



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: June 12, 2019

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **CHANGE OF ZONE (ZONE 11492-2019) AND VARIANCE (VAR 11494-2019):** A request for a Change of Zone (ZONE 11492-2019) from M-1 (Light Industrial) to R-1-6,000 (Single Family Residential) to allow for the construction of a two-story single family residence on a substandard 3,257 square-foot lot located at 261 S. Caswell Street (APN 8335-003-034). The request also includes a Major Variance (VAR 11494-2019) to deviate from the population density, and the front and rear yard setbacks requirements of the R-1-6,000 District.

STAFF RECOMMENDATION

The Planning Division recommends the Planning Commission adopt the attached draft Resolutions recommending the City Council approve Change of Zone (ZONE 11492 -2019) and Variance (VAR 11494-2019), subject to conditions (Attachment 1 and Attachment 2).

PROJECT/APPLICANT INFORMATION

Address	261 S. Caswell Street
Assessor's Parcel Number (APN)	8335-003-034
Lot Size	3,150 SF (0.07 acres)
General Plan Land Use Designation	Urban Neighborhood
Zoning District	M-1 (Light Industrial)
Historic District	N/A
Specific Plan	N/A
City Council District	2
Applicant	Silvia Gehna
Property Owner	Isaac Gehna

RELATED ACTIONS

Historic Preservation	None
Code Enforcement	None
Building & Safety	None
Planning	Minor Deviation Variance to allow an increase

in lot coverage from 35% to 44% (MDV 11804-2019)
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PROJECT BACKGROUND AND DESCRIPTION

The subject site is located at 261 S. Caswell Street and is 3,150 square feet in area (0.07 acres). The property is currently vacant and adjacent to a public alley and parking lot beyond in the M-1 District to the north as well as single family residences in the R-1-6,000 District to the south, east and west (Attachment 3).

The applicant is requesting to change the zoning of the subject property from M-1, Light Industrial to R-1-6,000, Single Family Residential (Attachment 4). The subject property is the only remaining lot that is both vacant and designated M-1 within the immediate neighborhood. The applicant has concurrently submitted a request for a Major Variance, to deviate from the population density and the front and rear yard setback requirements of the R-1-6,000 District. The change of zone and variance is necessary to accommodate the construction of the new single family dwelling.

The proposed two-story single family dwelling is 2,323 square feet in size and will have an attached 451 square foot two-car garage. The project is designed to include a kitchen, living room, dining room, and office on the first floor and four bedrooms, a reading room and balcony on the second floor. The façade will have smooth stucco siding with decorative stone in the main entryway and a clay tile roof with overhanging eaves and exposed rafter tails. Other distinct features consist of wrought iron railing and a carriage house garage door.

Applicable Code Sections

Section .571 of the Pomona Zoning Ordinance establishes the procedures for Changes of Zone for individual parcels of property. The Planning Commission shall make a recommendation to the City Council regarding the request for Change of Zone. Staff has analyzed the project based on compliance with the proposed zoning of R-1-6,000 Single-Family Residential District, Section .260.

Section .560 of the Pomona Zoning Ordinance establishes the procedures for Variances. In order to approve the proposed project the Planning Commission would need to make the necessary findings as outlined in Section .560.

Surrounding Land Use Information

The zoning, General Plan land use designation and existing uses for the surrounding properties are identified Table 1:

Table 1. Land Use Summary

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Vacant lot	M-1	Urban Neighborhood, T-4 A Typical Transect
North	Alley, Parking lot beyond	M-1	Urban Neighborhood T-4 A Typical Transect
South	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect
East	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect
West	Single-family Residential	R-1-6,000	Urban Neighborhood T-4 A Typical Transect

ZONING COMPLIANCE ANALYSIS

Site Development Standards

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the R-1-6,000 district with the exception of population density and front and rear yard setbacks. Due to size of the lot being only 3,257 square feet, the site is incapable of meeting the minimum population density of 6,000 square feet of lot area per dwelling unit and the minimum front and rear yard setback requirements. The R-1-6,000 District requires a minimum front yard setback of 25 feet, a side yard setback of five feet and a rear yard setback of 25 feet. The project provides a front and setback of 12 feet and a rear yard setback of 4'6". The project complies with the minimum side yard requirements and provides a five foot and eight foot setback, respectively. Project plans are included as Attachment 5 showing the proposed layout. Staff has prepared Table 2 for comparison of the required development standards and that of the proposed project:

Table 2. Project Summary Table

Standard	Zone Requirement	Proposed Project	Compliance Determination
Lot Area	6,000 sf min.	3,257 sf	Legal, non-conforming
Pop. Density	6,000 sf min. per unit	3,257 sf per unit	No
Lot Width	60' min.	61'	Yes
Lot Depth	100' min.	53'	Legal, non-conforming
Front Yard	25' min.	9'6"	No
Side Yard	5' min.	5' / 8'	Yes
Rear Yard	25'	4'6"	No
Coverage	35% max.	41%	Yes, with Minor Deviation
Building Height	35' / 2 stories max.	20' / 2 stories	Yes

Roof Pitch	3:12	4:12	Yes
Roof Overhang	16"	16"	Yes
Min. Drive Width	10'	17'	Yes
Off-Street Parking	Two covered spaces per unit, with Minimum 20' x 20' inside dimensions	Two Covered Spaces	Yes
Landscaping	20%	647 sf; 20%	Yes

ISSUES ANALYSIS

Zoning Ordinance Compliance

In order to approve a variance, four specific findings must be made per Section .560 of the Pomona Zoning Ordinance. The required findings are noted below and have been incorporated into the attached Resolution.

