

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

February 22, 2011

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

February 22, 2011

REGULAR MEETING: Senior Center, 225 East B Street
Called to order by Chairman Gregorek at 6:30 p.m.

COMMISSIONERS

Present: Chairman Gregorek, Vice-Chairman Delman, Downs, Gage, Hartley, and Reyes

Absent: Willoughby

OTHERS PRESENT: City Attorney Raymond, Blum, Murphy, Zeledon, Ramey, and Govea

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Downs.

ANNOUNCEMENTS

Mr. Blum stated that Item B is being continued for thirty additional days.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of January 11, 2011, approved as written.

It was moved by Gage, seconded by Downs, to approve the Planning Commission Minutes of January 11, 2011, as written. The motion was carried 5 to 0 with Commissioners Downs and Willoughby abstaining. ABSENT, Willoughby.

A-02. MINUTES APPROVAL

Planning Commission Minutes of January 25, 2011, approved as written.

It was moved by Gage, seconded by Downs, to approve the Planning Commission Minutes of January 25, 2011, as written. The motion was carried

6 to 0. *ABSENT, Willoughby.*

A-03. Mills Act Monitoring Program Report (2010)

1. File No. PADV10-002

It was moved by Gage, seconded by Downs, to approve the Mills Act Monitoring Program Report (2010), File No. PADV10-002. The motion was carried 6 to 0. ABSENT, Willoughby.

A-04. GENERAL PLAN CONSISTENCY FINDING: Pursuant to CRL 33346, a finding that the proposed merged of all Redevelopment Project Areas into one Project Area is in conformance with The Ontario Plan Policy Plan (General Plan); **submitted by the Ontario Redevelopment Agency.**

It was moved by Gage, seconded by Downs, to approve the General Plan Consistency Finding. The motion was carried 6 to 0. ABSENT, Willoughby.

PUBLIC HEARING ITEMS

- B. APPEAL OF THE ZONING ADMINISTRATOR'S DECISION DENYING FILE NO. PCUP10-026:** An Appeal of the Zoning Administrator decision to deny a Conditional Use Permit to establish alcoholic beverage sales, limited to beer and wine for off-site consumption (Type 20 ABC License), within an existing Walgreens Pharmacy in the C1 (Shopping Center) zone, located at 2950 S. Archibald Avenue. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to § 15301 (Existing Facilities) of the State CEQA Guidelines. **Submitted by Walgreens** (APN: 1083-061-04). Continued from January 25, 2011.

PUBLIC TESTIMONY

No one responded from the audience.

PLANNING COMMISSION ACTION

File No. PCUP10-026. It was moved by Hartley, seconded by Gage to continue the Conditional Use Permit to March 22, 2011. The motion was carried 6 to 0.

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND FORESTAR COUNTRYSIDE, LLC., FILE NO. PDA10-001** – A Development Agreement to construct up to 422 units and the required infrastructure on 77.2 acres of land within the Countryside Specific Plan in the New Model Colony, generally located north of Schaefer Avenue, south of Riverside Drive, east of Archibald Avenue, and west of the Cucamonga Channel. The environmental impacts of the project were analyzed in the EIR prepared for the Countryside Specific Plan (File No. PSP04-001); **submitted by Forestar Countryside, LLC.** (APN: 218-131-11, 12, 22, 40, 43 and 218-111-057). Continued from January 25, 2011.

Assistant Planning Director, Scott Murphy spoke about the Development Agreement stating it provides added benefit to the City of Ontario.

Chairman Gregorek questioned the new version of this item. Mr. Murphy gave an explanation of the new version as exhibits were added to the second version.

Chairman Gregorek asked about Section 4.6.1.2 of the staff report. Mr. Murphy explained the installation section.

PUBLIC TESTIMONY

Jody Ferris, Forestar Countryside, LLC, 2151 Michelson Drive, Irvine, CA, thanked staff for their assistance and stated they are in compliance with the conditions of approval.

The public testimony was closed

PLANNING COMMISSION ACTION

File No. PDA10-001. It was moved by Delman, seconded by Hartley to adopt a Resolution to approve a Development Agreement, subject to conditions of approval. The motion was carried 6 to 0.

- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW OR FILE NO. PMTT10-003:** A Tentative Tract Map (TT16045) to subdivide 41.6 acres into 187 lots, within the RD-5,500(Neighborhood 1) of the Countryside Specific Plan, located south of Riverside Drive, north of Chino Avenue, and east of the Cucamonga Creek Flood Control Channel. The Environmental impacts of this project were analyzed in the EIR prepared for the Countryside Specific Plan (File No. PSP04-00). All mitigation measures of the related EIR shall be a condition of the project approval are incorporated herein by reference; **submitted by Forestar Countryside, LLC** (APN: 218-111-057). Continued from January 25, 2011.
- E. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT10-002:** A Tentative Tract Map (TT17449) to subdivide 18.74 acres of land into 97 lots and 15 lettered lots within the Z-lot (Neighborhood 5) land use designation of the Countryside Specific Plan, located south of Chino Avenue, north of SCE Utility Corridor and east of the Lower Cucamonga Basin. The Environmental impacts of this project were analyzed in the EIR prepared for the Countryside Specific Plan (File No. PSP04-00). All mitigation measures of the related EIR shall be a condition of the project approval are incorporated herein by reference; **submitted by Forestar Countryside, LLC** (APN: 218-131-12 and 22). Continued from January 25, 2011.
- F. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT10-001:** A Tentative Tract Map (TT17450) to subdivide 16.82 acres of land into 138 lots and 16 lettered lots within the Cluster Court (Neighborhood 6) land use designation of the Countryside Specific Plan, located south side of Chino Avenue, east of the lower Cucamonga Basin, and north of the Deer Creek Channel. The Environmental impacts of this project were analyzed in the EIR prepared for the

Countryside Specific Plan (File No. PSP04-00). All mitigation measures of the related EIR shall be a condition of the project approval are incorporated herein by reference; **submitted by Forestar Countryside, LLC** (APN: 218-131-11, 12, 22, 40, and 43). Continued from January 25, 2011.

Senior Planner, Rudy Zeledon, presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PMTT10-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gage asked about the type of development that goes on the lot of Tentative Tract Map 17450.

Mr. Zeledon presented the typical cluster court plotting for the lots.

Mr. Reyes asked where the residential portions of land are located.

Mr. Reyes asked about where the parks are located and what types of amenities are included within the Specific Plan.

Mr. Zeledon stated gave an explanation on the power point presentation.

Mr. Downs asked which portion of the lot belongs to the Z-Lot.

Mr. Zeledon explained how the easements will work on the Z-Lot.

PUBLIC TESTIMONY

Jody Ferris, Forestar Countryside, LLC, 2151 Michelson Drive, Irvine, CA, thanked staff for their assistance and stated they are in compliance with the conditions of approval.

The public testimony was closed

Commissioner Gage stated he will be voting in favor of items D, E, and F.

Chairman Gregorek thanked staff for a job well done.

PLANNING COMMISSION ACTION

File No. PMTT10-003. It was moved by Downs, seconded by Reyes to adopt a Resolution to approve a Tentative Tract Map (TT16045), subject to conditions of approval. The motion was carried 6 to 0.

File No. PMTT10-002. It was moved by Downs, seconded by Reyes to adopt a Resolution to approve a Tentative Tract Map (TT17449), subject to conditions of approval. The motion was carried 6 to 0.

File No. PMTT10-001. It was moved by Downs, seconded by Reyes to adopt a

Resolution to approve a Tentative Tract Map (TT17450), subject to conditions of approval. The motion was carried 6 to 0.

- G. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE MAP REVIEW FOR FILE NO. PMTT10-004:** A Tentative Tract Map (TT18789) request to subdivide 4.94 acres of land into 51 single-family lots and 5 lettered lots within Planning Area 6 of the Edenglen Specific Plan, located on the east side Edenglen Avenue, between Riverside Drive and Cottage Way. The environmental impacts of this project were reviewed in conjunction with the Edenglen Specific Plan EIR (SCH# 2004051108). This application introduces no new significant environmental impacts. **Submitted by Brookfield Southland Builders, Inc.** (APN: 218-941-40-54, 218-931-45-55, 59, 61, 64-74 and 88).
- H. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT10-005:** A Tentative Tract Map (TT18790) to subdivide 2.29 acres of land into 29 single-family lots and 2 lettered lots within Planning Area 6 of the Edenglen Specific Plan, located on the northeast corner of Bethany Way and Hampton Way. The environmental impacts of this project were previously reviewed in conjunction with the Edenglen Specific Plan EIR (SCH# 2004051108). This application introduces no new significant environmental impacts. **Submitted by Brookfield Southland Builders, Inc.** (APNs: 218-953-30-36, 56-62 and 218-954-14, 20 and 45).
- I. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT10-006:** A Tentative Tract Map (TT18791) to subdivide 0.68 acres of land into 8 single-family lots and 2 lettered lots within Planning Area 6 of the Edenglen Specific Plan, located on the northeast corner of Edenglen Avenue and Bethany Way. The environmental impacts of this project were reviewed in conjunction with the Edenglen Specific Plan EIR (SCH# 2004051108). This application introduces no new significant environmental impacts. **Submitted by Brookfield Southland Builders, Inc.** (APNs: 218-953-31 and 38).
- J. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV10-018:** A Development Plan to construct 88 detached single family homes within Tracts 18789, 18790, and 18791 in the P6 residential land use designation of the Edenglen Specific Plan, located south of Riverside Drive, north of Chino Avenue, and east of Mill Creek Avenue. The environmental impacts of this project were previously reviewed in conjunction with the Edenglen Specific Plan EIR (SCH# 2004051108). This application introduces no new environmental impacts. **Submitted by Brookfield Southland Builders, Inc.** (APN: 218-931-30 through 36, 45 through 61, 64 through 75, 88, and 218-953-14, 20, 25 through 38, and 45).

