

**RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING TO
THE CITY COUNCIL DENIAL OF CODE AMENDMENT (CODE 9778-2018)
FOR PROPERTIES GENERALLY LOCATED AT 601-1101 W. MCKINLEY
AVENUE AND 2250 FAIR AVENUE**

WHEREAS, the Planning Commission recommends that the City Council Deny the Code Amendment (CODE 9887-2018) for properties located at 1101 West McKinley Avenue (APNs: 8378-020-001, 8378-020-002, 8378-020-003, 8378-016-020, 8378-019-001, 8378-016-901, 8378-020-901, 8378-019-900, 8378-020-905, 8378-020-800, 8378-020-903, 8378-020-902 & 8378-020-800);

WHEREAS, the subject properties are located within the "F" Fairgrounds Zoning District;

WHEREAS, the subject properties are designated Fairplex, Transit Oriented District, Activity Center, Workplace District by the City's General Plan;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on September 26, 2018 concerning the requested Zoning Code Amendment (CODE 9778-2018);

WHEREAS, the Planning Commission of the City of Pomona 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, as follows:

SECTION 1. The Planning Commission exercising their independent judgment has determined that pursuant to the provisions of the California Environmental Quality Act, CEQA, found in the California Public Resources Code, and has determined no further CEQA action is necessary for a recommendation of denial.

SECTION 2. 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 that the proposed Zoning Code Amendment related to the "F" Fairgrounds Zoning District should be denied in not in the public interest and is not in the interest of the furtherance of the public health, safety, and welfare and is not consistent with the following major goals, objectives, policies, and programs of the Pomona General Plan:

Policy 6C-P4 *Work with the Fairplex to ensure that future plans for the facility benefit both the Fairplex and the City* in that, the proposed Code Amendment is not consistent with this General Plan Policy and some areas of the proposed Code Amendment are inconsistent with other code requirements and a challenge to implement such as with Sections .435, 436.1, and .437.4 of the proposed code amendment.

Policy 6C-P6 *Require an appropriate planning/land use study approved by the City Council for commercial development above 250,000 square feet of space or any residential development. Encourage the study or plan to addresses:*

- *Location and distribution of various land uses and activities.*
- *Location and distribution of public parks and plazas.*
- *Compatibility of development with the adjacent residential neighborhoods.*
- *Implementation of required mitigation and improvements to circulation and infrastructure, including phasing—which shall all be the responsibility of the developer(s) at the time of development.*
- *Integration of on-site components—as well as connectivity to the surrounding neighborhoods—via pedestrian linkages, landscaping, public spaces, street network, appropriate building scale and bulk transitions and buffers for sensitive land uses.*
- *Design standards and guidelines.*


The proposed code amendment does not address each of the points found in this General Plan Policy. The creation of a Specific Plan, as supported by the Fairplex and County of Los Angeles, would be more in line with this policy, as the planning process would include public participation, visioning, and a detailed project review for design and development standards, including the preparation of an Environmental Impact Report and other environmental studies.

Goal 7B.G13 *Develop collaborative relationships between private and public entities to establish and maintain a comprehensive and coordinated economic development process* in that, the proposed Code Amendment was not developed in a collaborate process and is not supported by Fairplex or Los Angeles County and divides the community in those who support and oppose the City Council Ad Hoc Committee's Draft Ordinance.

SECTION 3. The Planning Commission hereby recommends to the City Council deny Code Amendment (CODE 9778-2018) for properties generally located at 601-1101 West McKinley Avenue and 2250 Fair Avenue

SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.


APPROVED AND PASSED THIS 26TH DAY OF SEPTEMBER, 2018


KYLE BROWN
PLANNING COMMISSION CHAIRPERSON

ATTEST:


MARIO SUAREZ, AICP
PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:


ANDREW JARED
ASSISTANT CITY ATTORNEY

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

AYES: Brown, Grajeda, Arias, and Hemming.
NOES: Juarez and Kercheval.
ABSTAIN: None.
ABSENT: Ursua.

"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."

