

DPR RESOLUTION NO. 20-XXX

A RESOLUTION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF POMONA APPROVING DEVELOPMENT PLAN REVIEW (DPR 13183-2019) FOR THE DEVELOPMENT OF A NEW 117-UNIT, 4 TO 5 STORY MULTI-FAMILY AFFORDABLE HOUSING PROJECT WITH PARTIAL UNDERGROUND PARKING GARAGE ON A 0.86-ACRE SITE LOCATED AT 2501 NORTH GAREY AVENUE WITHIN THE POMONA CORRIDORS SPECIFIC PLAN, TRANSIT ORIENTED DISTRICT (APNS: 8371-014-040, -041, -042, -043, 8371-014-900, -901).

WHEREAS, the applicant, Erik Peterson of CEDG Architects, has filed an application for Development Plan Review (DPR) for the development of a four to five-story, multi-family affordable housing project consisting of 117 units, including 10 units dedicated to affordable housing as well as associated on-site and off-site improvements located at 2501 N. Garey Avenue;

WHEREAS, the subject site is currently zoned within the Pomona Corridors Specific Plan (PCSP) “Transit Oriented District” and designated “Transit-Oriented District: Core” 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 Director of Development Services of the City of Pomona has, after giving notice thereof as required by law held a public hearing on September 17, 2020, concerning the requested Development Plan Review (DPR 13183-2019);

WHEREAS, the Director of Development Services 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 Director of Development Services of the City of Pomona, California:

SECTION 1. Based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Director of Development Services finds that the proposed project is exempt from further environmental review pursuant to State CEQA Guidelines, Section 15182 based on the following findings of fact:

- A. In March 2014, the City Council certified and approved the EIR for the General Plan Update and Pomona Corridors Specific Plan.
- B. The proposed project is a residential project consisting of 117 units and is undertaken pursuant to and in conformity with the Pomona Corridors Specific Plan and State Density Bonus law. The proposed residential units were contemplated in the EIR and

were evaluated as part of that environmental analysis.

C. None of the conditions in State CEQA Guidelines, Section 15162 are present. Specifically,

1. substantial changes are not proposed in the project that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
2. substantial changes with respect to the circumstances under which the project is undertaken that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects have not occurred; and
3. new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified or adopted, as applicable, showing any of the following, has not come to light: (i) that the project would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those previously analyzed would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

D. Based on these findings and all evidence in the record, the Development Services Director finds that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15182 and no additional environmental review is required in connection with the City's consideration of Development Plan Review No. 13183-2019 for the proposed 117-unit housing complex development.

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 Director of Development Services must make findings in order to approve Development Plan Review (DPR 13183-2019). 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 of Development Services hereby finds as follows:

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

The granting of the Development Plan Review to allow the project as conditioned is consistent with the Pomona General Plan and all applicable requirements of the Pomona City Code. The project site has a General Plan Place Type designation of Transit Oriented District: Core which is intended for development types of greater intensity than surrounding areas taking advantage of transit service and encourage connectivity.

The project is consistent with Goal 6B.G2 of the Pomona General Plan which is to locate higher intensity transit oriented development around existing and future Metrolink, Metro Gold Line, High Speed Rail, BRT, and other transit stations. The proposed project will intensify the Garey Avenue corridor located within one-half mile of the Pomona North Metrolink Station by developing vacant parcels with a housing complex and utilizing the California State Density Bonus.

The project will meet all applicable City Codes and standards, with the approval of a Development Plan Review and will have appropriate conditions of approval to ensure that the development will not be detrimental to the health, safety or general welfare of the community. The project will have development characteristics that are compatible with and not detrimental to either existing or proposed surrounding development.

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 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 development will comply with all development and design standards of the Transit-Oriented District of the PCSP. The project, as conditioned, is not anticipated to generate noise, traffic, lighting, and privacy impacts detrimental to residents, occupants, and properties within the surrounding area and is consistent with the subject property's zoning.

