

DPR RESOLUTION NO. 16-001

DECISION AND FINDINGS OF FACT BY THE DIRECTOR OF DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY OF POMONA, CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW NO. 2014-003 FOR THE DEVELOPMENT OF AN APPROXIMATELY 47,610-SQUARE FOOT, THREE-STORY MIXED USE BUILDING CONTAINING 35 RESIDENTIAL UNITS, APPROXIMATELY 6,640-SQUARE FOOT COMMERCIAL RETAIL SPACE, 88-SPACE AT-GRADE AND SUBTERRANEAN PARKING GARAGE, AND VARIOUS ONSITE LANDSCAPE AND HARDSCAPE IMPROVEMENTS ON A VACANT 0.66 ACRE LOT ON PROPERTY LOCATED AT 1833 NORTH GAREY AVENUE.

WHEREAS, the applicant, The Albert Group Architects, has filed an application on behalf of the property owner, Moshe Levey, for Development Plan Review (DPR) for the development of an approximately 47,610-square foot, three-story mixed use building containing 35 residential units, approximately 6,640-square foot commercial retail space, 88-space at-grade and subterranean parking garage, and various onsite landscape and hardscape improvements on a vacant 0.66 acre lot on property located at 1833 N. Garey Avenue;

WHEREAS, the subject site is currently zoned within the Pomona Corridors Specific Plan (PCSP) "Workplace Gateway Segment", and designated "Transit Oriented District: Neighborhood" by the City's General Plan;

WHEREAS, in accordance with Section 2.0.5.C of the PCSP a Development Plan Review (DPR) is required for any new development projects located within the plan area;

WHEREAS, the Development and Neighborhood Services Director of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on February 10, 2016, concerning Development Plan Review (DPR 14-003);

WHEREAS, the Development and Neighborhood Services Director has carefully considered all pertinent testimony offered in the case as presented at the hearing;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Development and Neighborhood Services Director of the City of Pomona, California:

SECTION 1. The Development and Neighborhood Services Director exercising independent judgment has determined that, pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), this action as defined is Categorically Exempt

under Section 15332, Class 32 (In-fill Development). The Development and Neighborhood Services Director finds that; 1) the proposed project is consistent with the General Plan and Zoning Ordinance of the City; 2) the parcel is smaller than five acres; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) this project will not have significant effects upon the environment and; 5) the site can adequately be served by utilities and public services; and

SECTION 2. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 3. In accordance with Section 2.0.5.A.(4) of the PCSP, the Development and Neighborhood Services Director must make findings in order to approve Development Plan Review (DPR 14-003). Based on consideration of the whole record before it, including but not limited to, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Director hereby finds as follows:

The project is consistent with the City's General Plan and all applicable requirements of the City Code.

The City of Pomona General Plan designates the subject site as a "Transit Oriented District: Neighborhood" Place Type. "Transit Oriented District: Neighborhood" is defined as the most active and walkable districts in the City that feature development types of greater intensity than surrounding areas. These districts feature a mix of uses – horizontally mixed-use in most cases but vertically mixed-use in the densest locations – typically with retail, commercial and civic activity on the ground floor and housing, lodging or workplace uses above. The mixed-use development project is consistent with the City's General Plan because it provides a vertically mixed-use building that serves the potential to accommodate space(s) for ancillary facilities and services near Pomona Valley Hospital Medical Center. Furthermore, the development project is consistent with the development standards and design guidelines of the Pomona Zoning Ordinance (PZO) and PCSP in terms of setbacks, building height, onsite parking, use types, and overall architectural design.

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 mixed-use development 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 as the project will substantially comply with all development and design standards of the "Workplace Gateway Segment" of the PCSP. The project is not anticipated to generate noise, traffic, lighting, and privacy impacts detrimental to residents, occupants, and properties within the surrounding area and inconsistent with the subject property's zoning.

The project will not adversely affect the Circulation Plan of the Corridors Specific Plan.