1. *There are special circumstances applicable to the property including but not limited to size, shape, location, topography or surroundings that deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.*

The special circumstances applicable to the property are that the lot is substandard in terms of area (3,257 square feet) and depth (53'). While the existing lot is sub-standard in terms of lot area and depth it is considered legal, non-conforming because it met the requirements for subdivision at that time it was created. Lots in the R-1-6,000 District typically require a minimum area of 6,000 square feet and a minimum depth of 100' in order to accommodate adequate space for single-family development. Due to the substandard conditions of the lot, strict application of development standards as they relate to population density and setback, would make it impractical to develop the lot and therefore deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification, specifically other single family uses in the immediate vicinity of the subject site that are zoned R-1-6,000.

2. *That the granting of the variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.*

The granting of this variance will not constitute any special privileges inconsistent with the limitations upon other properties in the vicinity and zone. The property is being deprived of a single family dwelling which properties directly to the east and west with

lot sizes ranging from 5,173 to 6,648 square feet in area under the identical zoning designation are able to enjoy. As provided in the Zoning Compliance Analysis section, the project conforms to the majority of the applicable development standards of the respective district and the granting of this variance would allow for the substandard and constrained property to obtain relief from setback and population density requirements that would otherwise prohibit the property from being developed. Therefore, the granting of the Variance will not adversely affect the intent and purpose of the Pomona Zoning Ordinance.

3. *That the granting of the variance will be consistent with the provisions of any Specific Plan, or the adopted General Plan.*

The project conforms to the City's General Plan in that the proposed development is consistent with the "Urban Neighborhood" place type as identified on the General Plan Land Use Map which allows for single family residential uses. The project would also promote the following General Plan goals:

Goal 6G.G1: Pomona's neighborhoods are diverse and each neighborhood's character should be preserved and enhanced.

Goal 6G.G9: Ensure continuity in development scale and character with careful transitions between areas of differing use, position and density.

Goal 7B.G5: Maximize property values throughout the City.

Goal 7F.G4: Ensure high quality new development and redevelopment throughout the city that is designed appropriately to add value to its surrounding context.

4. *That the granting of the variance will not be materially detrimental or injurious to the surrounding properties nor to the general development pattern of the neighborhood.*

The existing neighborhood is predominantly single family homes with the exception to the north which is light industrial and a parking lot; however, those uses are segregated by a public alley. The subject site is located adjacent to single family and has been planned for residential uses in the General Plan therefore the granting of the Variance will not be materially detrimental or injurious to the surrounding properties nor the general development pattern of the neighborhood.

Land Use Compatibility

The applicant is requesting to change the zoning of the subject property from M-1, Light Industrial to R-1-6,000, Single Family Residential. The existing neighborhood is predominantly single family homes with the exception to the north which is light industrial and a parking lot; however, those uses are segregated by a public alley. Further, the subject property was

previously designated Industrial and was then changed to Urban Neighborhood during the General Plan Update in 2014. This parcel and among others directly to the north have remained zoned industrial but have been designated and planned for residential uses. It is not expected that the Change of Zone to R-1-6,000 would adversely impact the adjacent residential neighborhood as the zoning will be a compatible continuation of the existing zone and pattern of planned development. Further, the lot would have not been capable of being developed for industrial uses if the lot were to remain zoned for Light Industrial as it is constricted by its lot area and the use would be incompatible with the adjacent single family residences.

GENERAL PLAN CONFORMITY

The subject site and the immediate area surrounding the site have a General Plan place type designation of Urban Neighborhood. This place type encourages neighborhoods with significant existing housing to maintain their existing predominantly single-family character. The proposed change of zone from M-1 (Light Industrial) to R-1-6,000 (Single Family Residential) conforms and is supported by the Urban Neighborhood place type. In addition, the change of zone and proposed single family development would promote the following General Plan goals:

Goal 6G.G1: Pomona's neighborhoods are diverse and each neighborhood's character should be preserved and enhanced.

Goal 6G.G9: Ensure continuity in development scale and character with careful transitions between areas of differing use, position and density.

Goal 7B.G5: Maximize property values throughout the City.

Goal 7F.G4: Ensure high quality new development and redevelopment throughout the city that is designed appropriately to add value to its surrounding context.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project meets the criteria for the General Rule exemption pursuant to Section 15061(b)(3) which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment and a Class 3 Categorical Exemption (New construction or conversion of small structures) pursuant to Section 15303(a) in that the project involves the construction of one single family residence in a single family zone.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on May 28, 2019 and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on May 23, 2019 (Attachment 6).

CONCLUSION

The proposed project is consistent with the Pomona Zoning Ordinance and the intent of the General Plan. Based on staff's analysis, the proposed Change of Zone and single family development will be compatible with the existing residential neighborhood and will not result in any negative impacts to the surrounding area.

Respectfully Submitted:

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Development Services Director

Prepared By:

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ATTACHMENTS:

- 1) Draft PC Resolution for Change of Zone
- 2) Draft PC Resolution for Variance
- 3) Vicinity Map & Aerial Photograph
- 4) Existing and Proposed Change of Zone
- 5) Project Plans
- 6) Radius Map & Public Hearing Notice