

PC RESOLUTION NO. 25-015

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 84565 (TRACTMAP-001454-2024) FOR CONDOMINIUM PURPOSES IN ASSOCIATION WITH THE DEVELOPMENT OF 59 RESIDENTIAL UNITS AND ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 700 & 704 E. FOOTHILL BOULEVARD (ASSESSOR'S PARCEL NUMBERS: 8367-003-023, 8367-003-024)

WHEREAS, the applicant, G3 Urban., has submitted an application for a Tentative Tract Map (TRACTMAP-001454-2024) for condominium purposes on a property located at 700 & 704 Foothill Boulevard (Assessor's Parcel Numbers: 8367-003-023, 8367-003-024)

WHEREAS, the applicant has concurrently submitted an application for a Development Plan Review (DPR-000288-2024) to develop a 2.6-acre site, that is currently vacant, with 59, two to three-story, attached townhome style units as well as associated on-site and off-site improvements including, utilities, private drives, as well as common and private open space;

WHEREAS, the subject property is currently located within the City Gateway Segment of the Pomona Corridors Specific Plan (PCSP) and the SB330 Overlay zoning district;

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

WHEREAS, the subject property has a General Plan Transect Zone designation of "T4-B" allowing up to 30 dwelling units per acre and a Transect Zone designation of "T3" allowing up to 20 dwelling units per acre;

WHEREAS, the proposed project is subject to the provisions of Housing Crisis Act of 2019 also known as Senate Bill 330 (SB 330);

WHEREAS, the proposed project is subject to the provisions of the city's Inclusionary Housing Program (Ordinance No. 4295);

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on October 8, 2025, concerning the requested Tentative Tract Map (TRACTMAP-001454-2024); 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, staff has determined that the proposed project meets the criteria for an exemption under Section 15182 (Projects Pursuant to a Specific Plan) of CEQA in that the residential project is consistent with the Pomona Corridors Specific for which an environmental impact report has been certified as of 2014. Therefore, no further environmental review 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 No. 84565 (TRACTMAP-001454-2024. 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 project site has a General Plan Place Type designation of "Neighborhood Edge" and "Residential Neighborhood". The proposed project is consistent with General Plan Goals 6D.G1, *Improve the physical character, economic vitality, and mobility function of the City's most visible and well-traveled corridors*, General Plan Goal 6D.G4, *promote the success and improvement of existing corridor development*, General Plan Goal 6D.G5, *Ensure that new development helps establish an appropriate edge to protect and buffer adjacent stable residential neighborhoods*, General Plan Goal 6D.G12, *Gradually improve the physical character of these corridor segments [city gateway segments]*, Policy 7G.G7, *promote attractive community character as viewed from public streets, while providing adequate buffer areas between homes and heavily-traveled roads*.

The proposed project is consistent with the aforementioned goals of the General Plan in that the project will be located on 2.6 acres of currently underutilized vacant land; the project is providing taller, yet scale-appropriate buildings adjacent to existing residential and commercial structures; the development will act as a noise and visual buffer between existing residential neighborhoods to the south of the subject site from a heavily-utilized principal arterial road type (Foothill Boulevard); the project will bring in new residents that are likely to utilize the existing commercial centers located adjacent to the project site; and the project

will be designed in a contemporary design style using similar materials to both existing residential and commercial buildings, providing both a common aspect to development on Foothill while also differentiating from older styles of development.

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. In addition, the project design, which is intended for multiple-family residential development, provides for satisfactory pedestrian and vehicular circulation.

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

The site is physically suitable for the type of development proposed in that the property is relatively flat and approximately 2.6 acres in area. The proposed development, which includes 59 residential units as well as associated on-site and off-site improvements, meets the applicable development standards of the City Gateway Segment of the Pomona Corridors Specific Plan.

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

The project site is split between two separate General Plan Transect Zones, T4-B and T3, which allow for max densities of 30 dwelling units per acre and 20 dwelling units per acre, respectively. With respect to the site's total area of 2.6 acres, 1.2 acres are located within the T4-B transect allowing a maximum of 36 units and 1.4 acres are located within the T3 transect, allowing a maximum of 28 units. As proposed, 32 units are within the T4-B (equivalent to 26.6 units/acre) and 27 units (equivalent to 19.3 units/acre) are located within the T3 transect. Furthermore, cumulatively, the total site acreage has a proposed density of 23 units per acre. Therefore, the site is physically suitable for the proposed density of development.

