

**PC RESOLUTION NO. 16-016**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 08-068) TO PERMIT THE DEVELOPMENT OF AN APPROXIMATELY 5,250-SQUARE FOOT MULTI-TENANT RETAIL AND MEDICAL OFFICE BUILDING ON A VACANT 0.48 ACRE PROJECT SITE LOCATED AT 1581 N. ORANGE GROVE AVENUE WITHIN THE DOWNTOWN GATEWAY SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN FORMERLY THE C-3 (GENERAL COMMERCIAL) ZONE.**

**WHEREAS**, the applicant, BadomJohn, LLC, has submitted an application for Conditional Use Permit (CUP 08-068) to permit the development of an approximately 5,250-square foot single-story, multi-tenant retail and medical office building, including hardscape and landscape improvements, on a vacant 0.48 acre (21,147-square feet) lot located at 1581 N. Orange Grove Avenue within the Downtown Gateway Segment of the Pomona Corridors Specific Plan (PCSP), formerly the C-3 (General Commercial) zoning district;

**WHEREAS**, the applicant has submitted a Conditional Use Permit (CUP 08-068) on October 8, 2008;

**WHEREAS**, on April 17, 2014, the PCSP took effect thirty (30) days after its final adoption on March 17, 2014, by the City Council thereby requiring Conditional Use Permit (CUP 08-068) to continue to be processed under the C-3 zone, pursuant to Section .580(J) of the Pomona Zoning Ordinance (PZO);

**WHEREAS**, the subject property is on a parcel designated as "Activity Center" on the General Plan Land Use Map;

**WHEREAS**, the proposed development meets all the development standards of the C-3 zone;

**WHEREAS**, on April 27, 2016, the Planning Commission held a public hearing concerning Conditional Use Permit (CUP 08-068). The Commission continued the item to May 11, 2016;

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on May 11, 2016, concerning the requested Conditional Use Permit (CUP 08-068); 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:

**SECTION 1.** The Planning Commission exercising independent judgment finds that the proposed project will not have a significant effect on the environment. Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the project is categorically exempt under Section 15303 of the California Public Resources Code, which exempts the up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities area available and the surrounding area is not environmentally sensitive.

**SECTION 2.** In accordance with Section .580.B of the Zoning Ordinance, the Planning Commission must make five (5) findings in order to approve Conditional Use Permit (CUP 08-068). 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 as follows:

1. *That the proposed use at the particular location will contribute to the general well being of the neighborhood or community.*

The proposed project at this particular location will contribute to the general well-being of the neighborhood and the community by enhancing the appearance of the area, developing a property into an economically viable property, and allowing for the expansion of additional commercial and medical uses within the city.

2. *That such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity.*

The project will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity since the project is in full conformance with the development standards and use requirements of both the C-3 zone. The proposed use will not be detrimental to the neighbors or property in the vicinity, because the facility will operate in a commercial zone where other more intense commercial uses exist. Landscape and perimeter walls will minimize impacts from the site onto the single-family residential neighborhood to the west.

3. *That the site of the proposed use is of adequate topography, size and shaped to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto.*

The subject site is of adequate topography, size and shape to accommodate the proposed use, in that the proposed use will provide more landscaping and parking than required by the PZO. In addition, the site will provide adequate trash and loading facilities, and will meet the fencing requirements of the PZO. The onsite improvements will match that of other similar facilities in the area and be a compatible addition to the subject area.

4. *That the site abuts streets and highways are adequate in width and improvements to carry traffic generations typical of the proposed use.*

The site abuts streets adequate in width and improvements to carry traffic generations typical of the proposed use, in that N. Orange Grove Avenue and E. McKinley Avenue can accommodate the increased traffic generated by the operation of all future tenants.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the City and conforms to the provisions of the zoning ordinance.*

The Planning Commission finds that the design and improvement of the proposed development are consistent with the General Plan since the both public off-site improvements, such as streets, driveway approaches, and sidewalks, and on-site improvements, such as buildings, parking, fencing, driveways, and drainage facilities will be designed and constructed in accordance with City standards. Furthermore, the design of the project will create an aesthetically pleasing development, which is consistent with the following planning approach for the "Activity Centers" Strategic Action Area of the General Plan:

*"Retain existing neighborhood centers and the Downtown retail core and support their intensification and mix; encourage the eventual transition of properties to greater land use efficiency and mixture of complementary uses; restructure areas in strategic locations to accommodate new or renovated regional retail centers."*

***Strategies:***

- Concentrate retail investment in "centers" clustered at crossroads that satisfy investor preferences and target the local community.*
- Ensure that the form of new retail development does not negatively impact the character of surrounding districts or neighborhoods."*

