

PC RESOLUTION NO. 17-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING DEVELOPMENT PLAN REVIEW (DPR 5953-2016) FOR THE CONSTRUCTION OF 647 MULTI-FAMILY RESIDENTIAL UNITS AND 3,700 SQUARE FEET OF COMMERCIAL SPACE IN TWO BUILDINGS ON PROPERTY THAT IS 8.44 ACRES IN SIZE LOCATED AT 2771 NORTH GAREY AVENUE.

WHEREAS, the applicant, The Waterford Group, has submitted an application for Development Plan Review (DPR 5953-2016) for the construction of 647 multi-family residential units and 3,700 square feet of commercial space in two buildings, up to five stories in height ("proposed project") on property located at 2771 North Garey Avenue ("subject site");

WHEREAS, the subject site is currently located within the Pomona Corridors Specific Plan (PCSP), in the "Transit Oriented District";

WHEREAS, the subject site is designated as a Transit Oriented District place type by the City's General Plan;

WHEREAS, the applicant has concurrently submitted Tentative Parcel Map 74582 (PARCELMAP 7099-2016) to create four parcels for the proposed project;

WHEREAS, the proposed development does not include requests for deviations from the development standards of the PCSP;

WHEREAS, the proposed project will revitalize an existing underutilized light industrial site with a development that responds to diverse community needs in terms of housing types, costs, and location;

WHEREAS, the applicant requests the Pomona Planning Commission approve 647 multiple-family residential units and 3,700 square feet of commercial space in two buildings, up to five stories in height, on property located at 2771 North Garey Avenue which are allowed uses under the PCSP;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on December 13, 2017, concerning the requested Development Plan Review (DPR 5953-2016) and the concurrent application of a Tentative Parcel Map 74582 (PARCELMAP 7099-2016); and

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

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

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 2 of 23

SECTION 1. In compliance with the California Environmental Quality Act (CEQA) guidelines, staff has determined that the proposed project meets the criteria for an Exemption pursuant to Section 15183 of CEQA. This section, and California Public Resources Code section 21083.3, provide for an exemption for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine where there are project-specific significant effects that are peculiar to the project site.” The proposed project is consistent with the City’s General Plan, Zoning Ordinance, and PCSP; the proposed project will not result in any peculiar impacts that were not identified as a significant impact under the 2014 General Plan Update EIR (GPU EIR); 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 that were not identified as significant in the GPU EIR; the proposed project will not result in a potentially significant offsite impact or cumulative impact not discussed in the GPU EIR; the proposed project will not result in a more severe impact due to substantial new information that was not known at the time the GPU EIR; and the site can adequately be served by all required utilities and public services. Therefore, no further action is required and a Notice of Determination (Section 15094) will be filed indicating that the project is eligible for an exemption under CEQA Guidelines §15183.

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. 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 that the proposed Development Plan is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

SECTION 4. In accordance with Section 2.0.5.A.4 of the PCSP, the Planning Commission must make four findings in order to approve Development Plan Review (DPR 5953-2016). 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. *The project is consistent with the City’s General Plan and all applicable requirements of the Pomona City Code.*

The subject site is identified by the City’s General Plan as a Transit Oriented District. Transit Oriented Districts are described as the most active and walkable districts in the

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 3 of 23

City and feature development types of greater intensity than surrounding areas. Specifically, development in the North Pomona Center will consist of transit oriented workplace and housing uses, capitalizing on opportunities for intensification near the Metrolink station. The Planning Commission finds that the proposed project is consistent with the General Plan in that the Transit Oriented District allows for multi-family housing with minimum unit sizes of 600 square feet for one bedroom units, 800 square feet for 2 bedroom units, and 1,000 square feet for 3 bedroom units, at a maximum allowable height of six floors, and a maximum building length of 300 feet. The proposed project contains studio units that are 379-559 square feet, one bedroom units that are 695-876 square feet, and two bedroom units that are 979-1,259 square feet in size, is up to five stories in height, and does not exceed the 300 foot maximum building length. Therefore the proposed project substantially complies with these General Plan requirements.

