

PC RESOLUTION NO. 25-019

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP (TRACTMAP-000447-2025) FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF A THREE STORY, MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 127 CONDOMINIUM HOUSING UNITS ON A ON A +/- 5.5 ACRE SITE, ON A PROPERTY LOCATED AT 3101-3191 N. GAREY AVENUE (APN: 8370-010-016, 8370-009-038).

WHEREAS, the applicant, Nick Buchanan for Pomona CPD, LLC, has submitted an application for a Tentative Tract Map (TRACTMAP-000447-2025) for condominium purposes for the property located at 3101-3191 N. Garey Avenue (APN: 8370-010-016, 8370-009-038);

WHEREAS, the applicant has concurrently submitted a Development Plan Review (DPR-00445-2025) to develop 127, three-story, for-sale dwelling units, as well as associated on/off-site improvements and a privately-owned public area on the subject site;

WHEREAS, the subject property is currently located within the City Gateway Segment of the Pomona Corridors Specific Plan (PCSP);

WHEREAS, the subject property has a General Plan Place Type designation of Neighborhood Edge Place Type;

WHEREAS, the subject property has a General Plan Transect Zone designation of “T4-B” allowing up to 40 dwelling units per acre;

WHEREAS, the proposed project is proposing 127 units in total on the +/- 5.5 acre lot, resulting in a total density of 23 dwelling units per acre;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on November 19, 2025, concerning the requested Tentative Tract Map (TRACTMAP-000447-2025);and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Pomona, California:

SECTION 1. In compliance with the California Environmental Quality Act (CEQA) guidelines, the Planning Commission has determined that the proposed project meets the criteria for an exemption under Section 15182 (Projects Pursuant to a Specific Plan) of CEQA, 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). Therefore, no further action is required.

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

SECTION 3. Pursuant to Section 66474 of the California Government Code (Subdivision Map Act) and the City's Subdivision Ordinance, the Planning Commission must make seven findings in order to approve Tentative Tract Map (TRACTMAP-000447-2025). Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *The proposed tentative tract map is consistent with the general plan and applicable specific plan.*

The proposed tentative tract map is consistent with the general plan. The project site has a General Plan Place Type designation of Neighborhood Edge Type, which includes "grand scale buildings, compatible with medium scale multi-family housing and townhomes in areas envisioned to have a more residential character." Neighborhood Edge properties accommodate larger scale development, which is more suitable for wider, heavily trafficked roadways, functioning as buffers for the residential neighborhoods behind them. These areas anticipate a reasonable amount of infill development emphasizing streetscape improvements to add visual appeal, continuity, and value. In addition to providing buffering and compatibility. The residential development project is consistent with the City's General Plan because it will stabilize and strengthen the neighborhood character of the surrounding area with an infill project that is compatible with existing surrounding residential uses and provides an appropriate transition from nearby single-family residences. Furthermore, as conditioned the project is consistent with the standards and design guidelines of the City Gateway Segment of the PCSP.

2. *The design or improvement of the proposed subdivision is consistent with the general plan and applicable specific plan.*

The design and improvements of the proposed subdivision are consistent with the General Plan in that on-site improvements, such as driveways, sidewalks and drainage facilities will be designed and constructed in accordance with City standards.

3. *The site is physically suitable for the type of development.*

The site is physically suitable for the development in that the proposed subdivision is planned for multi-family residential development, allowed as a permissible use in the City Gateway Segment of the PCSP. Given the shape and topography of the site, at approximately 5.5 acres in size, the subdivision design accommodates adequate land for 127 dwelling units, accompanying driveway, parking, landscaping and open space areas to service the development. Further, the site is also within the T4-B Neighborhood Edge Transect which allows densities up to 40 dwelling units per acre and up to three stories, and the project is only proposing 23 units per acre, well under the maximum density.

4. *The site is physically suitable for the proposed density of development.*

The site is physically suitable to accommodate the proposed density resulting from the subdivision. The subdivision proposes 127 dwelling units on property approximately 5.5 acres in size, which results in a density of approximately 23 units per acre. This density is consistent with the City's General Plan and Zoning Ordinance.

5. *The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The design of the improvements is not likely to cause serious problems to public health because the building and infrastructure improvements shall be constructed to conform to all City standards. The adopted City standards relating to the Uniform Building Code and Grading Code are designed to protect the public health and welfare and have been approved by the City.

6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the improvements is not likely to cause serious problems to public health because the building and infrastructure improvements shall be constructed to conform to all City standards. The adopted City standards relating to the Uniform Building Code and Grading Code are designed to protect the public health and welfare and have been approved by the City.

7. *The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

The design of the improvements will not conflict with easements acquired by the public at large.