**SECTION 4.** Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 14-040), subject to the following conditions:

**DEVELOPMENT & NEIGHBORHOOD SERVICES DEPT. – PLANNING DIVISION**

**General Conditions**

1. The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on May 11, 2016, and as illustrated in the stamped approved plans dated April 11, 2016. 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. This approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within one (1) year from the date of this approval (May 11, 2017), in accordance with Pomona Zoning Ordinance Section .580.I. The Planning Commission may extend this period for one (1) year 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.
3. 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.
4. The project is subject to a twenty day (20) appeal period. Written appeals may be filed with the City Clerk within twenty days by one or more City Council members, the applicant, or any person owning property within four hundred (400) feet of the exterior boundary of the applicant's property. The appeal shall be filed with the City Clerk within twenty days from the date of action by the Planning Commission.
5. 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.

6. In case of violation of any of the conditions of approval 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 (90) 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 and/or City law, including, but not limited to, revocation of the herein conditional use permit.
7. Written appeals may be filed with the City Clerk within twenty (20) days by one or more City Council members, the applicant, or any person owning property within four hundred (400) feet of the exterior boundary of the applicant's property.

#### **Project Conditions**

8. The property owner shall remove any graffiti on the project site or equipment stored 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. 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.
9. The property owner shall provide regular maintenance and cleaning of all exterior walkways, patios, canopies, sidewalks, and landscaped parkways in compliance with Pomona City Code 62-351.
10. 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.
11. The storefront doors located along Orange Grove and McKinley Avenues shall be fully functional and should remain open during regular business hours. Allowance to close any of the storefront doors during regular business hours shall be accepted and agreed by the Development Services Manager.

12. Wall signs affixed to the street facing facades shall be limited to projecting signs only. Projecting signs shall comply with the signage requirements established within the Downtown Gateway Segment of the Pomona Corridors Specific Plan. Prior to issuance of building permits, Applicant shall receive approval from the Neighborhood and Development Services Director of Applicant's proposed sign plan.
13. No temporary signs relating to any activity on the premise shall be placed or allowed to remain within landscape areas, public right-of-way areas adjacent to the subject site (e.g. telephone poles, traffic signs, and city trees) or other portions on the exterior of the building. The only temporary signs allowed shall be properly permitted banner signs by permit per the City's sign ordinance. Signs placed in any window of the premises shall comply with the City's sign ordinance, and all other conditions under this Conditional Use Permit.
14. The property shall be maintained free of weeds and debris prior, during and after the construction period.
15. Prior to issuance of certificate of occupancy, landscaping to include trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all areas depicted for planting as illustrated in the stamped approved plans of the project site, and shall be in substantial conformance to the conceptual landscaping plan submitted as part of the Conditional Use Permit process. All landscape areas shall be provided with an automated underground irrigation system. Landscape and irrigation plans shall be prepared by a licensed landscape architect and presented to the Planning Division for review and approval prior to the issuance of construction permits which meets the most current State of California Drought Executive Order Model Water Efficiency Landscape Ordinance (MWELO) and any modification as adopted by the City of Pomona.
16. 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 common 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.
17. Parking lot light standards shall not exceed a height of 35 feet. The applicant shall install decorative light standards within the parking area, final location and design to be approved by the Planning Division during the Plan Check process.
18. Prior to issuance of building permits, the applicant shall obtain approval, during the Plan Check Process, from the Planning Division of a mechanical plan demonstrating the location, type, size, and appropriate screening of all ground-mounted and roof-mounted mechanical equipment. All mechanical equipment shall be screened from public view.

19. 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.
20. 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 and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the property owner 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 property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes and drainage.
21. Prior to issuance of a Certificate of Occupancy, the proposed CMU block wall along the southwesterly property line shall be stuccoed on both sides with a complimentary color to new commercial building. Final design to be reviewed and approved by the Planning Division during the Plan Check process.
22. Prior to the issuance of a Certificate of Occupancy, a master sign program shall be submitted to address all signage for the multi-tenant retail and medical office building to the satisfaction of the Development Services Manager.
23. The applicant shall install "Coming Soon" temporary project signs on the Project site and at the southwest corner of Lexington Avenue and White Avenue. Said signs shall provide information such as, but not limited to, proposed tenants, architectural renderings and estimated opening dates. Final design and locations to be reviewed and approved by the Planning Division during the Plan Check process.
24. No vending machines of any kind shall be installed outdoors within the Project Site.
25. Prior to issuance of a Certificate of Occupancy, high-definition parking lot video surveillance equipment shall be provided with signage advising customers that video recording devices are in use. Applicant shall maintain high-definition video images for at least ninety (90) days. Prior to installation of the video surveillance equipment, a video surveillance plan shall be submitted for review and the privileges afforded under this resolution shall not be enjoyed prior to approval of such video surveillance plan by the Pomona Police Department.