2. *The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;*

The Planning Commission finds that the proposed project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood in that the proposed project would transform a 8.44 acre site that is currently underutilized into a multi-family residential development which would improve the aesthetics of the site, increase the available housing stock in the City, provide future residents with ample access to mass transit opportunities, and have a positive impact on the value of the properties in the neighborhood.

3. *The project will not adversely affect the Circulation Plan of this Specific Plan;*

The development Project will not adversely affect the Circulation Plan of this Specific Plan. The proposed project and a project specific Traffic Impact Analysis were evaluated by the City of Pomona Public Works Department, who determined that the transportation and traffic impacts of the proposed project were previously taken into consideration by the GPU EIR. Mitigation measures previously provided in the GPU EIR ensure that transportation and traffic impacts remain less than significant through buildout.

4. *The project complies with the applicable provisions of the Pomona Corridors Specific Plan and other applicable regulations.*

The project design has been reviewed and determined to meet all applicable provisions of the PCSP and other applicable regulations.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 4 of 23

5. *The Request for Deviation is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review.*

No deviations from the PCSP are requested as part of the project.

SECTION 5. Based upon the above findings, the Planning Commission hereby approves of Development Plan Review (DPR 5953-2016), subject to the following conditions:

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 December 13, 2017, and as illustrated in the stamped approved plans, dated November 17, 2017. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Division 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 ensure compliance with all of the conditions stated herein as well as all applicable Mitigation Measures as set forth in the Mitigation Monitoring and Reporting Program established by the Environmental Impact Report prepared for the 2014 General Plan Update (GPU EIR). The conditions of this project, including applicable GPU EIR Mitigation Monitoring and Reporting Program measures shall be printed on the plan set submitted for a building permit pursuant to this Development Plan Review, under the title 'Conditions'. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.
3. This approval shall lapse and become void if construction has not commenced under a valid building permit, within two (2) years from the date of this approval (December 13, 2019), in accordance with PCSP Section 2.0.5.A(6). The Planning Division may extend this period for a maximum of a one (1) year extension 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.
4. 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

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 5 of 23

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 the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.

5. 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 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 Development Plan Review.
6. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.

Project Conditions:

Plan Check:

7. The applicant shall include all conditions of approval from Development Plan Review (DPR 3391-2015) and Tentative Parcel Map 74582 (PARCELMAP 7099-2017) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the PCSP Section 2.1.3 Transit Oriented District.
8. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 6 of 23

right-of-ways. Backflow prevention devices shall not be located in the front yard setback and shall be screened from public view. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply with required setbacks.

9. The installation of fences and walls that were not contemplated as part of this permit will require the submittal of a "Fence and Wall Permit" for review and approval by the Planning Division. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the adjacent property owner(s) cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.
10. Prior to the issuance of any building permits, the following must be completed:
 - a) A *Landscape Plan Check* in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review Process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, landscape requirements in the PCSP, and applicable portions of Section .503-J of the Pomona Zoning Ordinance. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project's compliance with the approved landscaping, at an amount to be determined by the Development Services Manager.
 - b) A *Photometric* plan demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. Plan shall identify locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.
 - c) Compliance with *Art in Public Places* requirements, per Section .5809-24 of the Pomona Zoning Ordinance, which is applicable to residential developments over 10 units; compliance may be met by either placement of an approved public art piece

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 7 of 23

on the project site, or payment of an in-lieu contribution. In lieu fee is calculated as one percent (1%) of building valuation, as determined by Building and Safety.

- d) Payment of *Special Public Open Space* fair-share fee of the PCSP, which is currently estimated at \$2.78 a square foot of land area, which equates to \$1,022,056.00; the final figure shall be determined by the Development Services Manager.

Site Design:

