

PC RESOLUTION NO. 18-050

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA APPROVING CONDITIONAL USE PERMIT (7718-2017) TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-STORY 14,000 SQUARE FOOT GOVERNMENT AND COMMERCIAL RETAIL BUILDING WITHIN THE POMONA RANCH PLAZA SHOPPING CENTER IN THE TRANSIT ORIENTED DEVELOPMENT: NEIGHBORHOOD DISTRICT OF THE PHILLIPS RANCH SPECIFIC PLAN AREA LOCATED AT 38 RANCHO CAMINO DRIVE.

WHEREAS, the applicant, YK America Group Inc., has filed an application for Conditional Use Permit (CUP 7718-2017) for the construction of a new single-story 14,000 square foot government and commercial retail building at 38 Rancho Camino Drive;

WHEREAS, the subject property is located within the Transit Oriented District – Neighborhood area of the Phillips Ranch Specific Plan (PRSP);

WHEREAS, the subject property is designated “Transit Oriented District: Neighborhood” by the City’s General Plan;

WHEREAS, the PRSP requires a conditional use permit for civic and cultural uses;

WHEREAS, the PRSP establishes the development standards for uses in the Transit Oriented District – Neighborhood zone;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on November 28, 2018 concerning the requested Conditional Use Permit (CUP 7718-2017); and

WHEREAS, the Planning Commission of the City of Pomona 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:

SECTION 1. The Planning Commission exercising their independent judgment has determined that pursuant to the provisions of the California Environmental Quality Act (CEQA), an addendum to a previously adopted Environmental Impact Report considering the proposed land use has been prepared and approved consistent with CEQA Section 15164. Therefore, no further environmental review is required.

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 servable.

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 7719-2017). 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 use is conditionally permitted at the site and compatible with adjacent uses. The proposed project provides a valuable asset to the community as it will provide additional retail opportunities and employment opportunities for local residents. The proposed project will also enhance a currently vacant lot and provide landscaping and outdoor seating areas, which will beautify the center and provide for a pleasant experience for both retail shoppers and employees of the proposed government building. 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 and civic and cultural 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 Pomona Zoning Ordinance (PZO) and previously amended Phillips Ranch Specific Plan. Based on the proposed project, it is not anticipated that the configuration of the site or activities associated with the use will generate noise or other impacts that will be detrimental. To this end, a condition has been included that prohibits any sound that exceeds the City noise ordinance standards. The project will not be detrimental to the use, valuation, and enjoyment of property and improvements in the vicinity since the subject site is located within a commercial area with uses compatible to those proposed.

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 2.04 gross acres) is sufficient enough in size to accommodate all of the development standards of the PZO and previously amended Phillips Ranch Specific Plan, including building height, parking, trash facilities and landscaping. Furthermore, the building location towards the northern half of the site establishes a relationship with the adjacent parcels, and allows landscaping to front along the curved path of Rancho Camino Drive.

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 Rio Rancho Road, a major arterial street with two lanes for each direction going east and westbound, that is 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.*

The proposed project is consistent with the following General Plan goals and policies:

“Establish a pattern of retail centers that is based on existing conditions, aligned with investor preferences, and will satisfy current and future market demand.” (Goal 6A.31)

“Over time, concentrate retail investment in “activity centers” that provide a variety of shopping environments that conveniently serve the regional and local community.” (Goal 6A.G2)

“Improve the physical quality and shopping experience of existing and new activity centers throughout the City.” (Goal 6A.G5)

“Establish a pattern of development that takes advantage of local and regional transportation infrastructure.” (Goal 6B.G1)

“Ensure that higher intensity transit-oriented development is built with the care and quality that reflects the City’s values and community pride.” (Goal 6B.G3)

“Create evenly spaced and well-distributed activity cluster destinations that anchor the east and west ends of the Holt Avenue corridor and the SR-71/SR-60 to strengthen the gateway function of these locations.” (Goal 6B.G12)

“Use a variety of regulatory tools to encourage specific types of retail development in locations where it is most feasible and compatible with the pattern of activity centers identified in the Pomona Tomorrow diagram, and discourage it in other locations.” (Policy 6A.P1)

“Strategically identify locations for activity centers that maximize both neighborhood and vehicular accessibility and visibility.” (Policy 6A.P2)

In addition, the project is consistent with the intent to promote mixed-use projects in the Transit Oriented District area in conjunction with other development at the Pomona Ranch Plaza.

The proposed development proposes a new economic retail and civic and cultural opportunity in an established shopping center located at the intersection of the SR-60/SR-71 Freeways. The proposed project is consistent with the surrounding commercial development as well as future development envisioned as part of the Transit Oriented

District — Neighborhood land use designation of the Phillips Ranch Specific Plan. Additionally, the project is proposing site improvements on vacant land that will create an aesthetically pleasing development that is compatible surrounding development. Based on these factors, staff believes the proposed project is consistent with the Phillips Ranch Specific Plan.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Conditional Use Permit (CUP 7719-2017) 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

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 November 28, 2018. 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 make reductions of all approved resolutions related to the project, which shall be placed on the title sheet of construction plans prior to the Plan Check submittal.
3. 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.