26. The placement of outdoor storage bins (including containers, trailers, or enclosures) on the Project Site shall be prohibited, except during the construction process pursuant to an active building permit. If outdoor storage bins are proposed for a temporary period of time (i.e. seasonal storage), the operator shall require the approval of a Temporary Use Permit pursuant to Section .583.
27. Business License approval will consider the proposed use(s) and parking demand of such use(s) at the time of issuance.
28. The proposed driveway serving the project along Orange Grove Avenue shall be limited to a right turn only upon exiting the subject site.
29. Prior to the issuance of any Certificate of Occupancy, the applicant shall install a bicycle rack. Rack quantity, style, and location shall be approved by the Planning Division prior to installation.

**DEVELOPMENT & NEIGHBORHOOD SERVICES DEPT. – BUILDING & SAFETY  
DIVISION**

30. The undergrounding of utility facilities is required. (PMC 62-31)
31. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations”. (Ordinance No. 4151)
32. 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)
33. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2013 California Building Codes. (Thru 12/31/16)
34. All grading shall conform to the 2013 California Building Code (Thru 12/31/16), and all other relevant laws, ordinances and resolutions governing grading as adopted by the City of Pomona. The applicant shall obtain a grading permit from the Building & Safety Division prior to commencing any grading or site excavation.
35. 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.

36. All proposed work shall comply with the 2013 California Energy Code (Thru 12/31/16) and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
37. Proposed project shall comply with the 2013 California Green Building Standards Code (Thru 12/31/16) and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
38. Proposed project shall be sprinklered and comply with all other relevant laws, ordinances and resolutions governing residential sprinklers as adopted by the City of Pomona.

## **PUBLIC WORKS DEPARTMENT**

### **Land Development Requirements**

39. Real Property Owner shall submit a Lot Merger application to the Public Works Engineering Department, for the portions of Lots 7 and 8, Block A, Palomares Tract, M.R. 15-50. The merger shall be recorded prior to the issuance of the building permits.
40. No encroachments in the public right-of-way are permitted except as allowed by the 2013 California Building Code.

### **Improvement Plans Requirements**

41. 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.
  - 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.



42. 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.
43. 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.
44. 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.
45. Applicant/Developer shall submit public street improvement plans to include the following:
  - a. New driveway approaches to comply with the City standards and ADA requirements.
    - i. The proposed width reduction of the westerly McKinley Ave. driveway apron shall approved by Caltrans.
  - b. New sidewalk, curb and gutter to replace (i) the existing easterly McKinley Ave. and the northerly Orange Grove Ave. driveway approaches required to be removed and (ii) all cracked, damaged sections of the existing sidewalk, curb and gutter along the property frontages.
  - c. Orange Grove Ave. and McKinley Ave. paving: grind and overlay along the lot frontages from gutter to street centerline or over the entire street width, subject to the required wet and/or dry utility pavement cuts associated with the proposed development. Such requirement shall only be applicable if the project necessitates utility cuts into the adjacent streets fronting the development.
  - d. Parkway drains built in compliance with the City standards.
  - e. Refurbish all existing street lights located along the property frontages with LED fixtures.
  - f. Existing sewer, water and storm drain infrastructure, including laterals.
  - g. 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.

- h. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
  - i. Undergrounding of all proposed utility lines will be required as per City of Pomona Municipal Code Section 62-31(b)(1).
  - j. The parkway landscaping shall be maintained by the property owner per City of Pomona 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.
  - l. 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.
  - m. 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.
46. 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.
47. Applicant shall develop and submit a Standard Urban Stormwater Mitigation Plan (SUSMP) to the City, in accordance with the City of Pomona's 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.

48. 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 BMPs proposed for the project.
49. 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 SUSMP.
50. 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/>
51. Applicant is responsible for the implementation of storm water Good Housekeeping Best Management Practices for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
52. Applicant shall obtain the approval from Caltrans for the extent, type and maintenance of the trees proposed to be planted within the area owned in fee by Caltrans and located directly under the I-10 freeway overpass.
53. Prior to the issuance of the building permit Applicant/Developer is responsible for the payment of all applicable City sewer connection fees and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.
54. Effective January 1, 2016, the City has adopted new service charges for water and sewer services. For further information on how charges are assessed, contact the City's Public Works Business Services Division at 909-620-2241.
55. 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, public safety improvements park and recreation improvements.
56. Prior to issuance of the building permits Applicant/Developer is responsible for paying the project's development tax fee.
57. Prior to the issuance of the certificate of occupancy the property Owner is responsible for the compliance with any special annual levy assessment derived from the current inclusion of the project site into the City's Street Lighting 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.

