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# CITY OF POMONA

## DEVELOPMENT SERVICES

### DIRECTOR REPORT

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**DATE:** June 29, 2020

**TO:** Development Services Director

**FROM:** Planning Division

**SUBJECT:** **DEVELOPMENT PLAN REVIEW (DPR 103207-2019)**

A request to develop an approximately 47,610-square foot, three-story mixed-use building containing 35 residential units, approximately 6,640-square foot commercial retail space, 85-space at-grade and subterranean parking garage, and various onsite landscape and hardscape improvements on a vacant 0.66-acre lot (Renewal of previously approved DPR 1207-2015).

#### STAFF RECOMMENDATION

Staff recommends the Director of Development Services adopt the attached Resolution approving Development Plan Review (DPR 103207-2019) (Attachment 1), subject to conditions.

#### PROJECT/APPLICANT INFORMATION

<b>Address</b>	<b>1833 N. Garey Avenue</b>
<b>Assessor's Parcel Number (APN)</b>	8359-007-033
<b>Lot Size</b>	0.66 acres
<b>General Plan Land Use Designation</b>	Transit Oriented District (TOD) Neighborhood
<b>Zoning District</b>	N/A
<b>Historic District</b>	N/A
<b>Specific Plan</b>	Pomona Corridors Specific Plan (PCSP), Workplace Gateway Segment
<b>City Council District</b>	District 6 – Robert Torres
<b>Applicant</b>	Pierre Khabbaz for RAFA LA Development LLC
<b>Property Owner</b>	Pierre Khabbaz

#### RELATED ACTIONS

<b>Historic Preservation</b>	N/A
<b>Code Enforcement</b>	CE 10338-2018 for trash and debris on a vacant

	lot, closed 1/30/2019. <b>CE 12110-2019</b> for overgrown weeds, closed 9/14/2019.
<b>Building &amp; Safety</b>	N/A
<b>Planning</b>	<b>CUP 60037-8970</b> approved for a medical office building, which was not pursued and expired. <b>DPR 1207-2015/14-003</b> approved same project as subject project <b>TX 6691-2017</b> one-year time extension for DPR1207-2015/14-003 <b>TX 10929-2018</b> final one-year time extension for DPR 1207-2015/14-003 <b>TRACTMAP 4490-2016/TTM 74171</b> approval of a subdivision for the 35 units and commercial spaces <b>TX 10679-2018</b> one-year time extension for TRACTMAP 4490-2016/TTM 74171 <b>TX 12792-2019</b> final one-year time extension for TRACTMAP 4490-2016/TTM 74171

## PROJECT DESCRIPTION

The applicant is proposing to renew a previously-approved Development Plan Review (DPR) permit to develop a 47,610 square-foot, three-story mixed-use building containing 35 residential units, approximately 6,640 square-foot commercial retail space, 85-space at-grade and subterranean parking garage, and various onsite landscape and hardscape improvements in the Workplace Gateway Segment of the Pomona Corridors Specific Plan (PCSP). The subject site is a vacant 0.66-acre irregular-shaped lot located at 1833 N. Garey Avenue, northeast of the intersection of W. Willow Street and N. Garey Avenue (Attachment 2).

On February 16, 2016, the Development Services Director adopted Resolution 16-001 approving Development Plan Review (1207-2015/14-003) 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 the vacant subject site (Attachment 3). Additionally, on October 12, 2016 the Planning Commission adopted Resolution 16-029 approving Tentative Tract Map (TRACTMAP 4490-2016/TTM 74171) for a subdivision to create 35 residential and 5 commercial condominium units to accommodate the mixed-use development project on the subject site (Attachment 4).