11. Shopfront lengths may not exceed 50 feet. At all times, the retail portion of the project shall maintain the appearance of a minimum of three (3) shop entrances along North Garey Avenue.
12. A minimum of 70 percent of the retail storefront façade shall feature clear glass display windows framed within storefront pilasters and a base.
13. An unobstructed view of retail establishment's goods and services shall be provided in a minimum three (3) foot zone behind the window glazing.
14. Internal private streets shall be designed in accordance with the PCSP.
 - a) Private Street 'A' shall maintain a minimum sixty (60) foot street right-of-way, a minimum pavement width of thirty-six (36) feet, and shall be designed in accordance with the "Neighborhood Street" design standards.
 - b) Private Street 'B' shall maintain a minimum forty-two (42) foot street right-of-way, a minimum pavement width of twenty-eight (28) feet, and shall be designed in accordance with the "Alley" design standards.
15. Streetscape improvements shall be designed in accordance with the PCSP.
 - a) Streetscape improvements along North Garey Avenue, Bonita Avenue, and Private Street 'A' shall comply with the "Neighborhood Street" design requirements.
 - b) Streetscape improvements along Private Street 'B' shall comply with the "Alley" design requirements.
16. The provided "Common Open Space" shall be available to all residents of the project and their guests.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 8 of 23

17. The applicant shall conform to Sections 2.6.3 and 2.6.5 of the PCSP pertaining to private open space requirements for private development by providing a minimum of 60 square feet of private open space per residential unit.
 - a) Access to a private yard, porch, or balcony utilized for private open space shall be limited to the dwelling unit served.
 - b) The minimum dimension for a balcony in any single direction shall be four (4) feet.
18. The project shall provide 1,096 parking spaces to be shared between residents, guests, and commercial patrons. Should minor design changes occur prior to occupancy, the project shall comply with the following minimum on-site parking requirements:
 - a) Studio units: 1 space per unit
 - b) One-bedroom units: 1.5 spaces per unit
 - c) Two-bedroom units: 2 spaces per unit
 - d) Three+ bedroom units: 2 spaces per unit plus 0.5 space for every bedroom over 2
 - e) Guest parking (residential): 1.5 space per 10 units
 - f) Commercial: 1 space per 1,000 square feet
19. Trees are to be planted at a minimum spacing of 1 tree per every 5 on street parking space (in-line) with wheel stops or curbing to protect landscaping.
20. Parking structure vehicular and pedestrian entrances shall be positioned and treated to be architecturally prominent, highly visible and easily located.
21. Pedestrian-oriented areas, sidewalks/walkways along all streets, and parking structures shall be illuminated, and consistently maintained, to increase safety and provide clear views to, from, and within the site.
22. All on-site building mounted lighting fixtures shall be architecturally compatible with building design and the character of the corridor, and shall meet all requirements of Section 2.6.8 of the PCSP.
23. Project signage shall be in conformance with Section 2.9 of the PCSP and Chapter 42 of the Pomona Municipal Code.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 9 of 23

Site Development & Maintenance:

24. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code, including the noise provisions, shall be adhered to. All activities including truck deliveries associated with construction and grading will be limited to Monday through Saturday, between 7:00 AM and 8:00 PM, and provided the noise level created by such activities do not exceed the noise standard of 65 dB(A) plus the limits specified in section 18-311(b) as measured on residential property and any vibration created does not endanger the public health, welfare, and safety.
25. 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.
26. The construction area shall be kept clean at all times prior to, during, and after construction.
27. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall 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.
28. 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.
29. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
30. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review 5953-2016. Prior to removing or replacing any landscaped areas, check with the Planning Division. Substantial changes may require approval by the Development and Neighborhood Services Director.
31. Storefronts along North Garey Avenue shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 10 of 23

32. Individual commercial tenants shall be required to obtain a City of Pomona Business License prior to commencement of business.
33. A Transportation Demand Management Program shall be submitted to and approved by the Community Development Manager, on a form acceptable to the City, prior to occupancy, and on an annual basis thereafter, which demonstrates that the project will encourage alternative modes of transportation. The Program may include, but shall not be limited to, the following:
 - a) Transportation Information Display. The building permit plans shall incorporate a transportation information display in the residential lobby (and lounges, break rooms and other common areas, if applicable) to provide all residential building occupants with information regarding: 1) Pomona, and surrounding city and county, biking and walking maps; 2) directions to North Pomona Metrolink Station; and 3) local transit route maps, schedules and fares. Building management will ensure that all information regarding transit and alternative transportation is kept current, and that this information is provided to all residents, commercial tenants and employees, on an annual basis.
 - b) Bike Parking. Secure and on-site bike parking space shall be provided for the buildings as described on the approved plans.
 - c) Electric Vehicle (EV) Charging. At least 10% of the project parking spaces for residential parking and 3% of the parking spaces for non-residential parking shall be pre-wired to allow for future Level 2 (240 Volt/40 amp) plug-in electric vehicle (EV) charging system installation, as specified by the Office of Energy and Sustainable Development. Any Level 2 EV charging systems installed at parking spaces will be counted toward the applicable pre-wiring requirement. Pre-wiring for EV charging and EV charging station installations shall be noted on site plans.