4. The approved Conditional Use Permit (CUP 7718-2017) shall lapse and become void if the use authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced by November 28, 2019. The Planning Commission may extend this period for one (1) year upon receipt of a written request by the applicant at least thirty (30) days before the expiration date of this approval.
5. The project shall be subject to an appeal period of twenty (20) days. Written appeals may be filed with the City Clerk 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.
6. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or a subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Conditional Use Permit.
7. Prior to issuance of building permits, the applicant shall submit, concurrently with the Plan Check process, and obtain the approval from the Planning Division of a lighting plan (photometric) demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. The lighting plan shall include a site plan showing the 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.
8. The applicant shall conform to Section .5809-24 of the Pomona Zoning Ordinance pertaining to public art requirements for private development by complying with one of the following two options:
 - a) Placement of an approved Public Art on the Project site.
 - i. The Applicant may decide to place an approved Public Art on a private development site. The Public Art, and all eligible expenditures associated with installation of the Public Art (as described in the Manual), shall be in an amount equal to or in excess of the Public Art Allocation.
 - ii. A Final Design Plan of the Public Art to be installed on Project site shall be approved by the Commission before issuance of a building or grading permit for the Project.
 - iii. The Public Art shall be installed on the Project site before issuance of a Certificate of Occupancy, including any temporary Certificate of Occupancy, for the Project. In cases where the Public Art cannot be installed on the Project site before issuance of a Certificate of Occupancy, the Applicant may post a cash bond to assure installation of the Public Art. The cash bond shall be in an

amount equal to the Public Art Allocation or an amount based on any remaining, unexpended artwork budget as determined by the Community Development Director. The bond shall not be released until the Public Art has been completed and installed on the Project site in accordance with the approved Final Design Plan.

b) Payment of an In-lieu Contribution.

- i. Rather than place an approved Public Art on the Project site, the Applicant may choose to pay an In-lieu Contribution. The In-lieu Contribution shall be submitted to the City and deposited into the Public Art Fund before issuance of any building or grading permit for the Project.
 - ii. Use of In-lieu Contributions shall comply with the following:
 - (1) In-lieu Contributions shall be used for the acquisition and installation of Public Art on public or private property in the City, except that up to 1/3 of the In-lieu Contribution may be used for maintenance of the proposed Public Art or an existing Public Art that is listed on the City's registry of Public Art.
 - (2) In-lieu Contributions may be aggregated with other funds contained in the Public Art Fund for the purpose of providing a single qualifying Public Art project.
9. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint and film 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. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Development Services Manager.
 10. 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.
 11. 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., or such other ordinance enacted related to noise and vibration.
 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. The property shall be maintained free of weeds and debris prior, during and after the construction period.
14. Prior to the issuance of building permits, cut-sheets for street furniture and window details, and so forth shall be incorporated into the building plan check submittal, subject to Development Services Manager review and approval.
15. Prior to the issuance of building permits, plans shall be revised to indicate location of decorative bicycle racks. The number and location shall be subject to review and approval of the Development Services Manager.
16. All decorative hardscape improvements within the interior of the community, as depicted by the project plans, shall provide decorative elements to include, but not limited to, patterned stained/colored concrete, stamped concrete, stone, concrete overlays or other similar treatment as approved by the Development Services Manager.
17. Prior to the issuance of building permits, Development Services Manager approval, during plan check process, shall be obtained for the design and materials of the hardscape decorative paving to be install within the development.
18. 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.
19. 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 rights-of-way. Backflow prevention devices shall be not be located in the street facing front and side yard setbacks and shall be adequately screened from public view.
20. The location of the mechanical equipment serving the buildings shall be shown. If ground mounted, conceal the equipment from public view either utilizing landscaping or a masonry block wall. If roof mounted, conceal the equipment below the parapet so that it is not visible from public view.

BUILDING AND SAFETY DIVISION

21. The undergrounding of utility facilities is required. (PMC 62-31)
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 Department comments and conditions are subject to plan check. Comments are based on information provided.

WATER RESOURCES

31. There currently exists an onsite network of eight-inch (8") and twelve-inch (12") DIP water mains. There is also an existing sixteen-inch (16") MLCSP main within Rio Rancho Road. The localized approximate static pressure for the proposed project area is 75-85 psi.
32. Since the static system pressure exceeds 80 psi, provide pressure regulators on the service lines to protect internal fixtures from high pressure.
33. The existing water infrastructure shall be shown on the site plan. Further design comments shall be issued by the WRD regarding the proposed project area.
34. If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department.
35. Any private onsite water improvements are the owner's responsibility and not the City's.