Associate Planner, Clarice Ramey, presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PMTT10-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Derek Barbour, 3090 Bristol Street, Costa Mesa, CA, Brookfield Homes, thanked staff for their attentiveness on this item.

Chairman Gregorek asked when the Model Home opening will take place.

Mr. Barbour stated the Model Home opening is set for August, 2011.

Gus Skropos, 3176 South Hampton Way, Ontario, CA, stated that Brookfield develops quality work. He spoke about the pricing of the homes due to the conditions of the current economy stating that increasing the density of the lots, leaves a smaller home lot. He is concerned with the quality of life and the impact smaller lots would have on property values. He felt that the narrow streets would help reduce traffic speeds within the development.

Derek Barbour gave an explanation of the average size home on this lot.

Commissioner Reyes asked if the developer were to build a larger product in this economy, if they would be able to sell it.

Derek Barbour stated that he hoping this new product will sell, stating the average square foot home on this lot is 2,800 – 3,200 square feet.

Commissioner Gage asked Mr. Barbour if this new development would lower the property value of the neighborhood.

Derek Barbour stated the completion of new community would be in the best interest of the current residents.

The public testimony was closed

Mr. Murphy stated that Mr. Skropos mentioned Brookfield was proposing a Specific Plan Amendment, but Brookfield is not proposing a Specific Plan Amendment. The Specific Plan Amendment was approved by the Planning Commission and City Council in 2009. Therefore, what Brookfield is proposing tonight is consistent with what the Specific Plan calls for. Mr. Murphy stated there will be three to four bedrooms in these units. There are more single family detached units proposed but the overall number of units within the Specific Plan remains unchanged. This is just how the units are allocated within the Specific Plan. The original New Model Colony General Plan encourages the mixing of unit product-type within a subdivision. It spoke specifically to placing multiple family units next to single family units to provide product variation and diversity within a community, which is what Edenglen is attempting to do with this product. The traffic speed concern was spoken about at the neighborhood meeting on February 15, 2011. The reduction in pavement width was intentional to slow traffic speed down. Mr. Murphy spoke about the economic impact of this product stating one person may look at this as depreciating value of a property and another person may argue that their property is now in demand due to the limited supply.

Commissioner Gage asked about future amenities in this development.

Mr. Murphy stated there is a pocket park that is yet to be developed. There is no plan to change the main park plan.

Mr. Blum stated future amenities are still in effect.

Mr. Downs asked if there is street parking.

Mr. Blum stated street parking is existent. Brookfield did study what their next buyer is going to want in parking space due to the fact that some people use their garage space for storage instead of parking.

Commissioner Hartley asked if there would be more multiple family dwellings built in the future.

Mr. Murphy stated there are plans for more multiple family dwellings.

Mr. Reyes commended the exhibits for landscaping on the frontage of the homes, stating this is a good looking product and the developer has done well with it.

Commissioner Gage spoke about the debates when the New Model Colony was being built. He learned that it is important to understand what the public wants in a development.

Commissioner Delman stated he believes the diversity and new development is beneficial for the community.

Chairman Gregorek stated he is adamant about diversity. There is a demand for this diversity and value and Brookfield did a great job thinking this plan through for this development.

PLANNING COMMISSION ACTION

File No. PMTT10-004. It was moved by Delman, seconded by Downs to adopt a Resolution to approve a Tentative Tract Map (TT18789), subject to conditions of approval. The motion was carried 6 to 0.

File No. PMTT10-005. It was moved by Delman, seconded by Downs to adopt a Resolution to approve a Tentative Tract Map (TT18790), subject to conditions of approval. The motion was carried 6 to 0.

File No. PMTT10-006. It was moved by Delman, seconded by Downs to adopt a Resolution to approve a Tentative Tract Map (TT18791), subject to conditions of approval. The motion was carried 6 to 0.

