

PC RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CUP 7353-2017) TO ALLOW THE DEVELOPMENT OF APPROXIMATELY 16,433 SQUARE FEET OF NEW RETAIL SPACE IN TWO NEW BUILDINGS AND ONE EXISTING BUILDING ON A 1.45 ACRE LOT LOCATED AT 888 W. MISSION BOULEVARD IN THE MIDTOWN SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN AND THE MIXED-USE ARTERIAL RETAIL ZONE IN THE DOWNTOWN POMONA SPECIFIC PLAN.

WHEREAS, the applicant, ATC Design Group, has filed an application for Conditional Use Permit (CUP 7353-2017) to allow the development of approximately 16,433 square feet (SF) of new retail space in two new buildings and one existing building on a 1.45 gross acre lot;

WHEREAS, the northern portion of the site, north of the existing alley, is currently located within the Midtown Segment of the Pomona Corridors Specific Plan (PCSP) and the southern half, below the existing alley, is located in the Mixed-Use Arterial Retail Zone in the Downtown Pomona Specific Plan;

WHEREAS, the subject site is currently designated “Neighborhood Edge” by the City’s General Plan;

WHEREAS, the applicant has concurrently submitted Tentative Parcel Map (PM 7354-2017) for the consolidation of two parcels (APN: 834-201-3020 & 834-201-3021) to comprehensively delineate the boundaries of the subject site for the construction of the proposed project;

WHEREAS, the approval of a conditional use permit by the Planning Commission is required for commercial facilities on lots greater than 20,000 square feet, pursuant to Section .580 of the Pomona Zoning Ordinance;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law held a public hearing on March 28, 2018, concerning the requested Conditional Use Permit (CUP 7353-2017); and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony, the recommendation of the Planning Division staff and the staff report offered in the case as presented at said noticed public hearing.

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

SECTION 1. The Planning Commission exercising their independent judgment has determined that pursuant to the provisions of Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA), the proposed project meets the criteria for a Class 32 Categorical Exemption. 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.

SECTION 2. If 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. In accordance with Section .580.B of the Zoning Ordinance, the Planning Commission must make findings in order to approve Conditional Use Permit (CUP 7353-2017). 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 retail development project will stabilize and strengthen the neighborhood character of the surrounding area with an infill project that is compatible with existing surrounding commercial and residential uses. The proposed project will improve the currently underutilized site with new commercial buildings, adding services and public open space within walking distance to nearby businesses and residents. Additionally, the proposed project provides a valuable asset to the community as it will provide jobs for local residents. Therefore, the proposed project will contribute to the general well-being of the community.

2. *That such use will, under the circumstances of the particular case, not 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.*

As conditioned, the proposed commercial use 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 substantial conformance with the development standards and use requirements of the PCSP and DPSP. Based on the proposed project, it is not anticipated that the configuration of the site or activities associated with the use will generate noise or other impacts that will be detrimental. To this end, a condition has been included that prohibits any sound that exceeds

the City noise ordinance standards. The project will not be detrimental to the use, valuation, and enjoyment of property and improvements in the vicinity since the project improves a currently vacant site with new retail buildings, landscaping and public open space that will serve the local community.

3. *That the site for the proposed use is of adequate topography, size, and shape to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to allow said use in the neighborhood.*

The subject site (approximately 1.45 gross acres) is relatively flat and sufficient enough in size and shape to accommodate all of the development standards of the PZO, PCSP, and DPSP, as conditioned, including building height, length, orientation, setbacks, parking, loading, open space, landscaping, trash facilities, and architectural design guidelines.

4. *The site abuts streets and highways adequate in width and improvements to carry traffic generations by the proposed use.*

The subject site takes access from all four perimeter streets surrounding the subject site: Mission Boulevard, Cypress Street, W. 6th Avenue and White Avenue. Mission Boulevard is a major arterial street with two lanes in each direction and a center turn lane. White Avenue is a minor arterial, which also contains two lanes in each direction. Both W. 6th Avenue and Cypress Street are local streets with two lanes in each direction. All streets serving the site are capable of handling any additional vehicle trips generated by the proposed use.

