTY-THREE PARCELS, TOTALING 13.94 ACRES, FROM “NEIGHBORHOOD COMMERCIAL” (N-C) TO “URBAN RESIDENTIAL NEIGHBORHOOD ACTIVITY CENTER” (UR-NAC) WITHIN THE PHILLIPS RANCH SPECIFIC PLAN, LOCATED AT 2-16 VILLAGE LOOP ROAD.

WHEREAS, the applicant, Phillips Village Investors, LLC, has submitted an application for a Specific Plan Amendment (SPA 14-008) to change the existing land use designation from “Neighborhood Commercial (N-C)” to “Urban Residential Neighborhood Activity Center (UR-NAC)” within the Phillips Ranch Specific Plan (PRSP), located at 2-16 Village Loop Road;

WHEREAS, on December 6, 1976, the City Council adopted Resolution No. 76-256 approving a portion of the Phillips Ranch area into the PRSP;

WHEREAS, the City Council adopted in 1978 and 1986, additional areas of Phillips Ranch into PRSP II and III;

WHEREAS, on October 7, 1991, the City Council adopted Resolution No. 91-203 and on August 2, 1993, the City Council adopted Resolution No. 93-155 approving sections of the PRSP with additional development standards for residential uses;

WHEREAS, on July 19, 1994, the City Council adopted Resolution No. 94-113 approving amendments to the PRSP I and II;

WHEREAS, the twenty-three parcels that comprise the subject site were originally designated as “Neighborhood Commercial” when the specific plan area was previously amended on July 19, 1994;

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

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on September 9, 2015, concerning the requested Specific Plan Amendment (SPA 14-008); 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.

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NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Pomona, California as follows:

SECTION 1. The Planning Commission exercising independent judgment finds that the project will not have an adverse effect on the environment. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA) found in the California Public Resources Code, an Initial Study was prepared to assess the potential effects of this project on the environment and found that although the proposed project could have a significant effect on the environment, the effects will not be significant because mitigation measures added to the project will reduce these effects to levels less than significant. Therefore, a Mitigated Negative Declaration of Environmental Impacts with mandatory findings of significance and mitigations has been prepared for the project. The Planning Commission hereby adopts said Mitigated Negative Declaration, including the Mitigation Measures.

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 Change of Zone 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 Modification (SPA 14-008). 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 proposal to change the land use designation from “Neighborhood Commercial” to “Urban Residential Neighborhood Activity Center” would result in the allowance for the construction of single family, detached, small lot, residences and neighborhood-serving commercial buildings; this is consistent with the intended allowed land uses in the General

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Plan. In addition, the requested change in land use designation will continue to be consistent with the following goal and policies of the General Plan:

- *It is the policy of the City to endorse the institution of homeownership because it establishes a sense of commitment to community.*
 - *It is the policy of the City to encourage the location of planned residential developments such that there is convenient access to park, recreation, and open space facilities.*
 - *Establish a pattern of retail centers that is based on existing conditions, aligned with investor preference, and will satisfy current and future market demand.*
 - *Use a variety of regulatory tools to encourage specific types of retail development in locations where it is most feasible and compatible with the pattern of activity centers identified in the Pomona Tomorrow diagram, and discourage it in other locations.*
 - *Strategically identify locations for activity centers that maximize both neighborhood and vehicular accessibility and visibility.*
2. *The proposed specific plan amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.*

The proposed specific plan amendment to change the land use designation from “Neighborhood Commercial” to “Urban Residential Neighborhood Activity Center” would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed district is intended to provide a mix of medium scale multi-family housing with free-standing commercial uses adjacent to stable residential neighborhoods. The proposed uses will not substantially alter the overall pattern of development within the PRSP area as the surrounding area is mostly residential with neighborhood-serving commercial development. The proposal will result in a continuation of existing land use mix within the surrounding area. The current General Plan land use designation of “Urban Neighborhood” would allow residential development at higher densities of 70 dwelling units per acre. The proposed development is providing detached residences at a density of approximately 10 dwelling units per acre, which is compatible with the density of the surrounding residential neighborhood.

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

The subject property is physically suitable for the requested “Urban Residential Neighborhood Activity Center” land use designation and the anticipated detached residences

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and neighborhood-serving commercial buildings in that the site can accommodate the residential density required under the PRSP and General Plan.

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 proposed specific plan amendment will allow for the development of single family residences that are compatible with the existing surrounding residential and general commercial uses, and will not conflict with the existing General Plan. The amendment will allow a for the development of a comprehensive planned community that provides for the best land use potential that maximizes the economic viability of the project site.

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.*

The proposal to change the land use designation from “Neighborhood Commercial” to “Urban Residential Neighborhood Activity Center” will continue to allow for the development of single family dwellings, in a detached product, reinforcing the land uses desired within the PRSP in that the specific plan area strives to maintain itself as a community of single family dwellings and general commercial uses that cater to the needs of local residents.

SECTION 5. The Planning Commission of the City of Pomona hereby recommends City Council approval of Specific Plan Amendment (SPA 14-008) to change the existing land use designation from “Neighborhood Commercial” to “Urban Residential Neighborhood Activity Center” within the Phillips Ranch Specific Plan (PRSP), located at, and around, 2-16 Village Loop Road as shown on attached “**Exhibits A & B.**”

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

APPROVED AND PASSED THIS 9th DAY OF SEPTEMBER, 2015

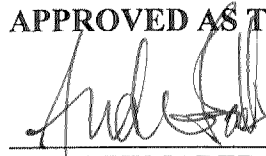
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DENTON MOSIER
PLANNING COMMISSION CHAIRPERSON

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:	Garcia, Arias, Juarez, Mosier, Starr, and Hemming.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Tharpe.

“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 Sec. 1094.6 C.C.P