36. Any proposed 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

37. Per City records there are no existing water meters serving the site at 38 Rancho Camino Drive. New water meters shall be installed to serve the new development.
38. There are public fire hydrants within 500 feet of the proposed project site. All proposed onsite hydrants shall be private and be painted red.
39. Contact the Los Angeles County Fire Department to determine if additional fire hydrants are required for this site. If new fire hydrants are required, they shall be placed at least five feet (5') from proposed driveways and parking spaces.
40. The applicant/developer shall calculate the new water demand (based on fixture units) to verify that the existing water infrastructure can accommodate the water demand, given the size, pressure, and age of the existing system. This calculation shall include fire and domestic water demands. These calculations shall be submitted to the WRD.
41. The edge of all new meter vaults, if necessary, should be located in public right-of-way or the sidewalk two inches (2") from the back of the curb per Standard No.'s 11 and 12 of the *City of Pomona Water Division Standard Specifications for Water Facility Construction, January 2006*. Meter(s) cannot be placed in driveways, parking spaces or within the property line, to allow City personnel access to these meters for future maintenance.
42. 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.
43. Contact the Public Works Department for information regarding meters and all applicable meter fees. The City will install meters less than or equal to two inches (2") in size.
44. Effective January 1, 2017, the City has adopted new connection charges for water service. For further information on how charges are assessed contact the City's Public Works Business Services Division.
45. Approved low-lead (0.25%) backflow devices (list the brand and model) are required for the following service lines to the site:
- Reduced pressure principle devices are required for dedicated irrigation service lines to the proposed site, and
 - Reduced pressure principle devices are required for all domestic services; and
 - Double check detector assembly devices for all fire sprinkler service lines.

46. Submit water development plans to the City for review and building approval showing water meters, service lines, approved backflow devices, and proposed/existing water mains. WRD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

SEWER

47. There currently exists a ten-inch (10”) VCP sewer main within the project site area.
48. The sewer laterals from the public main to the site are considered private and shall be maintained by site owners.
49. New sewer laterals must be constructed per Standard No. B-8-61 per *City of Pomona Public Works Department Standard Drawings March 2006* (Public Works Standards). Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.
50. The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
51. Effective January 1, 2017, the City has adopted new service charges for sewer service. For further information on how charges are assessed, contact the City’s Public Works Business Services Division.
52. The applicant/developer shall submit and include the following items in the sewer development plan:
- a. The proposed sewer lateral(s) connection to the existing 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.
53. 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. WRD requests that these plans be sent in both hard copy and electronic (saved as AutoCAD v. 2010) format.

PUBLIC WORKS

Land development requirements

54. Property Owner shall submit a public right-of-way Grant of Easement application and dedicate the necessary real property to accommodate a continuous ADA path of travel across the project's driveway approaches. The application shall be submitted to the Public Works Engineering Division for review and approval and shall be recorded prior to the issuance of the Certificate of Occupancy.
55. Property Owner shall submit an Easement Summary Vacation for the public right-of-way granted to the City of Pomona over a portion of Parcel 4 of Parcel Map No. 62381, as no longer being needed. The application shall be submitted to the Public Works Engineering Division for review, shall be approved by the City Council and recorded prior to the issuance of the Certificate of Occupancy.

Improvement plans requirements

56. 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.
57. 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.
58. One-foot topographic contours of the site must extend a minimum of 15 feet beyond the boundary lines.
59. 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.
60. Drainage configurations on the existing adjacent properties shall not be altered, redirected or modified in any way.
61. 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.
62. 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.
63. 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.
64. Prior to the issuance of the Public Works improvements permit, 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. Two new driveway approaches per City standards and ADA requirements; no decorative paving shall be installed within the public right-of-way. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
- b. New sidewalk reconstruction:
 - i. On the north side of Rancho Camino Drive, along the entire property frontage.
 - ii. On the north side of Rancho Camino Drive, from the easterly property line to the end of the cul-de-sac and on the south side of Rancho Camino Drive, from the cul-de-sac to the access driveway approach for 21-31 Rancho Camino Drive.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- c. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along the Rancho Camino Drive property frontage, overlay paving shall occur in accordance with the City Standard A-26-02.
- d. New pedestrian crossing with actuated warning devices on Rancho Camino Drive, west of the 21-31 Rancho Camino Drive driveway approach. The actuated warning devices shall be subject to review and approval by the City Engineer.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- e. Reconstruction of the Rio Rancho Road median and the associated street paving in compliance with the traffic requirement to extend the westbound left turn pocket at Rancho Camino Drive at Rio Rancho Road, to accommodate a minimum of 260 feet of vehicle stacking.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- f. To address public safety and in compliance with the current City standards, the following modifications shall be made to street lights and associated equipment:
 - i. Refurbish two (2) existing public street lights located along the property frontage with LED luminaires.