SECTION 4. Based upon the above findings, the Planning Commission hereby approves Tentative Tract Map (TRACTMAP-000447-2025) 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 DIVISION

General Conditions

1. **Approved Plans and Modifications.** The subject property shall be developed and/or used in a manner consistent with the project plans reviewed and approved by the Planning Commission on November 19, 2025, and as illustrated in the stamped approved plans dated November 19, 2025. Any major modifications to the approved project plans shall be reviewed and approved by the Planning Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Development Services Director designee.
2. **Approval Period and Time Extension.** This approval shall lapse and become void if construction has not commenced under a valid building permit, within twenty-four (24) months from the date of this approval (November 19, 2025), in accordance with PCSP Section 2.0.5(A)(6). The Planning Division may extend this period for a maximum of four, 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 California Government Code (Sec. 66452.6).
3. **Indemnification.** 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. Violation of Conditions. 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. Appeals. 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.
 6. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from Tentative Tract Map (TRACTMAP-000447-2025) Resolution No. 25-019 on the title sheet of the construction plans.

PUBLIC WORKS

Regulation and Fees: The Developer shall comply with all conditions of approval, complete required public improvements, and pay all related fees in accordance with City Standards, the City's current fee schedules, and all applicable laws and regulations. Applicable codes include but are not limited to: California Subdivision Map Act, all applicable City of Pomona ordinances and resolutions, City of Pomona Water Code, City of Pomona Standard Drawings and Fee Schedule, Construction Standard Specifications for Public Works Construction, Los Angeles County Department of Public Health requirements, California Code of Regulations, Title 22, and the California Department of Transportation Highway Design Manual.

Licensed Professionals: All required plans, studies, and calculations shall be performed by a registered civil engineer or other registered/licensed professional as required, and submitted for review and approval by the Engineering Division of the Public Works Department.

Land Development and Mapping Actions:

7. **Tentative Tract Map:** The tentative map shall conform to the requirements of the Subdivision Map Act and City Ordinance No. 4345 and shall be recorded as one final map and developed as one tract. Financial security for all public improvements shall be posted prior to the approval of the final map or the issuance of the building permits or the issuance of the offsite improvement permits, whichever occurs first, to guarantee the construction of all public improvements for the proposed subdivision.
8. **Easements:** All existing and proposed water, sewer, drainage, ingress/egress easements, roadway dedications, traveled ways, and drainage courses must be clearly shown on the final map. Prior to recordation, the Applicant shall demonstrate to the satisfaction of the City Engineer that the proposed subdivision will not unreasonably interfere with the use of any easements by the holders of said easements. Any omission or misrepresentation of these documents may require the final map to be resubmitted for further consideration. Provide copies of all recorded instruments referenced in the easements section of the Title Report.
9. **Final Subdivision Guarantee:** Prior to final map approval, the Title Company must submit a Final Subdivision Guarantee to the Engineering Division of the Public Works Department.
10. **Centerline Ties and Monuments:** All subdivisions must have centerline ties and survey property monuments set by a licensed professional civil engineer or land surveyor as shown on the recorded subdivision. All final monuments shall be set by the Engineer of Record within one year of final map recordation. Adequate monumentation bond is required prior to final map approval.
11. **Final Map:** The final map shall be recorded prior to issuance of the first Certificate of Occupancy, to reflect lot lines, easements, and Fire Department access. An e-copy of the recorded final map shall be submitted to the Engineering Division of the Public Works Department.

COUNTY OF LOS ANGELES FIRE DEPARTMENT – FIRE PREVENTION DIVISION

12. The Final Map shall be submitted to the Land Development Unit for review and The Fire Department's Land Development Unit has approved the Fire Apparatus Access

Roads as shown on the Tentative Map/site plan in compliance with the County of Los Angeles Fire Code.

13. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7.
14. A digital copy of the Final Map shall be submitted to the Fire Department's Land Development Unit for review and approval prior to recordation. Submittal shall be provided through EPIC-LA using the following Plan Type: Fire Land Development–City Request–Final Map (Tract/Parcel).
15. The driveways required for Fire Apparatus Access Roads shall be indicated on the Final Map as "Private Driveway and Fire Lane" with the widths clearly depicted.
16. A Reciprocal Easement Agreement for access purposes, ingress and egress, is required for all lots that share the private driveway as primary access, including emergency providers. A digital copy of the agreement shall be submitted to the Fire Department's Land Development Unit for review and acceptance prior to Final Map clearance. Submittal shall be provided through EPIC-LA in the project's Final Map plan number.
17. Prior Final Map recordation, provide the public fire hydrant improvement plans. the Submittal shall be provided through EPIC-LA in the project's Final Map or Water Plan number.
18. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Code. Fire Code 501.4
19. Install 2 new public fire hydrants. The required fire flow for the public fire hydrants is 2500 gpm at 20 psi residual pressure for 2 hours. Location as indicated on the tentative map.
20. Install 3 private on-site fire hydrants. The required fire flow for the private on-site fire hydrants is 2500 gpm at 20 psi residual pressure for 2 hours. Location as indicated on the tentative map.
21. All on-site fire hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour-rate firewall. Indicate compliance prior to project proceeding to the public hearing process. Fire Code Appendix C106.1

22. Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure.

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

APPROVED AND ADOPTED THIS 19TH DAY OF NOVEMBER, 2025

MARCOS MOLINA
PLANNING COMMISSION CHAIRPERSON

ATTEST:

GEOFFREY STARNES
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

MARCO MARTINEZ
ASSISTANT CITY ATTORNEY

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

AYES:

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NOES:
ABSTAIN:
ABSENT:

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 1094.6.