Proceeding the approvals of the DPR and TRACTMAP in 2016, the project went through a series of separate time extensions for both entitlements. The DPR received the two maximum allowed one-year time extensions and ultimately expired on February 10, 2019. The

TRACTMAP received the two maximum allowed one-year time extensions and will expire on October 12, 2020. The applicant acquired the property in December of 2018 and began the process of obtaining all necessary applications for time extensions on the project, and only had two months prior to the DPR ultimately expiring with no allowance by the PCSP for an additional extension. It is important to note that the project is currently stalled in the plan check process as all departments have completed their review and given approval but, due to the expired entitlement, the permits have not been issued.

As noted above, the project is consistent with the DPR that was previously reviewed, analyzed, and approved under DPR (1207-2015/14-003) and remains almost entirely unchanged, proposing 35 residential units across the second and third floors, comprised of 12 one-bedroom units, 19 two-bedroom units, and 4 three-bedroom units (Attachment 5). The project also includes 6,640 square feet of commercial retail space on the first floor, separated into five commercial spaces. Public open space will be provided in the form of an open, 7,066 square-foot plaza along Garey Avenue. Public art will be provided towards the center of the plaza, directly viewable and accessible from Garey Avenue. Private open space will be provided in the form of balconies and comprised of 3,642 square-feet in total.

Parking for the development is the only discrepancy between the previously-approved DPR and the current DPR request. The original approval indicated 88 spaces and the plans submitted for building permits indicated a reduction of three spaces to 85. However, the current DPR request is still in compliance with the PCSP as a minimum of 78 spaces are required for the proposed project. Parking will be provided through a combination of 27 spaces at-grade level and 58 spaces within a subterranean parking garage. The architectural elements and features of the project have not changed from the previously-approved DPR and are consistent with the architectural regulations of the PCSP. The project uses a variety building materials to create composition and incorporates a wall glass system with an array of mullions. Materials included, but are not limited to, stucco, synthetic wood, split-face block, and decorative pavers.

Table 1 illustrates the existing land use, zoning, and General Plan land use designations for the subject property, as well as surrounding properties (Attachment 6).

**Table 1. Surrounding Land Uses**

	Existing Land Use	Zoning District	General Plan Place Type
<b>Subject Site</b>	Vacant	PCSP - Workplace Gateway Segment	TOD Neighborhood
<b>North</b>	Commercial (Carwash)	PCSP - Workplace Gateway Segment	TOD Neighborhood
<b>South</b>	Commercial (Uniform Shop & Flower shop)	PCSP - Workplace Gateway Segment	TOD Neighborhood

<b>East</b>	Pomona Valley Hospital Medical Center & Parking	Pomona Valley Hospital Medical Center Specific Plan	TOD Neighborhood
<b>West</b>	Multi-family Residential / Commercial	PCSP - Workplace Gateway Segment	TOD Neighborhood

## COMPLIANCE

A DPR hearing is required for new development within the Plan area. (PCSP Section 2.0.5). The project meets and/or exceeds the minimum development standards of the Workplace Gateway Segment of the PCSP as summarized below in Table 2.

**Table 2. Project Summary Table**

<b>Development Standards</b>	<b>PCSP Workplace Gateway Requirements</b>	<b>Proposed Project</b>	<b>Compliance Determination</b>
Use Regulations	Mixed-Use permitted	Residential & Commercial	Yes
Special Retail Configurations	N/A	N/A	N/A
Special Building Height Limits	N/A	N/A	N/A
Density	N/A	35 Units	Yes
General Plan - Transect Zone	T4A, 4 Floors Max, 70du/acre  Permits 46 units Max on subject Site	3 Floors  35 Units	Yes
Site Area	N/A	0.66 Acres	Yes
Building Height	3 Stories Maximum	3 Stories & Subterranean Parking	Yes
Building Length	300' Maximum	229'	Yes
Special Building Length Limits	N/A	N/A	N/A
Building Massing	3L:2H to 5L:2H	3L:2H to 5L:2H	Yes
Building Orientation	Required to face Garey	Provided	Yes