BUILDING AND SAFETY

34. The undergrounding of utility facilities is required. (PMC 62-31)
35. This project falls under Section .5809-24 of the Zoning Code "Public Art requirement for private development – Public Art Allocations." (Ordinance No. 4151)
36. The design must be reviewed and stamped by an architect or engineer licensed in the State of California – (Business and Professions code Sections 5537, 5538 and 6737.1).
37. 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.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 11 of 23

38. 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.
39. 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.
40. 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.
41. 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.
42. 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.
43. Building Department comments and conditions are subject to plan check. Comments are based on information provided.

COUNTY OF LOS ANGELES FIRE DEPARTMENT

Access Requirements:

44. For Street "B," provide a minimum unobstructed width of 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department vehicular access road is more than 30 feet high, or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. (Fire Codes 503.1.1 & 503.2.2)

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 12 of 23

45. The proposed driveway within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers.
46. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
47. Dead-end fire apparatus access roads (Street "B") in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. (Fire Code 503.2.5)
48. All turns associated with the required access shall provide a 32 foot turning radius on center line.
49. Street "A" shall provide a minimum width of 36 feet for parallel parking on both sides of the Fire Apparatus Access Road, and/or on cul-de-sac design.
50. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
51. 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)
52. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with Title 32, County of Los Angeles Fire Code.
53. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. (Fire Code 503.2.2.1)
54. Provide approved signs or other approved notices or markings that include the words "NO PARKING-FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. (Fire Code 503.3)
55. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. (Fire Code 505.1)

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 13 of 23

56. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. (Fire Code 504.1)

Water System Requirements:

58. All hydrants shall measure 6"x4"x2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
59. The required fire flow for the public fire hydrants for this project is 4,000 gpm at 20 psi residual pressure for four (4) hours. Three (3) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. (Fire Code 507.3 & Appendix B105.1)
60. The construction type and the square footage of all proposed and existing structures, per floor, per building (not per product type), shall be indicated on the building plans. This information shall be required in order to calculate the appropriate fire flow for the proposed project.
61. Four (4) new public fire hydrants shall be required and shall be installed, tested, and accepted prior to beginning construction. (Fire Code 501.4)
62. Public Fire hydrant improvement plans shall be submitted for review and approval prior to clearance of the Final Map.
63. Four (4) private on-site fire hydrants shall be required and shall be installed at a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall. Exception: for fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure.
64. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. (Fire Code 901.5.1)
65. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. (Fire Code 901.2, County of Los Angeles Fire Department Registration 7)
66. 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. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 14 of 23

Water Resources Department

67. There are currently existing multiple water mains within the project area:
 - a) Eight-inch (8") CIP within Garey Avenue
 - b) Eight-inch (8") ACP within Bonita Avenue
68. The existing localized static pressure of the project area is 85-95 psi. Since the static system pressure exceeds 80 psi, provide pressure regulators on the service lines to protect internal fixtures from high pressure.
69. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by Water Resources regarding the extent of proposed public water main improvements within the proposed project area.
70. Due to the State of California Senate Bills SB 221 and SB 610, any residential development that has at least 500 units or would increase the existing water service connection by ten-percent (10%) requires a water supply assessment. The proposed project includes 647 multi-family residential units. Per the State of California Water 10912(a)(7), the City is required to determine if the project water demand may be accommodated by the existing water infrastructure. Any additional infrastructure that may be required to serve this development shall be installed by the project developer.
71. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
72. Any private on-site water improvements shall be the owner's responsibility and not the City's.
73. 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:

74. There is currently an existing three-inch (3") compound water meter and an eight-inch (8") double check detector serving 2771 N. Garey Avenue. It shall be indicated on building plans if this existing meter shall be used for the development. Each building shall require its own compound meter, reduced pressure principle assembly (RPPA) and double check detector assembly (DCDA). Water Resources Department shall provide

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 15 of 23

additional comments regarding any proposed or existing service/meter to be used for the project.