- ii. Refurbish five (5) existing street lights located approximately between the 21-31 Rancho Camino Drive driveway approach and the end of the cul-de-sac, on both sides of Rancho Camino Drive, with LED luminaries.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- iii. Relocation of the existing street lights SCE transformer pad from its current location west of the 21-31 Rancho Camino Drive driveway approach that partially encroaches in the public right-of-way, to a new onsite location.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- iv. Connection of all public street lights along Rancho Camino Drive to the relocated SCE transformer.

This public improvement is an outstanding requirement associated with the issuance of the Certificate of Occupancy for the 75 Rancho Camino Drive project and shall be completed as part of this project (unless City permits have been issued and bonds have been accepted for construction by others).

- g. Parkway drains per City standards.
- h. Existing and proposed sewer, water and storm drain infrastructure, including laterals.
- i. 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.
- j. All proposed utility lines shall conform with the City of Pomona Municipal Code Section 62-31(b) and a note to this effect shall be added on the public street improvement plan.
- k. 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 and a note to this effect shall be added to the public street improvement plan.

65. Traffic: Prior to the issuance of the first Certificate of Occupancy, applicant shall extend the westbound left turn pocket at Rancho Camino Drive at Rio Rancho Road to accommodate a minimum of 260 feet of vehicle stacking. Signal timing at Rancho Camino Drive at Rio Rancho Road shall be modified accordingly as required by the City (unless City permits have been issued and bonds have been accepted for construction by others).
66. The demolition or relocation of any 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 Public Works Engineering Department.
67. Applicant/Developer shall identify the existence of all City utilities that may be in conflict with the development and submit protection measures to the City Engineer for those City utilities.
68. If future placement of permanent structures conflicts with location of existing public utilities (water, sewer and storm drain), then improvement plans proposing the relocation or abandonment of identified utilities must be submitted, reviewed and accepted by the Public Works Department. No public utility infrastructure shall be removed or modified as part of the onsite demolition plan approved by the Building and Safety Department.
69. Prior to approval of any improvement plans and/or grading permit issuance Applicant/Developer shall prepare a detailed hydrology study based on a 50-year storm event and a hydraulic analysis of the existing and proposed drainage conveyance capacity. These reports shall be submitted to the Public Works and Building and Safety Departments for review and approval. The Developer is responsible to comply with the approved hydrology study recommendations necessary to meet minimum Federal, State, County and City requirements.
70. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain the City approval of the final Standard Urban Stormwater Mitigation Plan (SUSMP) for the proposed project. The SUSMP shall be prepared in accordance with the City of Pomona's Low Impact Development (LID) Ordinance, the City of Pomona's Green Streets Policy and the Los Angeles Region NPDES MS4 Permit No. CAS004001, Order No. R4-2012-0175 which includes: a) Site Design BMPs; b) Source Control BMPs; and c) Treatment Control BMPs.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable Best Management Practices (BMPs) proposed for the project.

Post-construction Structural and/or Treatment Control BMPs, shall be designed to mitigate (infiltrate or harvest and use) storm water run-off from the 85th percentile 24-hour rain event or 0.75-inch, 24-hour rain event, whichever is greater. The comparison must be provided in the SUSMP.

Applicant/Developer shall utilize the County of Los Angeles Department of Public Works' HydroCalc program described in the LID Manual to calculate these design flows and volumes. The program download can be found at <http://dpw.lacounty.gov/wrd/publication/>.

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

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

71. 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.
72. 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.
73. Prior to issuance of the building permits Applicant/Developer is responsible for paying the development tax associated with the proposed project.
74. 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.
75. The plans shall be submitted on 24" x 36" sheet size with a standard City title block, and must correctly identify the property owner, address, legal description, property lines, street centerline, curb-lines, existing and proposed utilities (water, sewer, and storm drain), utility easements, and the public right-of-way areas with dimensions.

Public Works Improvements Permit

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

76. Prior to the issuance of the Public Works improvements permit, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: driveway approaches, sidewalk, curb and gutter and street paving, street light, water, sewer, stormdrain and traffic improvements.
77. 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.

78. Permittee shall pay fees associated with and possess the City of Pomona Business License.
79. 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 5. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED THIS 28th DAY OF NOVEMBER, 2018

KYLE BROWN
PLANNING COMMISSION CHAIRPERSON

ATTEST:

MARIO SUAREZ, AICP, CNU-A
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

ANDREW JARED
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF POMONA)

AYES: Brown, Grajeda, Arias, Hemming, Juarez , Kercheval, Ursua

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 Sec. 1094.6 C.C.P."