

## **ORDINANCE NO. 4240**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT (SPA 4920-2016) TO AMEND THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) BY EXPANDING THE BOUNDARY OF THE RESIDENTIAL TRANSITION AREA FOR PROPERTIES LOCATED AT 267, 279 AND 291 E. BONITA AVENUE, 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA**

**WHEREAS**, the applicant, Casa Colina Hospital, has submitted an application for a Specific Plan Amendment (SPA 4920-2016) to add 267, 279, and 291 E. Bonita Avenue, 2815 Melbourne Avenue, and the first public alley north of Bonita Avenue to the Pomona Corridors Specific Plan Residential Transition Area to develop a surface parking lot on the 30,675-square foot property;

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

**WHEREAS**, the subject properties are designated “Transit Oriented District: Neighborhood” place type in the T3 transect zone by the City’s General Plan;

**WHEREAS**, the subject properties are located within the R-1-7,500 Zoning District;

**WHEREAS**, the Planning Commission of the City of Pomona, at its regularly scheduled public hearing on July 12, 2017, reviewed the requested Specific Plan Amendment (SPA 4920-2016) and recommended City Council approval of the Specific Plan Amendment for those properties described herein;

**WHEREAS**, the applicant has concurrently submitted a Change of Zone (ZONE 4972-2016) to change the zoning classification from R-1-7,500 to the Pomona Corridors Specific Plan Residential Transition Zone for the properties at 267, 279, and 291 E. Bonita Avenue and 2815 Melbourne Avenue including the first public alley north of Bonita Avenue to be vacated for the project; General Plan Conformity Assessment (GPC 6123-2016) to vacate the first public alley north of Bonita Avenue; Tentative Parcel Map 74494 (PARCELMAP 6122-2016) to combine the subject properties with the Casa Colina Hospital property; and Development Plan Review (DPR 6124-2016) to develop a surface parking lot on the properties at 267-291 E. Bonita Avenue, 2815 Melbourne Avenue and the vacated alley;

**WHEREAS**, the proposed development includes requests for deviation from the development standards of the Pomona Corridors Specific Plan (PCSP) to allow a front parking lot, trees without a spreading canopy, construction without pedestrian paths and no security cameras in the parking lot;

**WHEREAS**, the Planning Commission of the City of Pomona, at its regularly scheduled public hearing on July 12, 2017, reviewed and recommended approval of the Change of Zone

(ZONE 4972-2016), Tentative Parcel Map 74494 (PARCELMAP 6122-2016); and Development Plan Review (DPR 6124-2016) for the project;

**WHEREAS**, the Planning Commission of the City of Pomona, at its regularly scheduled public meeting on July 12, 2017, approved the General Plan Conformity Assessment (GPC 6123-2016) and determined that the proposed alley vacation was in conformity with the Circulation Element of the General Plan;

**WHEREAS**, the City Council of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on August 7, 2017, concerning the requested Specific Plan Amendment (SPA 4920-2016);

**WHEREAS**, the City Council of the City of Pomona continued the public hearing to October 2, 2017 after receiving public testimony and input;

**WHEREAS**, the City Council of the City of Pomona held a public hearing on October 2, 2017 to receive public testimony and input;

**WHEREAS**, the City Council 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 City Council of the City of Pomona, California as follows:

**SECTION 1.** The proposed project was reviewed in accordance with the California Environmental Quality Act (CEQA) guidelines. The proposed project meets the criteria for a Categorical Exemption under Section 15303 (Class 3 – New Construction or Conversion of Small Structure) and Section 15332 (Class 32 – In-fill development projects in urbanized areas) of the CEQA Guidelines in that the proposed project is in an urbanized area and is a surface parking lot with no structures. The proposed project is consistent with the categorical exemption; therefore, no further environmental review is required.

**SECTION 2.** If any part, provision, or section of this ordinance is determined by a court or other legal authority with jurisdiction over the subject matter of this ordinance to be unenforceable or invalid, the remainder of the entirety of this ordinance shall not be affected and shall continue in full force and effect. To this end, the provisions of this ordinance 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 City Council 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 City Council must make the five findings listed below in order to approve Specific Plan Amendment (SPA 4920-2016). 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 City Council hereby finds as follows:

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

The proposed surface parking lot design conforms to the General Plan with the “Transit Oriented District: Neighborhood” land use designation in the T3 Transect zone as shown on the General Plan Land Use Diagram with deviations from standards as recommended to allow a front parking lot, trees without a spreading canopy, construction without pedestrian paths and no security cameras in the parking lot. The proposed surface parking lot will create a low intensity, landscaped use, which is an appropriate transitional development plan adjacent to the single-family homes in the neighborhood. It will continue the attractive development pattern established in the existing adjacent parking lot which meets the overall intent of the General Plan and Specific Plan that new development should be attractive and compatible with existing development.

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

The City Council 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 consists of a small extension of parking along the edge of the existing hospital campus. Existing parking already abuts the residential neighborhood north of the project site. The proposed project will be designed and conditioned to be compatible with the surrounding land uses.

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 parking lot is on flat land served by all necessary public utilities.

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.*

In order to accommodate the proposed parking lot, the applicant is requesting the Specific Plan Amendment to extend the boundary of the Residential Transition Area, located north of

Bonita and east of the Urban Neighborhood designation that applies to the rest of the hospital campus. The boundary will now extend to the west side of Melbourne Avenue from Bonita Avenue north to the northerly property line of 2815 Melbourne Avenue.

Since a surface parking lot for the hospital is not an allowed use in the R-1-7,500 zone currently in place for the properties, the most appropriate new zoning standard is to include the subject properties within the Pomona Corridors Specific Plan. The boundary of the Specific Plan abuts the subject properties. Expanding the Residential Transition Zone to include the subject properties will enable the hospital to develop the corner lots and maintain the appropriate transitional development standards provided in the Specific Plan to buffer the single family neighborhood east of the hospital. The boundary of the Change of Zoning reflects the fact that the hospital owns the properties to be developed with the parking lot.

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 proposed Specific Plan Amendment will facilitate the orderly growth and development of the hospital while preserving an appropriate transitional development between the hospital campus and the single family neighborhood to the north and east of the project site.

**SECTION 5.** The City Council hereby adopts Specific Plan Amendment (SPA 4920-2016) amending the Pomona Corridors Specific Plan (PCSP) include the properties at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue, and the first public alley north of Bonita Avenue to be vacated for the project, to allow the development of a parking lot on the 30,675 square foot property;

**SECTION 6.** The City Clerk shall attest and certify to the passage and adoption of this Ordinance, and shall cause the same to be posted as required by law, and this Ordinance shall take effect thirty (30) days after its final adoption.

**APPROVED AND PASSED THIS 16TH DAY OF OCTOBER, 2017**

**ATTEST:**

**CITY OF POMONA:**

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Eva Buice, City Clerk

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Tim Sandoval, Mayor

**APPROVED AS TO FORM:**

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Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, EVA BUICE, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Pomona held on the 16th day of October, 2017 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

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Eva Buice, City Clerk

“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.”