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

The project is designed with pedestrian access along Garey Avenue and vehicular access from Grevillia and Magnolia Streets. As conditioned, the project not adversely affect the Circulation Plan of the Corridors Specific Plan.

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

The project has been thoroughly reviewed and meets all applicable provisions of the PCSP and other applicable regulations. Further, the project takes advantage of State Density

Bonus law and is eligible an increase in density and relief from development standards through incentives/concessions and waivers.

SECTION 4. In accordance with Section 2.0.5.F of the PCSP, the Director of Development Services may approve the Request for Deviation in whole or in part upon determining that the project is consistent with the intent of the Specific Plan and otherwise meets the required findings of a Development Plan Review. 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 of Development Services hereby finds that significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met, is consistent with the intent of the Specific Plan, and meets required findings of a Development Plan Review as established in Section 3 above. This finding is based on the projects' provision of 10 affordable housing units, the high-quality architectural design that meets the standards and intent of the PCSP, thoughtful amenities including a community room, outdoor kitchen, roof top garden, and rooftop common open space.

SECTION 5. Based upon the above findings, the Director of Development Services hereby approves Development Plan Review (DPR 13183-2019) 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.

PLANNING

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 Director of Development Services on September 17, 2020 and as illustrated in the stamped approved plans. Any major modifications to the approved project plans shall be reviewed and approved by the Director of Development Services 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 Planning 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 (September 17, 2021), 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 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 the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The City shall promptly notify the applicant of any Action brought and the City shall cooperate with applicant in the defense of the Action.

4. In case of violation of any of the conditions of approval or City law, the property owner and tenant will be issued a Notice of Correction. If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law, including, but not limited to, revocation of the herein Development Plan Review.
5. The project is subject to a twenty (20) calendar day appeal period. Written appeals may be filed with the City Clerk within twenty (20) calendar days by one or more City Council members or the applicant. The appeal shall be filed with the City Clerk within twenty (20) calendar days from the date of action by the Planning Commission.

Plan Check

6. The applicant shall include all conditions of approval from Development Plan Review (DPR 13183-2019) on the title sheet of construction plans prior to plan check submittal. Plans shall be consistent with all required development standards in the PCSP Section 2.1.3.-A Transit Oriented District and Pomona Zoning Ordinance (PZO) as applicable.
7. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and electric transformers. Utility meters shall be screened from view from public right-of-ways. Backflow prevention devices shall not be located in the front yard setback and shall be screened from public view. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, utilities and/or equipment must be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas, and comply with required setbacks.
8. The site plan shall clearly mark all compact spaces as "Compact cars only".

9. The installation of fences will require the submittal of a “Fence and Wall Permit” application for review and approval by the Planning Division. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning Division. Double walls shall be avoided to the greatest extent feasible. The applicant shall coordinate with the adjacent property owner(s) and make reasonable attempts to construct one common property line wall. If coordination with the adjacent property owner(s) cannot be accomplished, the applicant shall construct up to a six (6) foot high decorative wall located entirely within the subject property. Prior to construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private property and construction of a new common wall shall include approval by the adjacent property owner(s). The plans shall identify materials, seep holes, and drainage.
10. The installation of signage shall require the submittal of a “Sign Permit” application for review and approval by the Planning Division. Any proposed signs shall be consistent with PCSP Section 2.9
11. Prior to grading and/or demolition permit issuance the applicant shall conduct nesting bird surveys prior to any construction activities, including projects proposed to remove/disturb native and ornamental landscaping and other nesting habitat for native birds during bird breeding season from March 1 through August 31 (as early as January 1 for some raptors). If no nesting birds are detected during these surveys, then construction related activities may proceed. Active nests within and adjacent to the construction zone should be avoided and provided a minimum buffer as determined by a biological monitor (CDFW recommends a 300 foot nest avoidance buffer or 500 feet for all active raptor nests) or consult with U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife prior to the commencement of construction.
12. Prior to the issuance of any building permits, the following must be completed:
 - a) A *Landscape Plan Check* in substantial conformance to the conceptual landscaping plan submitted as part of the Development Plan Review Process. Plan should further conform to the State Model Water Efficient Landscape Ordinance, landscape requirements in the PCSP, and applicable portions of Section .503-J of the PZO. A landscaping maintenance bond shall be required and held for a period of one year to ensure the project’s compliance with the approved landscaping, at an amount to be determined by the Development Services Director.
 - b) A *Photometric* plan demonstrating a minimum one foot-candle of illumination of parking, driveway, walkways, and common areas. Plan shall identify locations of ground-mounted and building-mounted light fixtures, design and photometric information on fixtures, and shielding to orient light away from adjacent properties and buildings.
13. 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: Placement of an approved Public Art on the Project site.

