



CITY OF POMONA

DEVELOPMENT SERVICES

DIRECTOR REPORT

DATE: September 17, 2020

TO: Development Services Director

FROM: Planning Division

SUBJECT: **DEVELOPMENT PLAN REVIEW (DPR 13183-2019)**: A request to develop a new 117-unit, 4 to 5 story multiple-family affordable housing project with 11% of units set aside for very low income residents, a 119-space partial underground parking garage and various onsite landscape and hardscape improvements on a 0.86-acre site within the Pomona Corridors Specific Plan, Transit Oriented District.

STAFF RECOMMENDATION

Staff recommends that the Director of Development Services adopt the attached Resolution approving Development Plan Review (DPR 13183-2019) (Attachment 1), subject to conditions.

PROJECT/APPLICANT INFORMATION

Address	2501 N Garey Avenue
Assessor's Parcel Number (APN)	8371-014-040, 8371-014-041, 8371-014-042, 8371-014-043, 8371-014-900, 8371-014-901
Lot Size	+/- 0.86 acres
General Plan Land Use Designation	Transit Oriented District: Core
Zoning District	N/A
Historic District	N/A
Specific Plan	Pomona Corridors Specific Plan (PCSP), Transit-Oriented District
City Council District	District 6 – Robert Torres
Applicant	Erik Peterson, CEDG Architects
Property Owner	George Saadian, Branmark Group LLC

RELATED ACTIONS

Historic Preservation	N/A
Code Enforcement	N/A

Building & Safety	N/A
Planning	N/A

PROJECT DESCRIPTION & BACKGROUND

The subject site is located along the eastern portion of North Garey Avenue and encompasses the majority of the block located between West Grevilla Street and West Magnolia Street. The subject site is approximately 0.86 acres in area and consists of six parcels. The six parcels are currently only partially developed with a commercial structure and parking along Garey Avenue and Grevilla Street, with a majority of the site remaining vacant and undeveloped. The applicant is proposing to develop the site with a 117-unit housing complex consisting of a single structure between four and five stories as well as associated on-site improvements including a subterranean parking structure, vertical landscaping on the front facade, rooftop garden area, and community room. The proposed housing complex consist of a single structure with a building footprint of 36,844 square feet. The bedrooms-per-unit mix is as follows:

Number of Bedrooms	Unit Count
Studio	60
Two-bedrooms	51
Two-master suites	6
Total:	117

The applicant is taking advantage of State Density Bonus law to obtain a 35% density bonus by setting aside 11% of the maximum number of units permitted under the Pomona Corridors Specific General Plan for very low income residents. Though the applicant has elected to request a concession through Density Bonus law for the Public Open Space requirement, the proposed project does include Common Open Space for residents in the form of a rooftop garden area, rooftop outdoor kitchen and picnic areas, as well as a community room (Attachment 2).

The housing development reflects a modern architectural design. The structure includes a flat roof from the fourth floor and independent structures making up the fifth floor of the development. These independent structures comprised of multiple units allows for loft space and for an open to the sky walkway between units as well as the utilization of the rooftop for common open space and listed amenities. The design materials include multiple colors of insulated metal (auburn and green) and cement plaster (gray,white, yellow, and orange) with large open windows at street level (Attachment 3).

Fig 1.1. Garey Avenue Elevation



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

Table 1. Surrounding Land Uses

	Existing Land Use	Zoning District	General Plan Place Type
Subject Site	Commercial/Parking Lot	PCSP, Transit-Oriented District	Transit Oriented District: Core
North	Commercial/Parking Lot	PCSP, Transit-Oriented District	Transit Oriented District: Core
South	Commercial	PCSP, Transit-Oriented District	Transit Oriented District: Core
East	Commercial	PCSP, Transit-Oriented District	Transit Oriented District: Core
West	Commercial	PCSP, Urban Neighborhood	Transit Oriented District: Neighborhood

STATE DENSITY BONUS (GOVERNMENT CODE SEC. 65915-65918)

Incentives or Concession

California State Density Bonus law dictates that a City shall grant one or more incentives or concessions to each project which qualifies for density bonus. The number of required incentives or concessions is based on the percentage of affordable units in the project:

- For projects with at least 5% very low income, 10% lower income or 10% moderate income units, one incentive or concession is required.
- For projects with at least 10% very low income, 20% lower income or 20% moderate income units, two incentives or concessions are required.
- For projects with at least 15% very low income, 30% lower income or 30% moderate income units, three incentives or concessions are required.

Based on the level of affordability offered by the applicant, the proposed project is eligible to receive two incentives. In addition, The City is not permitted to apply any development standard which physically precludes the construction of the project at its permitted density and with the granted incentives/concessions. As such, a development qualifying for density bonus may also receive a waiver or reduction to any number of development standards.

The General Plan designation of the project site allows a maximum of 100 dwelling units per acre. The project site is 0.86 acres in size and, thus, allows up to 86 dwelling to be developed. The proposed project is allocating ten of 86 units to be set aside for very low income housing (11%), therefore receiving a maximum density bonus of 35%, or 31 additional units totaling 117 units. The applicant is requesting the following incentives/concessions, and waivers for the proposed project:

Incentives/Concessions

1. Request to deviate from the required Street Façade Top and Base, per the PCSP Section 2.8.1(B)(2-3) for all applicable elevations.
2. Request to deviate from the required Building Massing per the PCSP Section 2.3.5.