75. The applicant/developer shall calculate the new water demand (based on fixture units) for the proposed development. A full water supply assessment (WSA) and hydraulic analysis is required for this development prior to the issuance of building permits. These analysis reports shall verify if the existing water infrastructure can accommodate the water demand, given existing size, pressure and age of the existing water system. This calculation shall include fire and domestic water demands. These calculations shall be submitted to Water Resources in compliance with SB 221 and SB 610.
76. This site shall be master metered through an above ground compound meter. All proposed master meters shall conform to Standard Drawing numbers 13A-2, 13B-2 and 13C of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006* as applicable. Contact Water Resources for a list of acceptable master meter manufacturers and models. Meter(s) shall not be placed in driveways, parking spaces, or be obstructed by walls. The City of Pomona shall be provided an easement for maintenance access.
77. Contact Water Resources at (909) 620-2212 for information regarding meter installation fees.
78. The City may install meters that are two-inches (2") in size or less. The project contractor shall install proposed meters that are greater than two-inches (2") in size.
79. 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 Standard Numbers 11 and 12 of 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.
80. 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.
81. The project shall be subject to the connection changes for water service effective January 1, 2016. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
82. Approved backflow devices (list the brand and model) shall be required for the following service lines to the site:

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 16 of 23

- a) Reduced principal pressure assembly devices are required for dedicated irrigation service lines to the proposed site, and
 - b) Reduced principal assembly devices are required for all domestic services; and
 - c) Double check detector assembly devices for all fire sprinkler service lines.
83. Water development plans shall be submitted to the City for review and approval prior to the issuance of building permits. The water development plan shall show water meters, service lines, approved backflow devices, and proposed/existing water mains. Water Resources Department requires that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

Sewer:

84. There currently exist two eight-inch (8") VCP sewer mains within Garey Avenue. The existing sewer infrastructure shall be shown on the building plans.
85. 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. A flow meter test shall be required in order to determine the existing capacity of the existing eight-inch (8") VCP mains. These calculations/reports shall be submitted to Water Resources for review and acceptance prior the issuance of building permits.
86. The sewer lateral from the public main to the site is considered private and shall be maintained by site owners.
87. 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.
88. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
89. The project shall be subject to service charges for sewer service effective January 1, 2016. For further information on how charges are assessed, contact the City's Public Works Business Services Division.
90. The applicant/developer shall submit and include the following items in the sewer development plan:

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 17 of 23

- 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.
91. Submit sewer development plans to the City for review and approval prior to the building permit approval showing all existing and proposed sewer mains, laterals, and manholes. Water Resources Department requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

Public Works

Improvement Plan Requirements:

92. 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 prior to the issuance of grading permits. The plans shall include:
- 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.
93. 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.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 18 of 23

94. 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.
95. 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.
96. Applicant/Developer shall submit **public street improvement plans** to include the following:
 - a) New driveway approaches shall be per City standards and ADA requirements.
 - b) New sidewalk, curb and gutter to replace (i) all existing aprons proposed for removal and (ii) all damaged cracked and uplifted sections.
 - c) One (1) ADA curb ramp at the southwest corner of Bonita and Garey Avenues.
 - d) Overlay paving of Bonita Avenue in compliance with the City paving standards. The Applicant/Developer is responsible for additional street paving due to dry utility cuts.
 - e) Overlay paving of Garey Avenue in compliance with the City moratorium paving standards.
 - f) Street Lights: refurbish all existing public street lights located along the project's frontage lines with LED luminaire.
 - g) Existing sewer, water and storm drain infrastructure, including laterals.
 - h) The parkway landscaped area shall be maintained by the property owner, as required by the City's Municipal Code Section 46-496.
 - i) Undergrounding of all existing and proposed overhead utility lines to conform with the City of Pomona Municipal Code Section 62-31(b).
 - j) Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.

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."

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 20 of 23

103. 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 BMPs proposed for the project.
104. 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.
105. 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/>.
106. Applicant/Developer shall implement Good Housekeeping BMPs for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.
107. 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.