In the applicant's original submittal to the Planning Division, Staff recommended that existing curb cuts on Mission Boulevard be removed and all access to parking areas be taken from White Avenue, Cypress Street or 6th Avenue. Staff maintains this recommendation for Planning Commission consideration as sufficient access to the site can be accommodated by removing the curb cut on Mission Boulevard, allowing this area to be used as an extension of public open space. This would maintain the flow of traffic on Mission Boulevard and provide a continuous landscaped edge along the streetscape and a larger public open space area that screens the parking from the street. As such, a condition of approval has been added to remove the curb cut from Mission Boulevard.

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.*

Granting of the permit will not adversely affect the General Plan of the City in that the proposed use is consistent with the intended uses within the Neighborhood Edge designation of the General Plan. The Neighborhood Edge designation is intended for larger scale development that is suitable for heavily trafficked roadways; will function as buffers for residential

neighborhoods behind them; and emphasizes streetscape improvements to add visual appeal and value, develop continuity along the street edge, and provide buffering and compatibility with adjacent development. The proposed retail project is compatible with the intent and purpose of the Neighborhood Edge designation as it is an appropriate use for the heavily trafficked roadways of Mission Boulevard and White Avenue, yet small enough in scale and with landscaped setbacks and open space areas to serve as a buffer for adjacent residential neighborhoods. Furthermore, the form and orientation of the buildings onto the street with landscaped setbacks provide an aesthetic edge that enhances the perimeter streetscapes. The proposed project also meets the established General Plan land use density/intensity standards and is in compliance with the applicable code sections of the PZO, PCSP and DPSP, as conditioned. Therefore, the proposed project is consistent with the General Plan and provisions of the zoning ordinance.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 7353-2017) subject to compliance with all applicable laws and ordinances of the City as well as the addition of the following conditions, violations of which (or failure to complete any of which) shall constitute grounds for revocation of the conditional use permit or any portion thereof:

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 March 28, 2018, and as illustrated in the stamped approved plans dated March 28, 2018, with the addition of the following conditions. 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. The applicant shall apply for a Minor Deviation Variance (MDV) to allow a 5-foot height reduction in the height of the Pad 2 building. The required minimum height is two stories or 25 feet pursuant to the DPSP. The applicant shall apply for the MDV and receive approval prior to obtaining building permits.
3. The existing curb cut on Mission Boulevard shall be removed and all access to the parking areas shall be taken from White Avenue, Cypress Street and 6th Avenue. The public open space area near the Major 1 building shall be extended to the west to create a public area between the Pad 1A and Major 1 buildings. The design of the

public open space area shall be approved by the Development Services Director prior to obtaining building permits.

4. During the plan check process, the applicant shall demonstrate that at least one primary volume on the Major 1 and Pad 1A/1B building facades fronting the street meet all building massing requirements as specified in the PCSP (see page 61), including major façade offset, notch and façade composition change.
5. For at least one of each shopfront's articulation length (primary volumes), a minimum of 70% of the storefront façade shall feature clear-glass display windows framed within storefront pilasters and a base. A minimum three (3) foot zone behind the window glazing shall provide an unobstructed view of the establishment's goods & services, either via display oriented to the sidewalk, or via a direct view into the store. The width of a protruding pilaster or pier shall be a minimum of five (5) percent of the width of the largest adjacent horizontal façade segment. The adjacent wall surface shall be set back from the face of the pilaster or pier a minimum of twenty (20) percent of the pier width. Pilasters/piers shall not protrude into the public right-of-way.
6. The project shall comply with all streetscape improvements in the public right-of-way in accordance with requirements determined by the Public Works Department.
7. The project shall provide one shade tree per 40 feet of street frontage along Mission Boulevard, in addition to the existing palm trees. This is required to unify the landscaping palette and provide shade over the public right of way. Evergreen trees are recommended.
8. A Master Sign Program shall be submitted and approved prior to the review and approval of any proposed onsite signage.
9. All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement.
10. This approval shall lapse and become nullified if the privilege authorized is not utilized within one (1) year from the date of this approval (March 28, 2019), 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.