The subject parcel is located with frontage along N. Garey Avenue. The Traffic and Transportation Division of the City of Pomona Public Works Department has reviewed both off-site and on-site circulation patterns and have not expressed concern with the project's overall proposed vehicular mobility. The mixed-use development project will not introduce new driveway approaches along N. Garey Avenue, but rather utilize an existing alleyway to serve as the project's primary access. Two driveway aisles will be located immediately adjacent to the alleyway, with the closest driveway aisle located approximately 50 feet from N. Garey Avenue. The driveway aisle will be adequately setback from N. Garey Avenue to minimize potential vehicular stacking. The project will allow pedestrian access along N. Garey Avenue in compliance with the publically accessible open space requirements set forth within the PCSP.

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

The mixed-use development has been thoroughly reviewed and meets all applicable provisions of the PCSP and other applicable regulations.

SECTION 4. Based upon the above findings, the Development and Neighborhood Services Director hereby approves Development Plan Review (DPR 14-003) 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 Development Plan Review or any portion thereof:

DEVELOPMENT AND NEIGHBORHOOD SERVICES DEPT. – 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 Development and Neighborhood Services Director on February 10, 2016, and as illustrated in the stamped approved plans dated January 14, 2016, and colors and materials sample dated August 11, 2015. 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. This approval shall lapse and become void if construction has not commenced under a valid building permit, within one (1) year from the date of this approval (February 10, 2017), in accordance with PCSP Section 2.0.5.A(6). The Planning Division may extend this period for a maximum of two, one (1) year extensions 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, consistent with PCSP Section 2.0.5(A)6.

3. The applicant shall include all conditions of approval from Development Plan Review (DPR 14-003) related to the project which shall be placed on the title sheet of construction plans prior to plan check submittal.
4. The applicant shall submit construction drawings for plan check to all required City of Pomona departments plans shall be consistent with all required development standards outlined in the PCSP Section 2.1.8 Workplace Gateway Segment outlined in Section 2.1.8.A Development Standards Chart.
5. The project is subject to a ten (10) calendar day appeal period. Written appeals may be filed with the City Clerk within ten (10) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within ten (10) calendar days from the date of action by the Development and Neighborhood Services Director.
6. 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.
7. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or a subsequent violations of the conditions of approval

and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein conditional use permit.

8. Prior to the issuance of building permits, landscape and irrigation plans shall be prepared by a licensed landscape architect and presented to the Planning Division for review and approval. Landscaping to include a variation of trees, shrubs, vines and ground covers, shall be installed and permanently maintained in all common areas of the project site, and shall be in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review process. The plans shall conform to the State Model Water Efficient Landscape Ordinance per AB 1881 and landscape requirements contained in the PCSP and applicable portions of Section .503-J of the PZO. A landscaping maintenance bond shall be required and held for a period of one (1) year to ensure the project's compliance with the approved landscaping. Amount shall be determined by the Development Services Manager.
9. 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.
10. Prior to issuance of a certificate of occupancy, in order to ensure future owner(s) are made aware of conditions of approval, the applicant shall record this resolution with the Los Angeles County Recorder's office and forward copies to the City of Pomona Planning Division.
11. The applicant shall conform to Section .5809-24 of the PZO 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 Cultural Arts 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 Development and Neighborhood Services 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.
- 12. Pursuant to City of Pomona Ordinance No. 3506, prior to issuance of any grading or building permits, the applicant or developer shall pay the following Development Impact "Miscellaneous Fees". Traffic Signal & Control Device Program; Road & Highway Improvement Program; Parks & Recreation improvement program; and Public Safety Improvement Program.
- 13. 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 right-of-ways. Backflow prevention devices shall be not be located in the front yard setback and shall be screened from view.

14. 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.
15. Any building elevations visible from public view or along the periphery of the development shall be architecturally enhanced in a similar fashion to the front elevations (i.e., enhanced window and door treatments and contrasting building materials).
16. 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.
17. 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 northerly adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the property owner 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.
18. During demolition, grading, site development, and/or construction, all requirements of the PZO and Municipal Code including the noise provisions shall be adhered to. All activities including truck deliveries associated with construction, grading, 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.
19. 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.
20. The construction area shall be kept clean at all times prior to, during, and after construction.

21. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Development Services Manager.
22. 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.
23. The private balconies areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
24. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review 2014-003. 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.

