



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: November 13, 2019

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **CONDITIONAL USE PERMIT (CUP 12424-2019):** A request for a Conditional Use Permit to allow for the development of a single-family residence on a 0.5-acre lot with three existing single-family residences located at 892 E. Ninth Street in the R-2-S (Low Density Multiple Family, S Overlay) Zone.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached resolution to approve Conditional Use Permit (CUP 12424-2019), subject to conditions (Attachment 1).

PROJECT/APPLICANT INFORMATION

Address	892 E. Ninth Street
Assessor's Parcel Number (APN)	8333-004-034
Lot Size	0.5 acre
General Plan Land Use Designation	Residential Neighborhood
Zoning District	R-2-S
Historic District	N/A
Specific Plan	N/A
City Council District	3
Applicant	Jaime Murillo
Property Owner	Kimberly Tear

RELATED ACTIONS

Historic Preservation	N/A
Code Enforcement	None
Building & Safety	None
Planning	None

PROJECT BACKGROUND & DESCRIPTION

The applicant is requesting a Conditional Use Permit (CUP) to allow for the development of one new single-family residence on a 0.5-acre lot with three existing single-family residences. The subject site is located at 892 E. Ninth Street, north of E. Grand Avenue, west of S. San Antonio Avenue and east of S. Towne Avenue (Attachment 2). The three existing single-family residences are approximately 1,205 square feet, 898 square feet, and 898 square feet in size, will remain in place, and are not proposed to be demolished or altered. A non-permitted 550 square-foot dwelling structure located on southeast area of the lot will be demolished to construct a new 1,365 square-foot single-family residence with a 420 square-foot attached garage (Attachment 3 and 4). The single-family residence is proposed as a single-story residence with three bedrooms, two bathrooms, a two-car attached garage, and private open space area with architectural design elements that comply with Pomona Zoning Ordinance (PZO) and are compatible with the existing on-site residences and surrounding neighborhood. Access to the site is provided from E. Ninth Street via a 20-foot wide existing driveway approach.

Applicable Code Sections

The R-2-S (Low Density Multiple Family, S Overlay) Zone standards apply as the proposed project includes the construction of a new single-family residence. Pursuant to Section .440 of the PZO, the approval of a CUP by the Planning Commission is required for residential projects within the “S” – Supplemental Use Overlay District. Section .580 of the PZO establishes criteria for approval of a CUP and Section .280 establishes requirements for the R-2 Zone. The Zoning, General Plan land use designation and existing uses for the surrounding properties are identified Table 1 below.

Table 1. Land Use Summary

	Existing Land Use	Zoning	General Plan Designation
Subject Site	Residential, Single-Family	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
North	Residential, Single-Family	R-2, Low Density Multiple-Family	Residential Neighborhood
South	Pomona Park Maintenance	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
East	Residential, Single-Family	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood
West	Pomona Park Maintenance	R-2-S, Low Density Multiple-Family with Supplemental Overlay	Residential Neighborhood

COMPLIANCE

Pomona Zoning Ordinance

Based on staff's analysis, the project meets and/or exceeds the minimum development standards of the R-2 Zone. Table 2 provides a summary of the required development standards for the proposed project.

Standard	R-2 Zone Requirement	Proposed Project	Compliance Determination
Lot Area	3,000 sf min.	22,924 sq. ft.	Yes
Population Density	7-15 unit per net acre	8 units	Yes
Living Area	1,300 sq. feet min for 3 bedrooms	1,365 sq. feet	Yes
Lot Width	70 ft min.	120 ft.	Yes (No new lots are created)
Lot Depth	100 ft min.	190 ft.	Yes (No new lots are created)
Front Yard	25 ft min.	25 ft. min	Yes
Side Yard	5 ft, min, based on equal to one-half the adjacent building wall height (10' approximately)	14 ft.	Yes
Rear Yard	10 ft. (approximately) based on the height of the wall facing the rear yard	16 ft.	Yes
Lot Coverage	N/A	N/A	N/A
Building Separation	15 feet between units	41 ft.	Yes
Building Height	35 ft./2 stories	16 ft./1 story	Yes
Landscaping	20% of the lot 50% of front yard setback	Approx.. 27%	Yes
Off-Street Parking	Two spaces in private garage per unit	Two spaces in private garage per unit	Yes
Roof Pitch	3:12 min.	4:12	Yes
Roof Overhang	16 inches min.	18 inches	Yes

In order to approve a CUP, Section .580 of the PZO requires that the Planning Commission make five specific findings. The required findings have been incorporated into the attached Resolution. In general, the proposed use is consistent with the General Plan, will enhance the surrounding area

and not be detrimental because the site is of adequate topography, size, and shaped to accommodate the proposed and has adequate access to accommodate the anticipated traffic generation of the project.

Land Use Compatibility

The existing neighborhood is characterized by predominately low-density multi-family uses with structures of two stories or less and lots with two or more single-family residences. Based on these factors, staff finds that the residential project is compatible in context of the surrounding neighborhood and will contribute to the surrounding area.

Architecture

The architecture of the proposed dwelling unit is consistent with the Architectural Style required per PZO Section .229.7.L. The exterior of the new development will consist of stucco siding, vinyl windows, wood and metal doors, and composite roofing shingles. The proposed elevations will be compatible with the existing neighborhood which consists of similar residential structures.

Open Space and Landscaping

R-2 Zoning development requires usable open space provided in two forms: private and common. The applicant will provide at least 150 sq. feet of direct private open space for each unit and a total of 1,700 square feet of common open space for the four units. Adequate landscaping will be provided for the front yard setback area, and for the entire lot. All landscaped areas shall be separated from the driveway and parking area by continuous six-inch curb.

Circulation & Access

Access to the site is provided from E. Ninth Street via a 20-foot wide existing driveway approach. Vehicular access and circulation to the project site will be adequately served.

GENERAL PLAN CONFORMITY

The project conforms to the City's General Plan in that the proposed development is consistent with the "Residential Neighborhood" place type as identified on the General Plan Land Use Map. The project would also promote the following General Plan goals: *Goal 7B.G5: Maximize property values throughout the City*. In addition, the project is consistent with the Housing Element of the General Plan as it increases the City's supply of housing.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project meets the criteria for a Class 32 Categorical Exemption (In-fill development) pursuant to Section 15332 in that the project involves the construction of one single-family dwelling. Therefore, no further environmental review is required and staff recommends that the Planning Commission adopt the Class 32 Categorical Exemption for the proposed project.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on October 28, 2019 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on October 31, 2019 (Attachment 5). As of the date of this report, staff has not received any comments in support or in opposition to the proposed project.

CONCLUSION

The proposed project is consistent with the City's General Plan and meets or exceeds the minimum development standards of the Pomona Zoning Ordinance. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with existing and adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods.

Respectfully Submitted:

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ATTACHMENTS:

- 1) Draft PC Resolution for CUP 12424-2019
- 2) Location Map and Aerial Photograph
- 3) Site Photographs
- 4) Project Plan Reductions
- 5) 400' Radius Map and Public Hearing Notice