- a) 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.
- b) 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 permit for the Project.
- c) 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 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.
- d) Payment of an In-lieu Contribution.
- e) 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 permit for the Project.
- f) Use of In-lieu Contributions shall comply with the following:
 - i. 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.
 - ii. 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.
 - iii. 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.
- g) 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.

Site Development & Maintenance

14. During demolition, grading, site development, and/or construction, all requirements of the Pomona Zoning Ordinance and Municipal Code, including the noise provisions, shall be adhered to. All activities including truck deliveries associated with construction and grading will be limited to Monday through Saturday, between 7:00 a.m. and 8:00 p.m., 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.
15. 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.
16. The construction area shall be kept clean at all times prior to, during, and after construction.
17. The property owner shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti shall substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Development Services Manager.
18. 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.
19. The private balcony areas shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.
20. All landscaping shall be maintained in a neat and clean manner, and in conformance with the approval of Development Plan Review (DPR 13212-2019).

BUILDING & SAFETY

21. Project must comply with 2019 California Codes.
22. The undergrounding of utility facilities is required. (PMC 62-31) An application for an exemption may be submitted as specified on PMC 62-31, section (c).
23. This project falls under section .5809-24 of the Zoning Code “Public Art requirement for private development – Public Art Allocations”. (Ordinance No. 4151)
24. 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)

25. A building permit shall be obtained for the proposed construction and site development. The design of the building shall comply with the 2019 California Building Codes.
26. All grading shall conform to the 2019 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.
27. 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.
28. All proposed work shall comply with the 2019 California Energy Code and all other relevant laws, ordinances and resolutions governing Energy conservation as adopted by the City of Pomona.
29. Proposed project shall comply with the 2019 California Green Building Standards Code and all other relevant laws, ordinances and resolutions governing sustainable design as adopted by the City of Pomona.
30. 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.
31. Park and Recreation Improvement Fee shall be \$675 per dwelling unit for new construction. (Ordinance 3506)
32. Building Department comments and conditions are subject to plan check. Comments are based on information provided.
33. Fence and wall plan required.

**COUNTY OF LOS ANGELES FIRE DEPARTMENT—FIRE PREVENTION
ENGINEERING SECTION—FIRE PREVENTION BUREAU**

34. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit is required for this project prior to building permit issuance. Review and submittal requirements at the following address:

County of Los Angeles Fire Department
Fire Prevention Engineering Section – Building Plan Check Office
1061 S. Grand Ave.
Diamond Bar CA 91765 PH: 909.569.0758

35. Submit two complete sets of architectural drawings to the Fire Prevention Engineering

Section Building Plan Check Unit.

36. Provide the following information on the site plan:
- a. Fire Department access shall comply with Section 503 of the Los Angeles County Fire Code.
 - b. Cross-hatch any on-site Fire Department vehicular access, indicating 28 feet of access to within 150 of all portions of the exterior walls.
 - c. Show any existing fire hydrants within 300 feet of the lot frontage.
 - d. Submit a fire flow availability form along with plans, additional public fire hydrants may be required.
 - e. All fire hydrants shall measure 6" x 4" x 2 1/2", conforming to AWWA Standard C503-75 or approved equal.
 - f. Chapter 5, Section 507 and Table(s) B and C of the Los Angeles County Fire Code will be used to determine water requirements for firefighting purposes.
 - g. Show type of construction, occupancy classification, square footage of structure per floor and number of floors.
 - h. Indicate address of subject property.