DEVELOPMENT AND NEIGHBORHOOD SERVICES DEPT. – BUILDING AND SAFETY DIVISION

25. 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).
26. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2013 California Building Code, Chapters 5, 6, 7, 9, 10, II, 12, 14, 15 and 25 for nonstructural provisions and Chapter 16, 17, 18, 19, 21, 22 and 23 for the structural provisions.
27. All grading shall conform to the 2013 California Building Code, Appendix J, 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.
28. 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.
29. All proposed electrical work shall comply with the 2013 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.

30. All proposed electrical work shall comply with the 2013 California Electrical Code and all other relevant laws, ordinances and resolutions governing electrical as adopted by the City of Pomona.
31. All proposed mechanical work shall comply with the 2013 California Mechanical Code and all other relevant laws, ordinances and resolutions governing mechanical as adopted by the City of Pomona.
32. All proposed plumbing work shall comply with the 2013 California Plumbing Code and all other relevant laws, ordinances and resolutions governing plumbing as adopted by the City of Pomona.
33. Proposed project shall comply with the 2013 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.

PUBLIC WORKS DEPARTMENT

Parcel Map Certificate of Correction and Easement Requirements

34. No permanent structures (block walls, gates, etc.) shall be constructed over the area corresponding to the existing **"Ingress and Egress Easement to Parcel 1"** depicted on Parcel Map PM 26558; this requirement shall not apply to the westerly 85.69 feet by 15 feet area of said easement, based on the recorded Quit Claim Deed #20070907628.
35. No encroachment is allowed in the public alley right-of-way along the southerly property line, to allow the placement of parking stalls or the construction of the ramp leading to the subterranean garage.
36. A **Certificate of Correction** for Parcel Map PM 26558, MB 324-021-022, recorded on June 23, 2004, shall be prepared by a land surveyor and submitted to the City Engineer for approval; said certificate shall include the change of Garey Avenue right-of-way, from the currently incorrect width of 110 feet to 90 feet. The Certificate of Correction shall be recorded prior to the approval of the grading plan.

Improvement Plans Requirements

37. 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.
 - a) The scale used for the plans needs to be large enough (1"= 10' is preferred) to clearly show all the details.

- 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.
38. 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.
39. 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.
40. Prior to issuance of the grading permit the Applicant/Developer shall submit a soils and geologic report to address the soil's stability, infiltration rate and geological conditions of the site.
41. Applicant/Developer shall submit public street improvement plans to include the following:
- a) New sidewalk, curb, and gutter along the Garey Avenue property frontage.
 - b) Reconstruction of the public alleys bordering the southerly and the westerly property lines, in compliance with the City standards; the improvements to the westerly public alley shall extend to Willow Street.
 - c) Overlay paving of Garey Avenue, along the lot frontage, from curb to street centerline or over the entire street width, depending on the required utility trenching.
 - d) If the "Ingress and Egress Easement for Parcel 1" is vacated and recorded as required, the Applicant/Developer is responsible for the reconstruction of the Garey Avenue driveway approach and driveway approach drainage improvements for Parcel 1 of PM 26558, in compliance with the City standards and ADA requirements.
 - e) Landscaped parkway along Garey Avenue lot frontage shall be maintained by the property owner in compliance with Pomona Municipal Code Section 46-496.
 - f) Existing sewer, water and storm drain infrastructure, including laterals.
 - g) Site runoff shall be intercepted on site and directed to the public storm drain system by use of parkway drains built in compliance with the City standards.

- h) Unobstructed visibility shall be ensured at all intersections along the project boundaries.
 - i) Undergrounding of existing and proposed overhead utility lines along Garey Avenue, to conform with the City of Pomona Municipal Code Section 62-31(b).
 - j) Easement and right-of-way dimensions.
 - k) 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".
 - l) The demolition or relocation of all public improvements (street lights, signs, trees, vaults, catch basins, hydrants, etc.) due to the proposed project construction must be coordinated and agreed upon by the appropriate City departments, shall be designed per City standards and applicable ADA requirements, and must be reviewed and approved by the Engineering Division of the Public Works Department.
42. 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. The Developer is responsible to comply with the approved hydrology/hydraulic study recommendations necessary to meet minimum Federal, State, County and City requirements.
43. In recognition of the need to address traffic conditions generated by cumulative development along the Corridor Specific Plan (CSP) areas, Applicant/Developer is responsible for the project's compliance with the CSP requirements and shall participate in a CSP assessment district, or similar fair and appropriate mechanism, to provide funds for maintaining and augmenting public improvements, should such a mechanism be established by the City. Applicant/Developer shall pay the applicable CSP in-lieu fee for public improvements required as part of this project, presently estimated at \$126,482. This fee is subject to the City Council review and approval in a forthcoming mitigation fee resolution.
44. All improvements to the City's **water** system shall be installed at the Developer's expense in accordance with the provisions of the City of Pomona Water Code, Construction Standards and the Federal, State and County Public Health requirements, including payment of all required plan check fees, bonds, connection fees, water meter setting fees and all additional water facilities advance payments. All public water facilities that are existing or proposed to be installed must be approved by the City Engineer prior to the issuance of the grading permit.
45. Prior to the approval of the water improvement plans Applicant/Developer shall calculate the new water demand (based on fixture units) to verify that the proposed service(s) can provide the water demand given the size, pressure, and distance of these services from the proposed buildings. This calculation shall include fire and domestic water demands. This