Build – to – Corner	Required	Provided	Yes
Frontage Coverage	50% min on Garey	58%	Yes
Space Between Buildings	20' Minimum	N/A	N/A
Improvements to Existing Streets	Palm Gateway – Required	Provided	Yes
Unit Size	600 SF for One-bedroom 800 SF for Two-bedroom 1000 SF for Three-bedroom	Varies between one, two, and three-bedroom units	Yes
Front Yard Setback	12' Min & 25' Max	Varies 16'-23'	Yes
Side Yard Setback	10' Minimum	15'	Yes
Rear Yard Setback	10' Minimum	55'	Yes
Alley Setback	5' Minimum	10'	Yes
Private Open Space	60 SF/unit	Varies / unit type	Yes
Private Open Space Type	Balconies Permitted	Balconies	Yes
Common Open Space	150 SF/unit 5,250 total required	7,066 Provided	Yes
Common Open Space Type	Plazas Permitted	Plaza	Yes
Off-Street Parking	78 Required Total	85 Provided	Yes
Parking Type	Surface Lot – Rear Permitted Partially Submerged Permitted	Surface Lot – Rear Subterranean Parking	Yes
Architecture Regulations	Required	Provided	Yes
Landscaping	15%	Provided, conditioned to a Landscape Plan Check	Yes

## DEVELOPMENT PLAN REVIEW FINDINGS

In accordance with Section 2.0.5.A.(4) of the PCSP, the Director of Development Services must make findings in order to approve Development Plan Review (DPR 103207-2019). Therefore, in approving a DPR, the Director of Development Services should consider the findings as prescribed below and as included in the attached resolution:

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

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. The project is consistent with the standards and design guidelines of the Pomona Zoning Ordinance (PZO) and PCSP in terms of overall architectural design.

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

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.

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

The subject parcel is located with frontage along N. Garey Avenue. 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 publicly accessible open space requirements set forth within the PCSP.

4. *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.

## **ENVIRONMENTAL REVIEW**

Staff has reviewed the proposed development project in accordance with the California Environmental Quality Act (CEQA) guidelines and determined that the project is Categorically Exempt from CEQA, under Section 15332, (Class 32 – In-fill Development) of the CEQA Guidelines. The proposed project is consistent with the General Plan and Zoning Ordinance of the City; the parcel is smaller than five acres; the project site has no value as habitat for endangered, rare or threatened species; the project will not have significant effects upon the environment and; and the site can adequately be served by utilities and public services. Therefore, no further environmental review is required.

## **PUBLIC COMMUNICATIONS**

A copy of the public hearing notice was published on June 15, 2020 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 1,000-foot radius of the subject site (Attachment 7). Additional signage was provided on-site with all related information regarding the public hearing video conference as well as staff's contact information. As of the date of this staff report, staff has not received any correspondence either for or against the proposed project.

## **CONCLUSION**

The proposed project is consistent with the land use designation contained in the City's General Plan and meets the minimum development standards for the Workplace Gateway Segment of the PCSP. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed project will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding uses and has been designed in a manner that will enhance the aesthetics of the site and complement the existing character of the surrounding area. Furthermore, the project has been previously approved by the Development Services Director and has been reviewed and approved for building permit issuance by all City departments, and is only awaiting the approval of the requested DPR to begin construction.

Respectfully Submitted:

Gustavo Gonzalez, AICP  
Planning Manager

Prepared By:

Alex Jimenez  
Assistant Planner

**ATTACHMENTS:**

- Attachment 1 – Draft DPR Resolution
- Attachment 2 – Vicinity Map and Aerial Photograph
- Attachment 3 – Resolution 16-001 (DPR 1207-2015/14-003)
- Attachment 4 – Resolution 16-029T (TRACT MAP 4490-2016/TTM 74171)
- Attachment 5 – Project Plans
- Attachment 6 – Site Photographs
- Attachment 7 – Public Hearing Notice and 1,000' Radius Map