Traffic:

108. The Garey Avenue/Street B driveway shall be limited to right-turn ingress/egress movements.
109. The Bonita Avenue westbound left-turn pocket at Street A shall be at least 60 feet in length with a 60-foot transition area.
110. White Avenue/Bonita Avenue Intersection. The mitigation measure for this intersection consists of a fair-share contribution to the City of La Verne towards the already planned installation of right-turn only lanes for the White Avenue northbound and southbound approaches to Bonita Avenue. The northbound and southbound intersection approaches would be restriped to provide one left-turn lane, one through lane and one right turn only lane. The fair share amount shall not exceed \$15,000, with the exact amount to be determined during Plan Check by Public Works.
111. Garey Avenue/Foothill Boulevard Intersection. The mitigation measure for this intersection consists of the installation of a northbound right-turn only lane via roadway striping which would result in one left-turn lane, two through lanes and one right-turn

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 21 of 23

only lane on Garey Avenue at Foothill Boulevard. This improvement measure also includes installation of a northbound right-turn overlap signal phase which would run concurrently with the westbound left-turn phase (i.e., for these two "overlapping" traffic movements).

112. In recognition of the need to address traffic conditions generated by cumulative development along the PCSP areas, Applicant/Developer is responsible for the project's compliance with the PCSP requirements and shall participate in a PCSP 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. Prior to the issuance of the building permits, Applicant/Developer shall pay the applicable PCSP in-lieu fee for public improvements required as part of this project, presently estimated as **\$286,710**.
113. Prior to issuance of the building permits, Applicant/Developer is responsible for paying the project's **impact fees** for traffic signals and control devices, road and highway improvements, public safety improvements and parks (City Council Resolution 89-200) and the project's **water and sewer connection fee** (City Council Resolutions 88-122, 95-112 and 2006-166), none of the amounts of which should be duplicative of other impact fees or payments found in this resolution.
114. Prior to issuance of the building permits, applicant/developer shall be responsible for paying the **development tax** associated with the proposed project (City Council Ordinance 3505).
115. Owner is responsible for compliance with the special annual levy assessment derived from the current inclusion of the project site into the **City's Street Lighting District 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.
116. 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.
117. 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.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 22 of 23

Public Works Improvements Permit:

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

118. Prior to the issuance of the building permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: driveway approaches, sidewalk, curb and gutter, street paving, parkway landscaping, existing and proposed overhead lines undergrounding, street light, water, sewer, storm drain and traffic improvements.
119. 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 include the City of Pomona as additional insured.

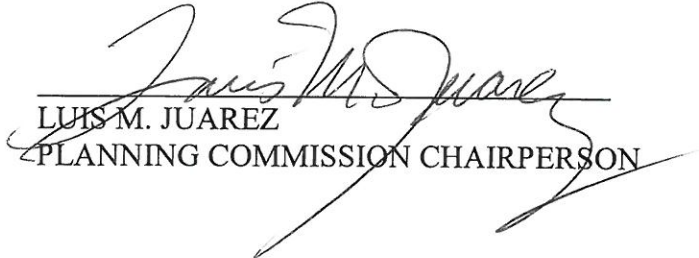
120. Permittee shall pay fees associated with and possess the City of Pomona Business License.
121. Changes and additions to the proposed work, including but not limited to, detail plans for street improvement work, water plans and/or other work associated with this project and due to developer's or City's request shall require additional conditions to be completed by the applicant.

SECTION 6. The Planning Commission of the City of Pomona hereby approves of Development Plan Review (DPR 5953-2016) for the construction of 647 multi-family residential units and 3,700 square feet of commercial space in two buildings, up to five stories in height, ("proposed project") on property located at 2771 North Garey Avenue; and

SECTION 7. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

PC Resolution No. 17-053
DPR 5953-2016
2771 North Garey Avenue
Page 23 of 23


APPROVED AND PASSED THIS 13th DAY OF DECEMBER, 2017.


LUIS M. JUAREZ
PLANNING COMMISSION CHAIRPERSON

ATTEST:


MARK LAZZARETTO
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:


ANDREW JARED
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

AYES: Grajeda, Arias, Brown, Ursua, Hemming, and Ramos.
NOES: None.
ABSTAIN: None.
ABSENT: Juarez.

“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.”