

**PC RESOLUTION NO. 25-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING TENTATIVE TRACT MAP (TRACTMAP 21814-2023) FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF A THREE STORY, MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 20 CONDOMINIUM HOUSING UNITS ON A NET 0.45 ACRE PARCEL, ON A PROPERTY LOCATED AT 2145 N. GAREY AVENUE (APN: 8371-018-041, 8371-018-042).**

**WHEREAS**, the applicant, Daphne Shen from CDA+PDG, has submitted an application for a Tentative Tract Map (TRACTMAP 21814-2023) for condominium purposes for the property located at 2145 N. Garey Avenue (APN: 8371-018-041, 8371-018-042);

**WHEREAS**, the applicant has concurrently submitted a Development Plan Review (DPR 21813-2023) to construct 20 multi-family residential condominium units on the subject site; and a Conditional Use Permit (CUP 21812-2023) to allow an exposed parking garage;

**WHEREAS**, the subject property is currently located within the Workplace 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 twenty units in total on the net 0.45 acre lot, resulting in a total density of approximately 40 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 June 11, 2025, concerning the requested Tentative Tract Map (TRACTMAP 21814-2023);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 a Class 32 Categorical Exemption pursuant to Section 15332, (In-Fill Development Projects) of CEQA. The proposed project is consistent with the City's General Plan and Zoning Ordinance; the proposed project site is less than five (5) acres; the project site has no value as habitat for endangered, rare or

threatened species; the proposed project will not have any significant effects upon the environment; and the site can adequately be served by all required utilities and public services. Therefore, no further action is required and a Notice of Exemption will be filed indicating that the project is eligible for a Class 32 Categorical Exemption pursuant to Section 15332.

**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 21814-2023). 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 to commercial uses south of the subject site. Furthermore, as conditioned the project is consistent with the standards and design guidelines of the Workplace 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 Workplace Gateway Segment of the PCSP. Given the shape and topography of the site, at approximately net 0.45 acres in size, the subdivision design accommodates adequate land for 20 dwelling units, accompanying driveway, parking, landscaping and open space areas to service the development. Further, the site is relatively flat which will allow for minimal grading and compatible building pad heights with adjacent properties surrounding the project site.

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 20 dwelling units on property approximately net 0.45 acres in size, which results in a density of approximately 40 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 21814-2023) 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 June 11, 2025, and as illustrated in the stamped approved plans dated June 11, 2025. Any major modifications to the approved project plans shall be reviewed and approved by the Development Services Director 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 (June 11, 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 Development Plan Review (DPR 21813-2023) Resolution No. 25-007 on the title sheet of the construction plans.

## **PUBLIC WORKS**

The following conditions and public improvements, as well as all applicable plan check fees, permit fees and bond deposits shall be complied with, completed and paid for by the Developer in accordance with the City standards, fee schedules and applicable laws. Applicable Codes to include but not be 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, California Department of Transportation Highway Design Manual.

All the 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 of the City Engineer.

**Tract Map requirements:**

7. Tentative Tract Map shall conform to the requirements of the Subdivision Map Act and to City Ordinance No. 2779. Financial security for all public improvements shall be posted prior to the map approval, to guarantee the construction of all public improvements for the proposed subdivision.
8. The tentative tract map shall be recorded and developed as one tract map, but may be developed in phases.
9. All existing and proposed easements for water/sewer lines (including the dedication of a water easement corresponding to the 1988-installed public water main located south of the northerly property line), ingress/egress, footings and traveled ways (including up to 4-foot wide strip of land to accommodate the ADA path of travel around the proposed driveway approach) must be clearly shown on the map; all easements proposed to be vacated need to be included as part of the final map. Prior to recordation, the applicant 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 tract 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.

10. Prior to the tract map approval, the Title Company must submit a Final Subdivision Guarantee.
11. All subdivisions must have centerline ties and survey property monuments set by a licensed Land Surveyor or a qualified Professional Civil Engineer as shown on the recorded subdivision. All final monuments shall be set by the Engineer of record within one year of the tract map recordation; adequate monumentation bond is required prior to the final map approval.
12. Prior to the issuance of the building permits, the tract map shall be recorded to reflect the new lot lines, easements and Fire Department access. Mylar copies of the map with the Los Angeles County Recorder's Office official stamp must be submitted to

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the Public Works Department.

**COUNTY OF LOS ANGELES FIRE DEPARTMENT – FIRE PREVENTION DIVISION**

**Final Map Requirements**

13. The Final Map shall be submitted to the Land Development Unit 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

**APPROVED AND ADOPTED THIS 11TH DAY OF JUNE, 2025**

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ALFREDO CAMACHO  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

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GEOFFREY STARNES  
PLANNING COMMISSION SECRETARY

**APPROVED AS TO FORM:**

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MARCO MARTINEZ  
ASSISTANT 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.