WATER RESOURCES DEPARTMENT

Water & Sewer

37. There currently exists the following infrastructure adjacent to the proposed project site:
- i. Garey Avenue – Twelve-inch (12") DIP water main, twelve-inch (12") VCP sewer main
 - j. Magnolia Street – Eight-inch (8") ACP water main, eight-inch (8") VCP sewer main. Twenty-one inch RCP trunk sewer main that may not be connected to for any purpose.
 - k. Grevillia Street – Four-inch (4.5") steel water main, eight-inch (8") VCP sewer main.
38. The existing localized static water pressure for the project area is 60-65 psi. The existing water and sewer infrastructure shall be shown on the site plan. **Additional discussion regarding sewer and water service connections shall be included as part of the plan review process.**
39. Please contact the Los Angeles County Fire Department regarding the required fire flow demand and associated backflow devices. Obtain building, sprinkler and general land development requirements regarding this project.
40. Within the City's billing system, there is a record of an existing water and sewer service for the proposed project site. **Identify the existing water and sewer service connections that will be used for the proposed development.** WRD will provide additional comments regarding any proposed or existing service/meter to be used for the project.
41. A domestic master compound water meter is required for this development.

42. A low lead (0.25%) double check detector assembly (DCDA) and reduced pressure principle assembly (RPPA) is required for this development.
43. The applicant/developer shall calculate the proposed wastewater discharge and water demand (based on fixture units) to verify that the existing wastewater and water infrastructure can accommodate the water demand, given the size, pressure, and age of the existing system. These calculations shall include fire and domestic water demands. These calculations shall be submitted to the WRD.

PUBLIC WORKS

Land development requirements

44. Property Owner shall submit a Lot Merger application for the consolidation of ten (10) legal lots (APNs 8371-014-040, -041, -042, -043, -050 and -051) into one lot; the application shall be submitted to the Public Works Department, for review and approval and shall be recorded prior to the issuance of the building permits. Any/all existing utilities that have reserved easements following the vacation of the alley located north of Grevillia Street, between Garey Avenue and Pine Street, shall be relocated at the developer's expense.

Improvement plans requirements

44. 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 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.
 - 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.
45. Prior to issuance of the grading permit the Applicant/Developer shall submit **written notifications** of to the next adjacent (non-City) property owners as indicated on the Development Plan Review [DPR] 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, DPR approval, plans on record, etc.). The proposed development shall accept the conveyance of the existing offsite drainage.

46. 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.
47. 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.
48. Prior the issuance of the building permits, 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) Removal of all encroaching improvements located within the public sight-of-way, such as fencing, curb, planters and Asphalt Concrete parking lot paving.
 - b) New driveway approaches, one on Grevillia Street and one on Magnolia Street, to comply with the City standards and ADA requirements. Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries.
 - c) New sidewalk, curb and gutter to replace (i) the existing driveway approaches proposed for removal and (ii) all cracked, damaged sections of the existing sidewalk, curb and gutter along the property frontages.
 - d) Street repaving:
 - i. In the event that project related hardscape, wet and/or dry utility pavement cuts are needed along the Garey Avenue, Grevillia Street and Magnolia Street property frontages, ARHM (Asphalt Rubberized Hot Mix) overlay paving shall occur in accordance with the City standard A-26-02.
 - ii. Moratorium repaving requirements apply to Garey Avenue.
 - iii. Full depth ARHM paving is required for the unpaved portion of Magnolia Street located along the property frontage.
 - e) Streetlights - To address site access safety and required City standard upgrades, the following are required:
 - i. A lighting analysis must be prepared and submitted to the PW Department for review and approval. The study area will be along the Grevillia and Magnolia Streets project frontages, to ensure the roadway illumination design meets the IES RP-8 requirements; the owner is responsible for the compliance (design & installation) with all mitigation measures.
 - ii. Refurbish one (1) street light luminaire with LED luminaire on Garey Avenue.
 - f) Parkway drains built in compliance with the City standards.
 - g) Existing and proposed sewer, water and storm drain infrastructure, including laterals.