Waivers

1. Request to deviate from the required landscaping (20%) per Pomona Zoning Code Ordinance Section 503.J-(I)(a) Residential landscape standards - a minimum of 20 percent of the entire parcel shall be fully landscaped with plant material.
2. Request to waive the required Public Open Space per the PCSP Section 2.6.1.

Parking

By State Density Bonus law, a City shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 spaces per bedroom for a project that provides at least 11% very low income or 20% lower income units and is within a half mile of a Major Transit Stop.

The proposed project is allocating ten of 86 units (or 11%) at very low income and is within a half mile of the Pomona North Metrolink Station, thus qualifying for a parking reduction at the applicant's request. The reduced parking ratio is as follows:

Development Standards	Zoning/Code Requirements	Proposed Project	Compliance Determination
2.7.1 Provisions of Parking	State Density Bonus Parking Reduction 0.5 spaces per bedroom (inclusive of handicapped and guest parking) Studios: $58 \times 0.5 = 29$ 2 bdrm: $(59 \times 2) \times 0.5 = 59$ 29 + 59 = 88 spaces required	Studios: 58 units 2 bdrm: 59 units 119 spaces provided	Compliant

COMPLIANCE

A Development Plan Review hearing is required for new development within the Plan area. (PCSP Section 2.0.5). A Compliance Summary with a detailed analysis of the project's compliance with the applicable standards of the Transit-Oriented District of the PCSP has been provided (Attachment 4).

As detailed in the Compliance Summary, the project conforms with the applicable standards of the Transit Oriented-District as designed or with the application of a Deviation of up to 20%. The Director may approve a Request for Deviation in whole or in apart 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. The project applicant is requesting the following Deviations:

General Parking Standards.

1. A decrease in parking aisle of not more than 10%.
2. A decrease in parking space width of not more than 10%.

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 13183-2019). Therefore, in approving a Development Plan Review, 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 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 Grevilla 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.

REQUEST FOR DEVIATION FINDINGS

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. The Director of Development Services should consider 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 noted above. This finding is based on the projects' provision of 10 affordable housing units targeted to very low income residents, 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.

ENVIRONMENTAL ANALYSIS

CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines Section 15378). The proposed project is considered a "project" under CEQA.

The PCSP was approved and an Environmental Impact Report (EIR) certified by the City Council in March 2014. In conjunction with the certification of the General Plan Update and PCSP EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted. The proposed project site is included in the analysis under the EIR.

Pursuant to State CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of State CEQA Guidelines Section 15182(c). If, after the adoption of the applicable specific plan, an event described in State CEQA Guidelines Section 15162 occurs, the exemption set forth in State CEQA Guidelines Section 15182(c) shall not apply until the city which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan.

The density, design, and infrastructure plan of the proposed development are consistent with the adopted Specific Plan in that the level and intensity of the proposed development are consistent with the PCSP as well as State Density Bonus law, which provides for increases in densities above and beyond the maximum established by the General Plan and the PCSP in exchange for affordable housing.

In May 2020, the City Council adopted thresholds for Vehicle Miles Traveled (VMT), a measure of transportation impacts. The City's Transportation Study Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment provide screening for projects that are

located within one-half mile of a Transit Priority Area (TPA). Projects located within a TPA may be presumed to have a less than significant impact on VMT unless one of the following criteria applies:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the City;
3. Is inconsistent with the applicable Sustainable Communities Strategy; or
4. Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

The proposed project is located within one-half mile of the North Pomona Metrolink Station, a qualified TPA, and none of the criteria above applies to the proposed project. As such, no further analysis with respect to VMT is required for the proposed project.

Additionally, staff has determined that no events described in State CEQA Guidelines Section 15162 have occurred since adoption of the PCSP. No special circumstances or potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan Update and PCSP EIR. The General Plan & PCSP EIR adequately addressed environmental issues related to the development of the entire PCSP area, including the subject properties. Therefore, pursuant to State CEQA Guidelines Section 15182, the Project is exempt from CEQA.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was sent to the owners and occupants of properties within a 1,000-foot radius of the subject site on September 2, 2020 (Attachment 6). Two, four-foot by eight-foot signs were also posted at the subject property indicating an upcoming hearing for a Development Plan Review associated with this project. As of the date of this staff report, staff has not received any correspondence either for or against the proposed project.

CONCLUSION

The proposed improvements are consistent with City's General Plan goals and policies. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed development will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding neighborhoods. Further, the project has been designed in a manner that will enhance the aesthetics of the site and complement the existing character of the surrounding area.

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ATTACHMENTS

- Attachment 1 – Draft Resolution for DPR 13183-2019
- Attachment 2 – Project Plans
- Attachment 3 – Material Board
- Attachment 4 – Compliance Summary
- Attachment 5 – Traffic Impact Study
- Attachment 6 – Public Hearing Notice and 1000' Radius Map