11. The project is subject to a twenty (20) day 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 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.
12. 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.
13. 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 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.
14. The property owner shall remove any graffiti 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.

15. 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.
16. Prior to issuance of a Zoning Clearance and business license, two permanent commercial rated bike racks with the capacity to store a minimum of four bikes each, shall be provided near the main entrance, or in a convenient area of the building location, and shall be subject to the review and approval of the Planning Division during the Plan Check review.
17. No vending machines of any kind shall be installed outdoors within the project site.
18. There shall be no public pay phones installed within or upon any portion of the premises.
19. Loitering and panhandling on the premises shall be prohibited. Signs stating such prohibition shall be posted on the property.
20. 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 et seq.
21. 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.
22. There shall be adequate lighting around the property at all times (minimum of 1 foot-candle). This shall be done in such a fashion that persons standing outdoors at night are easily identifiable by law enforcement personnel. Lighting shall be screened so that no spillover occurs onto the adjacent properties.

23. Before issuance of a zoning clearance and business license, the applicant and any successor in interest shall sign a certificate of compliance stating that:
 - a) They have read and understand all the conditions of approval applicable to their project;
 - b) That they are familiar with the daily operations of the use; and
 - c) That the use will operate in compliance with the conditions of approval.
24. All proposed signage shall be installed after issuance of a valid building permit and be in conformance with the approved master sign program.

Operational Conditions

25. All landscaping and parking lots shall be continuously maintained free of weeds, debris, litter, or temporary signage; and shall be kept in good repair at all times.
26. All landscaped areas shall be provided with an automatic sprinkler system.

BUILDING DIVISION

27. The undergrounding of utility facilities is required. (PMC 62-31)
28. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations”. (Ordinance No. 4151)
29. The design shall 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)
30. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2016 California Building Codes.
31. All grading shall conform to the 2016 California Building Code, 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.
32. 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.

33. All proposed work shall comply with the 2016 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
34. The proposed project shall comply with the 2016 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
35. The 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.
36. Building Division comments and conditions are subject to plan check. Comments are based on information provided.

WATER

37. There are currently existing multiple water mains within the project area:
 - a) Eight-inch (8") DIP within Mission Boulevard and White Avenue.
 - b) Four-inch (4") CIP within 6th Street.
38. The existing localized static pressure of the project area is 50-60 psi.
39. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WWOD regarding the extent of proposed public main within the proposed project area.
40. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
41. Any private onsite water improvements are the owner's responsibility and not the City's.
42. Any existing public water infrastructure located on private property shall be installed within a City of Pomona easement, and will be maintained by the City.

Domestic and Fire Service Line

43. There is currently an existing 1-½” meter serving 888 W. Mission Boulevard. Please identify if this existing meter will be used with the proposed development. WWOD will provide additional comments regarding any proposed or existing service/meter to be used for the project.
44. Contact the WWOD at (909) 620-2212 for information regarding meter installation fees.
45. The City may install meters that are two-inches (2”) in size or less. The project contractor shall install all proposed meters that are greater than two-inches (2”) in size.
46. There are public fire hydrants within 500 feet of the proposed project site.
47. Contact the Los Angeles County Fire Department to determine if additional public fire hydrants are required for this site. If new fire hydrants are required they shall be placed at least five feet (5’) from proposed driveways and parking spaces.
48. The edge of all new meter vaults, if necessary, shall be located in public right-of-way or the sidewalk two-inches (2”) from the back of the curb per the City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006. Meter(s) shall not be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
49. 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.
50. Effective January 1, 2018, 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.
51. Approved low-lead (0.25%) backflow devices (list the brand and model) are required for the following service lines to the site:
 - a) Reduced pressure principle assembly (RPPA) devices are required for dedicated irrigation service lines to the proposed site, and