- h) The parkway landscaped area shall be designed and installed per the “Palm Tree Boulevard” requirements of the Pomona Corridors Specific Plan.
 - i) The parkway landscaped area shall be designed to comply with the City standard A-34-11 (Intersection Sight Distance) and a note to this effect shall be added to the street improvement plan.
 - j) The parkway landscaping shall be maintained by the property owner per City of Pomona Municipal Code Section 46-496 and a note to this effect shall be added to 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.
 - l) Unobstructed visibility shall be ensured at all intersections and driveways along the project boundaries and a note to this effect shall be added to the public street improvement plan.
 - m) Undergrounding of all existing (along the Grevillia and Magnolia Streets property frontages) and proposed utility lines will be required as per City of Pomona Municipal Code Section 62-31(b)(1) and a note to this effect shall be added to the public street improvement plan.
 - n) The property abutting sidewalk, parkway and alley, as applicable, shall be maintained free of weeds, rubbish and refuse by the property owner, as required by the City’s Municipal Code Section 18-261 and a note to this effect shall be added to the public street improvement plan.
 - o) 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.
49. 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.
50. 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.

51. Prior to the issuance of the grading permit, Applicant/Developer shall develop and submit a Standard Urban **Stormwater** Mitigation Plan (SUSMP) to the City, in accordance with the City of Pomona's 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.

Utilize the County of Los Angeles Department of Public Works' Low Impact Development Standards Manual (Published February 2014) as a guidance document for the design of applicable BMPs proposed for 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. The comparison must be provided in the SUSMP. Infiltration rate testing is required.

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/>

Implement Good Housekeeping best management practices for the site to ensure that pollutants are not discharged to the municipal storm drain system during construction and throughout occupancy.

52. **Traffic** – The project access at the Grevillia Street driveway shall be restricted to Right-In, Right-Out vehicular movements. No left turns in and out of the driveway are allowed.
53. Prior to the issuance of the building permits Applicant/Developer is responsible for the payment of any/all applicable 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.
54. Prior to issuance of the building permits Applicant/Developer is responsible for paying the project's **impact fees** for traffic signals and control devices, road and highway improvements, public safety improvements park and recreation improvements.
55. Prior to issuance of the building permits Applicant/Developer is responsible for paying the project's **development tax fee**.
56. Prior to the issuance of the building permits, the property Owner is responsible for the compliance with any special annual levy assessment derived from the current inclusion of the project site into the **City's Street Lighting and Landscaping Maintenance District**.

The Developer shall disclose to any future buyers that the property is within the City of Pomona Lighting and Landscaping District and is subject to annual special taxes.

57. All 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.
58. The final improvement plans, as shown on the Mylar, shall be provided to the City in both hard copy and electronic (AutoCAD v. 2010) format. 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.
59. The development shall comply with the USPS Delivery Growth Management Program. Additional information is available at <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm>

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.

60. Prior to the issuance of the offsite improvements permits, Applicant/Developer shall post surety bonds for all such public improvements, including but not limited to: water, sewer, street pavement, sidewalk, drainage and parkway improvements, CSP landscaping, streetlights, driveway approaches, and utility undergrounding.
61. 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.
62. Permittee shall pay fees associated with and possess the City of Pomona Business License.

63. 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/Developer.

SECTION 5. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED THIS 17th DAY OF SEPTEMBER 2020

ANITA D. GUITIRREZ, AICP
DIRECTOR OF DEVELOPMENT SERVICES