58. All 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.
59. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic (AutoCAD v. 2010) format. 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 in AutoCAD v. 2010 format.

#### **Public Works Improvements Permit**

60. Prior to grading permit issuance Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, street frontage pavement, sidewalk, drainage and parkway improvements, and driveway approaches.
61. 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;

The Commercial General Liability and the Automobile Liability policies shall include the City of Pomona as additional insured.

62. Permittee shall pay fees associated with and possess the City of Pomona Business License.
63. 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.

#### **WATER & WASTEWATER OPERATIONS DEPARTMENT**

##### **Water**

64. There currently exist multiple water mains within the proposed project area. The localized approximate static pressure for the proposed project area is 65-70 psi.
- Eight-inch (8") DIP water main within Orange Grove Avenue.
  - Sixteen-inch (16") DIP water main within Orange Grove Avenue. This main may not be connected to for any purpose.
  - Twelve-inch (12") DIP water main within McKinley Avenue.
  - Fourteen-inch (14") steel water main within McKinley Avenue. This main may not be connected to for any purpose.
65. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the proposed project area.
66. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
67. Any private onsite water improvements are the owner's maintenance responsibility.

**Domestic and Fire Service Line**

68. Per City billing records there are no existing water meters or services currently associated with 1581 N. Orange Grove Avenue.
69. There are public fire hydrants within 500 feet of the proposed project site.
70. Contact the Los Angeles County Fire Department to determine if additional fire hydrants are required for this site. If new fire hydrants are required, they shall be placed at least five (5) feet from proposed driveways and parking spaces.
71. The edge of all new meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the back of the curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, in order to allow City personnel access to these meters for future maintenance.
72. The edge of all new meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the back of the curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, in order to allow City personnel access to these meters for future maintenance.



73. 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.
74. Contact the Public Works Department for information regarding meters and all applicable meter fees. The City will install meters less than or equal to two-inches (2") in size.
75. 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.
76. Approved backflow devices (list the brand and model) are required for the following service lines to the site:
  - Reduced principal pressure devices are required for dedicated irrigation service lines to the proposed site, and
  - Reduced principal pressure devices are required for all domestic services; and
  - Double check detector assembly devices for all fire sprinkler service lines.
77. 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.

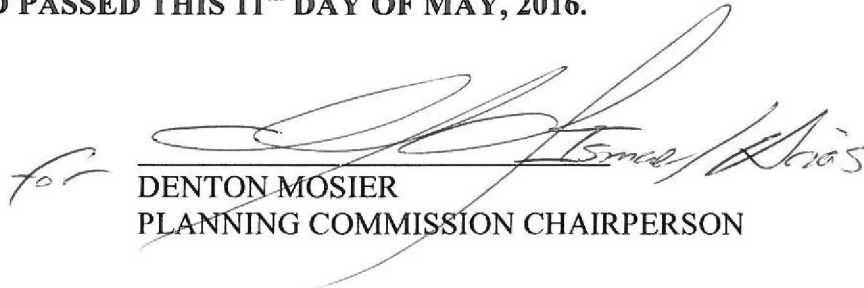
#### **Sewer**

78. There currently exists an eight-inch (8") VCP sewer main within McKinley Avenue. The existing sewer infrastructure shall be shown on the site plan.
79. The applicant/developer shall calculate the expected wastewater generated by the proposed development. These calculations shall be submitted to the WWOD.
80. The sewer laterals from the public main to the site are considered private and shall be maintained by site owners.
81. 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 Standard No. A-26-02 per the Public Works Standards.

82. The sewer lateral separation distances, relative to water mains and laterals, shall comply with California Code of Regulations, Title 22.
83. 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.
84. The applicant/developer shall submit and include the following items in the sewer development plan:
  - a. The proposed sewer lateral(s) connection to the existing sewer main.
  - b. 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.
85. Submit sewer development plans to the City 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.

**SECTION 5.** The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

**APPROVED AND PASSED THIS 11<sup>th</sup> DAY OF MAY, 2016.**

  
DENTON MOSIER  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

  
BRAD JOHNSON  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**



*for* ANDREW JARED  
ASSISTANT CITY ATTORNEY

*by Teresa Chen, Deputy City Attorney*

STATE OF CALIFORNIA     )  
COUNTY OF LOS ANGELES     ) ss.  
CITY OF POMONA     )

AYES:       Garcia, Arias, Juarez, Mosier, and Hemming.  
NOES:       None.  
ABSTAIN:    Starr.  
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."