

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 16,954 SQUARE FEET OF NEW RETAIL SPACE IN TWO NEW BUILDINGS AND ONE EXISTING BUILDING (THAT WILL BE ENLARGED) 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 16,954 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 ten lots (APN: 834-201-3020 & 834-201-3021) into three parcels 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 September 12, 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, as conditioned; 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. However, 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.

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 September 12, 2018, and as illustrated in the stamped approved plans dated September 12, 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. 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 and 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.
4. The project shall comply with all streetscape improvements in the public right-of-way in accordance with City Pomona Corridors Specific Plan and Public Works

Street Standards subject to review and approval by City Engineer and Planning Manager or designee(s).

5. A Master Sign Program shall be submitted and approved by the Director prior to the review and approval of any proposed onsite signage. Any changes to signage shall be in substantial conformity with the Master Sign Program.
6. 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 as indicated in the site plans dated September 12, 2018 as presented to and approved by the Planning Commission.
7. This approval shall lapse and become nullified if the privilege authorized is not utilized within one (1) year from the date of this approval (September 12, 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 (30) days before the expiration date of this approval.
8. 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.
9. 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.

10. 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.
11. 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.
12. 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.
13. Prior to issuance of a Certificate of Occupancy, two permanent commercial rated bike racks with the capacity to store a minimum of four bikes each, shall be provided near the entrance to the Pad 1 building or the Major 1 building and shall be subject to the review and approval of the Planning Division during the Plan Check review.
14. No vending machines of any kind shall be installed outdoors within the project site.
15. There shall be no public pay phones installed within or upon any portion of the premises.

Loitering and panhandling on the premises shall be prohibited. Signs stating such prohibition shall be posted on the property.

16. 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.*
17. 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.
18. 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.
19. 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.
20. All proposed signage shall be in conformance with the approved Master Sign Program and installed before a Certificate of Occupancy is approved.

Operational Conditions

21. All landscaping and parking lots shall be continuously maintained free of weeds, debris, litter, or temporary signage; lots shall be kept in good repair at all times.

BUILDING DIVISION

22. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations”. (Ordinance No. 4151)
23. 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)

24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. Building Division comments and conditions are subject to plan check. Comments are based on information provided.

WATER & SEWER Water Resources Department (WRD)

31. A full set of water and sewer development plans shall be submitted to the Public Works Department for this project separately from the building plan submittal to the Building Division. Final versions of these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.
32. Applicant shall verify capacity of existing services lines currently in place prior to designing plans for water and sewer development plans.
33. 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. Applicant shall

be responsible for costs and installation of increasing capacity of any existing lines due to project requirements.

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.
34. The existing water and sewer infrastructure shall be shown on the site plan. . There shall be a dedicated minimum fifteen-foot (15') wide easement for sewer maintenance purposes. Further design comments shall be issued by the WRD regarding the extent of proposed public utility infrastructure within the proposed project area. Additional required publicly owned water infrastructure on private property shall require additional easement prepared for and recorded by Applicant.
 35. There is currently an existing 1-1/2" meter serving the site. WRD will provide additional comments regarding any proposed or existing service, lateral, meter, and backflow device to be used for the project. Applicant responsible for payment and installation of all proposed meters.
 36. The applicant/developer shall calculate the wastewater discharge and proposed water demand (based on fixture units) to verify that the existing wastewater and water infrastructure can accommodate the water demand, given the size, pressure, and age of the existing system. These calculations shall include fire and domestic water demands. These calculations shall be submitted to the WRD.
 37. Applicant shall be responsible for all private on-site water improvements. Any private on-site water improvements are owner's responsibility, not City's.
 38. New sewer laterals shall 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.
 39. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.

PUBLIC WORKS

Land development requirements

40. Tentative Parcel Map PARCELMAP 7354-2017, PM 82035 has been concurrently submitted with the CUP 7353-2017 application. The tentative parcel map shall comply with the requirements of the Subdivision Map Act and of the City Ordinance No. 2779. Financial security for all public improvements shall be posted prior to the issuance of the building permit or the recordation of the map, whichever occurs first.

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.
42. The plans shall be a minimum of 1" = 10' scale to clearly show all the details; the plans shall be submitted on 24" x 36" sheet size with a standard City title block.
43. One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
44. 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.
45. Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
46. Prior to issuance of the grading permit the Applicant/Developer shall submit written notifications to the next adjacent (non-City) property owners as indicated on the Planning Commission meeting notification list 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 and outline the City approval process (City review, public notification, Planning Commission approval, plans on record, etc.) . The proposed development shall accept the conveyance of the existing offsite drainage.
47. 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.
48. 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.
49. Prior to approval of the parcel map or the issuance of Public Works improvements

permit, whichever occurs first, Applicant/Developer shall submit for review and approval public street improvement plans to include the following items and are responsible for the construction thereof:

- a) New driveway approaches in conformity with City standards and ADA mandates. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
- 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 damage or cuts into the street (e.g. Impacted PCC panels) shall be removed and replaced to the nearest joint line; all Asphalt Cement (AC) patches shall be replaced with PCC paving.
- e) In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along the Mission Boulevard, Cypress Street and Sixth Street frontages, overlay paving shall occur in accordance with the City standard A-26-02.
- f) To address changes to site access, the following modifications shall be made to street lights:
 - (i) Refurbish existing street lights luminaires 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 along project frontages per the “Midtown Boulevard” requirements of the Pomona Corridors Specific Plan.
 - (ii) Removal of established trees within the Public Right of Way shall be approved by the City Arborist.
- h) Parkway drains per City standards.
- i) Existing and proposed sewer, water and storm drain infrastructure.
- j) Undergrounding of the existing (along White Avenue, Cypress Street, and the vacated alley) and proposed overhead utility lines to conform with the City of

Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added to the public street improvement plan.

50. The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496 and a note to this effect shall be added to the public street improvement plan.
51. 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 prior to submission of plans, and a note to this effect shall be added to the public street improvement plan.
52. 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.
53. 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.
54. 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.
55. 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.
56. 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.

57. 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.

- c) Changes to the proposed land uses and project description shall be reflected in a revised Traffic Impact Study (TIS) and shall be approved as directed by the Planning Commission; all TIS recommendations shall be completed by the Applicant/Developer.
- 58. 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.
- 59. 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.
- 60. 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.
- 61. 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.
- 62. Prior to issuance of the building permits Applicant/Developer is responsible for paying the development tax associated with the proposed project.
- 63. 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.
- 64. 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

65. All work in the public right-of-way and City easements is subject to review, approval, and permitting requirements of Public Works Department.
66. 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.
67. 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.
68. Permittee shall pay fees associated with and possess the City of Pomona Business License.
69. 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.

70. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
71. 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.
72. 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.

73. 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

74. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
75. Install 2 new public fire hydrants, as per detailed by LA County Fire Department. Upon review of final project plans, Los Angeles County Fire Department shall confirm if additional public fire hydrants are required for this site. Any new fire hydrants required shall be placed at least five feet (5') from proposed driveways and parking spaces. 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.
76. Fire flow shall be recalculated during the Building Plan Check Review.
77. Vehicular access shall 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.
78. 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.
79. 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.

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

APPROVED AND PASSED THIS 12th DAY OF SEPTEMBER, 2018.

KYLE BROWN

PLANNING COMMISSION CHAIRPERSON

ATTEST:

MARIO SUAREZ, AICP
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."