calculation shall be submitted to the Water Operations Division of the Public Works Department.

If verification of static pressure is desired, it may be obtained by requesting a fire hydrant flow test from the Public Works Department. The localized approximate static pressure for the proposed project area is 90-95 psi.

Since the static system pressure exceeds 80 psi, pressure regulators shall be provided on the service lines to protect internal fixtures from high pressure.

The proposed public water improvement plans shall include:

- a) All existing and new utilities, including existing and proposed water facilities, water services and water easements:
 - i) One (1) twelve-inch (12") DIP water main within N. Garey Avenue; there are no existing services currently serving this project area.
 - ii) There are public fire hydrants within 500 feet of the proposed project site.
- b) All existing private/public infrastructure and water facilities adjacent to and affecting the development property including all underground utility connections.
- c) Any existing public water facilities located on private property shall be installed within a City of Pomona easement, and will be maintained by the City.
- d) Meter(s) shall not be placed in driveways, parking spaces or obstructed by walls. City of Pomona shall be provided an easement for maintenance access.
- e) All proposed onsite hydrants shall be private and be painted red.
- f) Water Development plans are for public water improvements only; all private water improvements shall be addressed separately; any private onsite water improvements are the owner's responsibility and not the City's.
- g) Property address, legal description, property lines, street centerline, curb-line, existing and proposed utility easements, and right-of-way with dimensions.

Additionally, the existing water infrastructure shall be shown on the site plan.

46. 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.
47. 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.
48. The City will install meters less than 2 inches in size. The Contractor for the project is responsible for installing meters greater than 2 inches in the public right-of-way.

49. All project related trench repairs in City maintained streets shall be per City Standard A-26-02. Following completion of all street/utility work, and prior to the issuance of the Certificate of Occupancy Applicant/Developer shall be required to repair all affected lanes of development street frontages to a condition "as good or better" as required per City Standard A-26-02.
50. All public water facilities located on private property must be installed within a City of Pomona easement of minimum 15-foot width, and will be maintained by the City. Applicant/Developer shall not place buildings, structures or trees on any related water easements, nor within 7 ½ feet of any City maintained water main without prior approval from the City.
51. Access to City water facilities for water operation crews shall be made available at all time for servicing and maintaining the water system and for reading water meters.
52. Easement rights shall hold the City harmless for removal and/or damage to the development improvements within easements during maintenance to, replacement of and/or operation of public water facilities.
53. Prior to the issuance of the Certificate of Occupancy Applicant/Developer is responsible for installing approved Reduced Pressure Backflow Preventers (list brand and model) for the following water lines to the site:
 - a) Reduced principal pressure devices are required for all domestic services;
 - b) Reduced principal pressure devices are required for all dedicated irrigation service lines to the proposed site;
 - c) Double check detector assembly devices for all fire sprinkler service lines.
54. Prior to the approval of the water improvement plans the Applicant/Developer shall meet all requirements of the Los Angeles County Fire Department (LACFD). Applicant/Developer shall contact LACFD to determine if additional fire hydrants are needed for the proposed development. Any new fire hydrants must be placed at least five (5) feet from proposed driveways and off of parking spaces. Proof of LACFD approval is required prior to the final water improvement plan submittal to the Public Works Department. Contact the LACFD for information at (909) 620-2402.
55. Prior to approval of project's improvement plans, the Applicant/Developer shall submit calculations of the expected wastewater generated by the proposed development, to properly size the sewer lateral(s) to serve the new site. Due to the additional discharge volume anticipated by this development, the applicant/developer shall conduct a flow meter study for the existing sewer main in South Garey Avenue. The flow test report for the existing manhole closest to the proposed point(s) of connection and the aforementioned calculations shall be submitted to the Water & Wastewater Operation Division (WWOD) for review and acceptance.