- b) Reduced pressure principle assembly (RPPA) devices are required for all domestic services; and
 - c) Double check detector assembly (DCDA) devices for all fire sprinkler service lines.
52. 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

53. There is currently an existing eight-inch (8") VCP main within an alley between Mission Boulevard and 6th Street. The existing sewer infrastructure shall be shown on the site plan. This existing main shall be protected in place and no permanent structure or landscaping shall be placed above it. There shall be a dedicated minimum fifteen-foot (15') wide easement for sewer maintenance purposes.
54. The applicant/developer shall calculate the expected wastewater generated by the building(s) to properly size the sewer lateral(s) to serve the new site.
55. The sewer lateral from the public main to the site is considered private and shall be maintained by site owners.
56. 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 the Public Works Standard No. A-26-02 for trench pavement restoration.
57. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
58. Effective January 1, 2018, the City has adopted new service charges for sewer service. For further information regarding fee assessment, contact the City's Public Works Business Services Division.
59. The applicant/developer shall submit and include the following items in the sewer development plan:
- a) The proposed sewer lateral(s) with a profile and connection to the existing sewer laterals and sewer main.
 - b) Construction Notes:

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.

60. Submit sewer development plans to the Public Works Department 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.

PUBLIC WORKS

Improvement plans requirements

61. 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; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
 - 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.
62. 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. The proposed development shall accept the conveyance of the existing offsite drainage.
63. 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.

64. 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.
65. Applicant/Developer shall submit **public street improvement plans** to include the following:
 - a) New driveway approaches in conformity with City standards and ADA mandates.
 - b) New ADA corner ramps, total of three, at the following locations: southwest corner of Mission Boulevard and Cypress Street, southeast corner of Mission Boulevard and White Avenue and northeast corner of White avenue and Sixth Street.
 - c) New sidewalk, curb and gutter to replace (i) all existing aprons proposed for removal and (ii) all damaged cracked and uplifted sections.
 - d) Portland Cement Concrete (PCC) paving of White Avenue: all impacted PCC panels shall be removed and replaced; all Asphalt Cement (AC) patches shall be replaced with PCC paving.
 - e) Overlay AC paving of Mission Boulevard, Cypress Street and Sixth Street in compliance with the City paving standards; from gutter lines to center lines, along the lot frontages; if the required wet and/or dry utility trenches cross the respective street centerlines, the Applicant/Developer shall grind and overlay said street(s) over the entire widths (gutter to gutter lines).
 - f) Street lights:
 - i. Refurbish existing street lights along the project's boundaries with LED luminaires; two (2) on Mission Boulevard, one (1) on White Avenue and one (1) on Sixth Street, total of four (4).
 - ii. 2 new street lights per City standards along Cypress Street.
 - g) Street Landscaping
 - i. Install street landscaping per the "Midtown Boulevard" requirements of the Pomona Corridors Specific Plan.
 - ii. Established tree removal shall be approved by the City Arborist.
 - h) Parkway drains per City standards.
 - i) Existing sewer, water and storm drain infrastructure.
 - j) Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
 - k) Undergrounding of the existing (along White Avenue and Cypress Street) and

proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b).

- l) Note: The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
 - m) Note: 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.
- 66. 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.
 - 67. 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.
 - 68. 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.
 - 69. Prior to approval of any improvement plans and/or grading permit issuance 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. These reports shall be submitted to the Public Works and Building and Safety Departments for review and approval. The Developer is responsible to comply with the approved hydrology study recommendations necessary to meet minimum Federal, State, County and City requirements.
 - 70. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain the City approval of the final Standard Urban **Stormwater** Mitigation Plan (SUSMP) for the proposed project. The SUSMP shall be prepared in accordance with the City of Pomona's Low Impact Development (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.

Applicant/Developer shall 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 Best Management Practices (BMPs) proposed for the project.