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 proposed project will comply with the policies and regulations of the Pomona City Code and General Plan and with all local or regional plans, policies, regulations, and any requirements by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Based on these factors, the proposed subdivision will not cause substantial

environmental damage or injure wildlife or their habitat.

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

The design of the subdivision and the type of improvements are 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 subdivision or type of 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 No. 84565 (TRACTMAP-001454-2024) 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 conditional use permit or any portion thereof:

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION

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 October 8, 2025 and as illustrated in the stamped approved plans dated October 8, 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 or their designee.
2. **Approval Period and Time Extension.** This approval shall lapse and become void if the privilege authorized is not utilized within two (2) years from the date of this approval or October 8, 2027, in accordance with Pomona Subdivision Ordinance section 29-49, et seq. The Planning Commission may extend this period not to exceed an aggregate of three years upon receipt of an application for a Time Extension request submitted by the applicant at least thirty days before the expiration date of this approval.

3. Appeals. The project is subject to a twenty (20) calendar day appeal period beginning from the date of action by the approving body. During the appeal period, written appeals may be filed with the City Clerk by one or more city councilmembers, by the applicant, or by any person owning property within four hundred feet of the exterior boundaries of the applicant's property.
4. 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.
5. 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.
6. Recordation of CC&Rs. Conditions, Covenants, and Restrictions (CC&Rs) shall be recorded for this project prior to the issuance of "Certificate of Occupancies" for the dwellings and prior to the sale of any lot or dwelling. At a minimum, the CC&R's shall include provisions that 1) establish a Homeowner's Association (HOA), 2) incorporate conditions 1,4,5, of this Tentative Tract Map and 3) provide reciprocal access easements and facilitate the use and maintenance of the common areas. The CC&Rs shall be submitted to the Planning Division

for review prior to the issuance of building permits. The Applicant shall be responsible for the reimbursement of fees incurred for the City Attorney to review the CC&R's.

7. Conditions of Approvals on Plans. Prior to plan check submittal, the applicant shall include all conditions of approval from PC Resolution No. 25-015 on the title sheet of the construction documents.

PUBLIC WORKS DEPARTMENT

Tract Map Requirements

8. The development's tentative tract map 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, whichever occurs first, to guarantee the construction of all public improvements for the proposed subdivision.
9. Tentative Tract Map shall conform to the requirements of the Subdivision Map Act and to City Ordinance No. 2779.
10. All existing and proposed easements for water/storm drain/sewer lines, ingress/egress, footings and ADA traveled ways must be clearly shown on the final map. No new easements required for the development shall extend in the public right-of-way. Prior to recordation, the Applicant/Developer shall demonstrate to the satisfaction of the City Engineer that the proposed subdivision will not unreasonable interfere with the use of any easement holder of property. 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 pertaining to the project's legal description.

11. Prior to the tract map approval the Title Company must submit a Final Subdivision Guarantee to the Public Works Engineering Department.
12. 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 the final map recordation; adequate monumentation bond is required prior to the final map approval.
13. The final map shall be recorded prior to the issuance of the first Certificate of Occupancy to reflect the lot lines, easements and Fire Department access. Mylar copies of the final map with the Los Angeles County Recorder's Office official stamp must be submitted to the Public Works Engineering Department.

14. Applicant/Developer shall ensure that a condominium association is established for the purpose of maintaining all driveways, common areas, private utilities and joint use of parking and access for the benefit of all individual condominium units. The association documents, including any necessary Covenants, Conditions and Restrictions (CC&Rs) shall be approved by the City Attorney and recorded on the grant deed prior to approval of the first Certificate of Occupancy.

LOS ANGELES COUNTY FIRE DEPARTMENT

15. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
16. The Private Driveways proposed as private streets for access throughout the development shall be labeled as "Private Driveway" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane" on the Final Map.
17. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for all private driveways. Compliance required prior to Final Map clearance.
18. Gates shall be reviewed and approved prior to the Final Map Clearance. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. All locking devices shall comply with the County of Los Angeles Fire Department Regulation 5, Compliance for Installation of Emergency Access Devices.
19. The Final Map shall be submitted to our office for review and approval prior recordation.

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

PASSED AND APPROVED THIS 8TH DAY OF OCTOBER, 2025

MARCOS MOLINA
PLANNING COMMISSION CHAIRPERSON

ATTEST:

GEOFFREY STARNES, AICP, AIA, LEED AP
PLANNING COMMISSION SECRETARY

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APPROVED AS TO FORM:

MARCO A. MARTINEZ
DEPUTY CITY ATTORNEY

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

AYES:
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.