

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING PARCEL MAP PM NO. 74494 FOR THE PROPERTY LOCATED AT 255, 267, 279 AND 291 E. BONITA AVENUE AND 2815 MELBOURNE AVENUE, INCLUDING THE VACATION OF THE PUBLIC ALLEY LOCATED NORTH OF BONITA AVENUE AND WEST OF MELBOURNE AVENUE

WHEREAS, on October 2, 2017, the City Council adopted Resolution No. 2017-141A approving Tentative Parcel Map PARCELMAP 6122-2016 to consolidate the real properties located at 255, 267, 279 and 291 E. Bonita Avenue and 2815 Melbourne Avenue, including the vacation of the public alley located north of Bonita Avenue and west of Melbourne Avenue; and

WHEREAS, on October 2, 2017, the City Council adopted Resolution No. 2017-141B approving Development Plan Review DPR 6124-2016 to build a 30,675 square foot surface parking lot consisting of the properties located at 255, 267, 279 and 291 E. Bonita Avenue and 2815 Melbourne Avenue, including the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated; and

WHEREAS, on October 16, 2017, the City Council adopted Ordinance No. 4239 approving Change of Zone ZONE 4972-2016 to rezone the properties at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated, from R-1-7,500 to the Pomona Corridors Specific Plan Residential Transition Zone; and

WHEREAS, on October 16, 2017, the City Council adopted Ordinance No. 4240 approving Specific Plan Amendment SPA 4920-2016 to amend the Pomona Corridors Specific Plan by expanding the boundary of the Residential Transition Area for properties located at 267, 271 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated; and

WHEREAS, on July 12, 2017, the Planning Commission adopted Resolution No. 17-022 approving Tentative Parcel Map PARCELMAP 6122-2016, Parcel Map PM No. 74494 to consolidate the real properties located at 255, 267, 279 and 291 E. Bonita Avenue and 2815 Melbourne Avenue, including the vacation of the public alley located north of Bonita Avenue and west of Melbourne Avenue; and

WHEREAS, on July 12, 2017, the Planning Commission adopted Resolution No. 17-021 approving Development Plan Review DPR 6124-2016 to build a 30,675 square foot surface parking lot consisting of the properties located at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated; and

WHEREAS, on July 12, 2017, the Planning Commission adopted Resolution No. 17-019 recommending City Council approval of Change of Zone ZONE 4972-2016 to rezone the properties at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated, from R-1-7,500 to the Pomona Corridors Specific Plan Residential Transition Zone; and

WHEREAS, on July 12, 2017, the Planning Commission adopted Resolution No. 17-020 recommending City Council approval of Specific Plan Amendment SPA 4920-2017 to amend the Pomona Corridors Specific Plan by expanding the boundary of the Residential Transition Area for properties located at 267, 271 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated; and

WHEREAS, on May 23, 2018, the Planning Commission adopted Resolution No. 18-~~xxx~~ approving General Plan Conformity Assessment GPC 6123-2016 and making the finding that the proposed vacation of the public alley located north of Bonita Avenue and west of Melbourne Avenue would not adversely affect the General Plan of the City, in that the alley will no longer be needed by the City to provide access to the rear of any homes, and the alley is not a designated feature of the street network in the Circulation/Transportation Element of the General Plan, so vacating the alley will not be inconsistent with the goals or policies of the General Plan.

WHEREAS, pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the project is categorically exempt under the California Code of Regulations Title 14 Section 15303 (New Construction or Conversion of Small Structure) and Section 15332 (In-fill Development Projects located in urbanized settings). The Planning Commission found that the project met the following criteria listed in the exemption: 1) the proposed project is consistent with the City's General Plan and Zoning Ordinance; 2) the parcel is smaller than 5 acres; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) the project will not have significant effects on the environment; and 5) the site can adequately be served by utilities and public services; and

WHEREAS, Casa Colina Centers for Rehabilitation Foundation, Casa Colina Hospital for Rehabilitative Medicine Inc. and Casa Colina Hospital for Rehabilitative Medicine Corporation, property owners, have submitted Parcel Map PM No. 74494 for the property located at 255, 267, 279 and 291 E. Bonita Avenue and 2815 Melbourne Avenue, including the public alley located north of Bonita Avenue and west of Melbourne Avenue proposed to be vacated, Pomona, CA, to the Public Works Department – Engineering Division for review and approval; and

WHEREAS, pursuant to Government Code Section 66434(g), the public alley located north of Bonita Avenue and west of Melbourne Avenue has been vacated as part of the Parcel Map PM No. 74494, in that the filing of said parcel map constituted the abandonment of the public alley based on written notifications from the utility companies of not objecting to the proposed abandonment; and

WHEREAS, all conditions of approval of PARCELMAP 6122-2016, Parcel Map PM No. 74494 have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The City Council hereby declares the above recitals are true and correct.

SECTION 2. The City Council hereby finds, based on the evidence submitted, that the Parcel Map PM No. 74494 for the consolidation of property located at 255, 267, 279 and 291 E. Bonita Avenue and 2815 Melbourne Avenue, including the vacation of the public alley located north of Bonita Avenue and west of Melbourne Avenue, is hereby approved, as depicted in EXHIBIT “A” of this Resolution, excepting and reserving to the City of Pomona a general public utility easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, and other convenient structures, equipment, and fixtures for the transportation or distribution of electric energy, and for incidental purposes, including access to protect these works from all hazards in, upon, and over the public alley proposed to be vacated.

SECTION 3. The vacation of the public alley located north of Bonita Avenue and west of Melbourne Avenue is subject to the following conditions that the applicants and the utility company requesting the easement reservation are responsible to comply with:

I. No buildings and/or permanent structures are allowed to be constructed within the public utility easement described in Section 2 of this Resolution.

II. Unrestricted access during business hours and after business hours shall be provided to all public utilities that requested easement rights described in Section 2 of this Resolution, including but not limited to: Southern California Edison (SCE) Company.

III. All future use of the reserved public utility easement shall comply with the City of Pomona Code Chapter 62, Article II, Undergrounding of Utilities.

SECTION 4. The City Council hereby authorizes the City Engineer to sign the Parcel Map PM No. 74494 on behalf of the City.

SECTION 5. The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

APPROVED AND ADOPTED THIS 4TH DAY OF JUNE 2018.

ATTEST:

CITY OF POMONA:

Eva M. Buice, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, EVA M. BUICE, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the City Council of the City of Pomona held on the 4th day of JUNE 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pomona, California, this 4th day of JUNE 2018.

Eva M. Buice MMC, City Clerk

18-274a