File No. PDEV10-018. It was moved by Delman, seconded by Downs to adopt a Resolution to approve a Development Plan, subject to conditions of approval. The motion was carried 6 to 0.

- K. ENVIRONMENTAL ASSESSMENT AND AIRPORT LAND USE COMPATIBILITY PLAN (FILE NO. PADV07-008):** A request to approve the Airport Land Use Compatibility Plan and adopt a Negative Declaration of environmental impacts. The function of the Airport Land Use Compatibility Plan (ALUCP) is to

promote compatibility between LA/Ontario International Airport (ONT) and surrounding land uses as provided in the State Aeronautics Act (Public Utilities Code, section 21670 et. seq.). The proposed ALUCP consists of several components including: airport and land use information, compatibility policies and criteria, compatibility zone maps and procedural policies. The proposed ALUCP for ONT would supplement the Airport Environs section of The Ontario Plan (Ontario's General Plan), which currently serves as ONT's airport land use plan. The geographic scope of the ALUCP is the Airport Influence Area (AIA), the area in which current or future airport-related noise, safety, airspace protection and/or overflight factors may affect land uses or necessitate restrictions on those uses. The AIA includes portions of the Cities of Ontario, Fontana, Upland, Montclair, Rancho Cucamonga, Chino, Pomona, Claremont and unincorporated portions of San Bernardino, Riverside and Los Angeles Counties. Staff is recommending the adoption of a Negative Declaration (ND) of environmental effects for the project.

Mr. Blum introduced the item and the letter of concern from the City of Fontana. He requested to open the public hearing and receive any public testimony. It is intended to request and continue the public hearing on this item until the next Planning Commission meeting of March 22, 2011 which means this item would also be continued to the City Council meeting of April 5, 2011.

Miranda Thompson, Project Manager, Mead & Hunt, provided an overview of the State Law for the Airport Land Use Compatibility Plan. It protects public health, safety, and welfare. She gave an explanation of the California Aeronautics Act. An ALUCP is required for all public-use and military airports. She gave a review of the Alternative Process Requirements.

Associate Planner, Lorena Mejia, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval of File No. PADV07-008 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Chairman Gregorek asked about the letter from the City of Fontana which was attached to the Staff Report.

Charles Fahie, City of Fontana, spoke about issues from the City of Fontana. The major concern of the City of Fontana is the Negative Declaration. There was no CEQA plan to establish this plan. This affects numerous properties within the City of Fontana. These properties should have been analyzed in a CEQA plan. The City of Fontana is requesting the City of Ontario do more community outreach and to continue this item before coming to a conclusion.

Mr. Blum stated that the City of Ontario is responsible for preparing a report for the ALUCP. The City of Ontario is not responsible for airport operations. The City of Ontario ensures the future land uses at the airport and ensures the four components are put in place so it does not impact new developmental communities. The City of Ontario is not responsible for the development or approval of a Master Plan which would be required for any development on the

property. The City of Los Angeles is responsible for moving forward with plans and it is at that time that CEQA requires an Environmental Impact Report. It is not in our opinion required to filing an Environmental Impact Report for the ALCUP which seeks to set policies and not physical development.

Ms. Thompson stated the focus looks at policy documents for future development around ONT. It is distinct from Master and General Plans. It does not look at noise impacts.

Mr. Blum stated that this item should be brought before the City of Ontario's City Council before any other City Council reviews or takes action.

PLANNING COMMISSION ACTION

File No. PADV07-008. It was moved by Downs, seconded by Delman to continue to March 22, 2011. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation: Commissioner Gage stated this subcommittee met on February 10, 2011. They will attend the Claremont Village Expansion tour on March 1, 2011.

ALUCP: This subcommittee did not meet.

Development Code Review: The next meeting is on February 24, 2011.

New Business

Nominations for Special Recognition

The Colonies Marketplace has been nominated by Commissioner Reyes for a Special Recognition award. Commissioner Reyes stated this is a significant development within the City of Ontario.

It was moved by Reyes, seconded by, Downs to recommend a Special Recognition award to the Colonies Marketplace project. It was voice carried 6 to 0.

DIRECTOR'S REPORT

Mr. Blum spoke about the 2011 Planner's Institute taking place on March 9 – 11, 2011.

Election of officers will take place on March 22, 2011. The new Chairman will assign subcommittee members at the following meeting.

Mr. Blum presented the monthly and quarterly activity reports.

ADJOURNMENT

The meeting was adjourned at 8:55 p.m. Commissioner Gage motioned to adjourn, seconded by Gregorek.


Secretary Pro Tempore


Chairman, Planning Commission