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 or 0.75-inch, 24-hour rain event, whichever is greater. The comparison must be provided in the SUSMP.

Applicant/Developer shall 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/>.

The project involves soil-disturbing activities in excess of 1 acre therefore Applicant/Developer shall apply for a State General Construction Permit (Order No. CAS000002) and submit a copy of the Stormwater Pollution Prevention Plan to the Public Works Engineering Division.

Applicant/Developer shall implement Good Housekeeping Best Management Practices (BMPs) for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.

71. **Traffic:**

- a) Installation of pork-chop islands at the White Avenue and W. Mission Boulevard Driveways. Installation of these islands will restrict access allowing for only right-in and right-out access at both project driveways.
- b) Striping Curb for No Parking at Project Driveways to ensure adequate sight distance. The following striping would be required:
 - i. Mission Boulevard: 80 Feet from the Project Driveway to White Avenue.
 - ii. White Avenue: 78 Feet from the Project Driveway to W. 6th Street.
 - iii. W. 6th Street: 15 Feet from the Project Driveway to the west.
 - iv. W. 6th Street: 55 Feet from the Project Driveway to the east.
 - v. Cypress Street: 60 Feet from the Project Driveway to the north.
 - vi. Cypress Street: 25 Feet from the Project Driveway to the south.

72. In recognition of the need to address traffic conditions generated by cumulative development along the **Corridor Specific Plan (CSP)** areas, Applicant/Developer is responsible for the project's compliance with the CSP requirements and shall participate in a CSP assessment district, or similar fair and appropriate mechanism, to

provide funds for maintaining and augmenting public improvements, should such a mechanism be established by the City. Applicant/Developer shall pay the applicable CSP in-lieu fee for public improvements required as part of this project, presently estimated at \$207,948.

73. 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.
74. 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 and public safety improvements.
75. Prior to the issuance of the building permits Applicant/Developer is responsible for the payment of all City **water and sewer connection fees** and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.
76. Prior to issuance of the building permits Applicant/Developer is responsible for paying the **development tax** associated with the proposed project.
77. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic in AutoCAD v. 2010. 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 on disk in AutoCAD v. 2010 and .pdf formats.
78. The 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.

Public Works Improvements Permit

All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.

79. **Prior to the recordation of the parcel map or the issuance of the grading permit, whichever occurs first, Applicant/Developer shall post surety bonds for the proposed public improvements, including but not limited to: driveway**

approaches, sidewalk, curb and gutter, street paving, parkway landscaping, street lights, water, sewer, storm drain and traffic improvements.

80. 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;

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

81. Permittee shall pay fees associated with and possess the City of Pomona Business License.
82. 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.

COUNTY OF LOS ANGELES FIRE DEPARTMENT

FIRE ACCESS REQUIREMENTS

Verification for compliance will be performed during the architectural plan review prior to building permit issuance.

83. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
84. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
85. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the City Of Glendora Public Works and the County of Los Angeles Fire Code.
86. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.

WATER SYSTEM REQUIREMENTS

87. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.

88. Install 2 new public fire hydrants. (See attached map).
89. The required fire flow for the public fire hydrants on this development is 4000 gallons per minute at 20 psi for a duration of 4 hours, over and above maximum daily domestic demand.
90. Fire flow will be recalculated during the Building Plan Check Review.
91. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
92. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
93. Upon approval from Land Development, architectural drawings shall be submitted to Fire Prevention Engineering, which include all above noted conditions. Contact (909) 620-2402 for additional Fire Department requirements during the Building Plan Check Phase.
94. This project will require an additional review by the Fire Prevention Engineering Unit during the Building Plan Check Phase.

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

APPROVED AND PASSED THIS 28th DAY OF MARCH, 2018.

LUIS M. JUAREZ
PLANNING COMMISSION CHAIRPERSON

PC Resolution No.
CUP 7353-2017 – 888 W. Mission Boulevard
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ATTEST:

EMILY STADNICKI
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

ANDREW JARED
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
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."