56. Prior to issuance of the building permit Applicant/Developer shall submit sewer improvement plans for review and approval by the Public Works Department. The sewer plans must include the following items:
- a) The existing sewer infrastructure and applicable easements (min. 15 ft width):
 - i. One (1) eight-inch (8") VCP sewer main in Garey Avenue; all proposed sewer main onsite shall be privately maintained.
 - b) The Applicant/Developer shall connect to the existing (8") VCP main with a private VCP lateral.
 - c) The proposed sewer laterals with a profile and connection to the existing sewer laterals and sewer main.
 - d) The sewer lateral separation distances, relative to water mains, shall comply with California Code of Regulations, Title 22.
 - e) Construction Notes to include the following: 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.
57. The sewer laterals from the public main to the site are considered private and shall be maintained by the property owners.
58. New sewer laterals must be constructed per Standard No. B-8-61 per City of Pomona Public Works Department Standard Drawings August 2011 (Public Works Standards). Construction shall also comply with Standard No. A-26-02 per the Public Works Standards.
59. Prior to the issuance of the building permit Applicant/Developer is responsible for the payment of all applicable City sewer connection fees and shall make proof of payment of the Los Angeles County Sanitation District fees associated with the proposed development.
60. Effective January 1, 2014, the City has adopted new service charges for water and sewer services. For further information on how charges are assessed, contact the City's Public Works Business Services Division at 909-620-2241. For information on meter installation fees contact the Public Works Department at (909) 620-2281.
61. 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.
62. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic (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 in AutoCAD v. 2010 format.

63. Prior to issuance of the grading permit Applicant/Developer shall develop and obtain 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:

- Site Design BMPs;
- Source Control BMPs;
- Treatment Control BMPs

Utilize the County of Los Angeles Department of Public Works LID Standards Manual (Published February 2014) as a guidance document for the design of applicable BMPs proposed for your 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 results of infiltration testing shall be provided as part of the SUSMP submittal.

The applicant 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. An Erosion and Sediment Control Plan shall be submitted for review and approval.

64. Applicant / Developer shall prepare a Focused **Traffic** Impact Study and be responsible for the implementation of the study's recommendations regarding the access and circulation for the project site and the alley access from Garey Avenue. The study shall include, at the minimum, the analysis of:
- a) The potential car queuing and storage capacity on northbound Garey Avenue traffic turning left into the alley, and
 - b) The sight distance at the existing skewed alley intersection with Garey Avenue.
65. 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.
66. 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 requirement of Public Works Department.

67. Prior to the issuance of the public improvement construction permits, Applicant/Developer shall post surety bonds for all public improvements, including but not limited to: water, sewer, storm drains, street frontage pavement, sidewalk, drainage and parkway improvements, traffic improvements and driveway approaches.
68. 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.
69. Permittee shall pay fees associated with and possess the City of Pomona Business License.
70. 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.

LOS ANGELES COUNTY FIRE DEPARTMENT – FIRE PREVENTION BUREAU

71. Submit two complete sets of architectural drawings. Indicate type of construction, occupancy classification, and area justification.
72. 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 Code 503.1.1 & 503.2.2.
NOTE: Alleys are not excepted as Fire Department Vehicular Access.
73. Show all existing public fire hydrants (6"x4"x2-1/2") within 300 feet of lot frontage. Include size of barrel and outlets.
74. Provide a completed fire flow availability form. (Form 196).

75. The required fire flow for fire hydrants at this location is 3375 gpm, at 20 psi residual pressure, for a duration of 3 hours over and above maximum daily domestic demand. Fire Code 507.3 and Appendix B.
76. Additional requirements may be required pending information provided.

APPROVED BY:



Mark Lazzaretto, Development and Neighborhood Services Director

2/16/10

Date