

**CITY OF ONTARIO PLANNING COMMISSION**

**MINUTES**

**August 28, 2012**

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# CITY OF ONTARIO PLANNING COMMISSION

## MINUTES

August 28, 2012

**REGULAR MEETING:** City Hall, 303 East B Street  
Called to order by Chairman Delman at 6:30 p.m.

### COMMISSIONERS

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

**Absent:** None.

**OTHERS PRESENT:** City Attorney Raymond, Planning Director Blum, Assistant Planning Director Murphy, Senior Planner Mercier, Senior Planner Batres, Principal Engineer Hackett, Assistant City Engineer Lee, Sr. Management Analyst Scott Melendrez, and Planning Secretary Govea

### PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. Downs.

### ANNOUNCEMENTS

No one responded from the audience.

### PUBLIC COMMENTS

No one responded from the audience.

### CONSENT CALENDAR ITEMS

#### **A-01. MINUTES APPROVAL**

Planning Commission Minutes of July 24, 2012, approved as written.

#### **A-02. FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2012-2013**

**A-03. TIME EXTENSION FOR ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP 18476 (FILE NO. PMTT07-002):** A request to subdivide 37.77 acres of land into 143 residential lots and 3 lettered lots within Planning Area 9 of the West Haven Specific Plan, located along the east side of Turner Avenue, 255 feet north of Schaefer Avenue. The environmental effects of the project were previously considered in the West Haven Specific Plan EIR (SCH #2004071095), certified by the City Council on

July 16, 2007. This Application introduces no new significant environmental impacts; **submitted by CV Communities** (APN No. 0218-151-19 and 23). City Council action is required.

- A-04. TIME EXTENSION FOR ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP 18477 (FILE NO. PMTT07-003):** A Tentative Tract Map ("A" Map, TT18477) to subdivide 37.77 acres into two lots and five lettered lots within Planning Area 9 of the West Haven Specific Plan located on the northeast corner Turner Avenue and Schaefer Avenue. The environmental effects of the project were previously considered in the West Haven Specific Plan EIR (SCH #2004071095), certified by the City Council on July 16, 2007. This Application introduces no new significant environmental impacts; **submitted by CV Communities** (APN No. 0218-151-19 and 023). City Council action is required.

#### **PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Hartley, to approve the Consent Calendar items as presented. The motion carried 7 to 0.*

#### **PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA12-001:** An amendment to the Ontario Festival Specific Plan (**File No. PSPA12-001**), which [1] changes certain properties from the "Garden Commercial II" to the "Planned Residential" land use designation, [2] adds the "Planned Residential Overlay" to the "Garden Commercial II" district as a land use option, and [3] allows the development of a maximum of 472 dwellings (at a maximum 15.6 dwellings per acre) in place of the currently allowed maximum 392 dwellings and 155,000 square feet of commercial land uses. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. Staff is recommending the adoption of an Addendum to the Ontario International Centre Environmental Impact Report (EIR No. 80-3), previously certified by the Ontario City Council, with a Statement of Overriding Considerations, on December 16, 1980. **Submitted by Brookfield Residential** (APNs: 210-631-01 through 11; and 210-181-06, 09, 10, 28, 29 & 39). City Council action is required.

Senior Planner Chuck Mercier presented the staff report once again as this item was continued from last meeting on July 24, 2012. He stated that staff is recommending the Planning Commission approve File No. PSPA12-001 pursuant to the facts and reasons contained in the staff report and attached resolutions.

No one responded.

#### **PUBLIC TESTIMONY**

Applicant Craig Cristina, Director of Land Entitlement for Brookfield Residential, appeared and spoke. He stated Brookfield has spent a lot of time on this project to take



what was previously a broken community with great intentions to seeing new homes opening in 2013. He stated they could not have done this without the guidance of City Staff. He spoke about the condition regarding the restrictions on the residential overlay on Inland Empire Boulevard.

Mr. Gregorek questioned the eastern parcel.

Mr. Cristina stated there is a two-acre parcel on the east that they do not control within the Specific Plan as well as the one-acre parcel to the west.

Mr. Gregorek asked if there is an issue with the restriction on the one-acre parcel to the west.

Mr. Cristina stated they do not have an issue with the restriction on the one-acre parcel.

Mr. Delman stated he finds it odd that there are no plans for commercial property for this development on the eastern parcel.

Mr. Cristina stated when they acquired the property they inherited an amount of commercial property with it. They did not want to re-zone that area so they felt it was their due diligence to speak to local Brokers and Developers in the Commercial industry and the feedback was overwhelming pointing in one direction which was that the Commercial use will not be viable in this location along Inland Empire Boulevard.

Mr. Downs questioned the section on the map labeled "NP" (Non-Participating).

Mr. Cristina stated the restriction would be along the entire area of the "U" shape.

Mr. Willoughby asked how many units are in area one.

Mr. Cristina answered there are six units in area one and twenty-four units in area two.

As there was no one else wishing to speak, Chairman Delman closed the public testimony

Mr. Willoughby asked staff if there is any way to split the "NP" area and or the east area from the plan.

Mr. Blum stated it is in staff's opinion that it is not good planning to allow the area to be split.

Mr. Willoughby asked if both area one and area two have to be in agreement before Brookfield can develop either piece.

Mr. Blum answered no. They are both stand-alone areas.

Mr. Delman stated he is in favor of staff's recommendation.

## PLANNING COMMISSION ACTION

*CEQA Determination Addendum. It was moved by Willoughby, seconded by Downs, to adopt the CEQA Determination Addendum, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: Downs, Gage, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.*

*File No. PSPA12-001. It was moved by Willoughby, seconded by Downs, to adopt the Resolutions to approve a Specific Plan Amendment, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: AYES, Gage, Gregorek, Hartley, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried with 7 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT & TENTATIVE TRACT MAP FOR FILE NO. PMTT12-001**: A Tentative Tract Map to subdivide a 27.2-acre parcel into one lot for condominium purposes for an existing mobile home park, located at 2139 E. Fourth Street, within the MH (Mobile Home) land use designation. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. Pursuant to the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared for the project. **Submitted by Richard Pech** (APN: 0210-061-20).

Senior Planner Luis Batres presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PMTT12-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Willoughby questioned whether this is a family park or adult only park.

Mr. Batres stated it is a family park.

Mr. Downs asked how many units responded to the survey.

Mr. Batres stated the survey was handed out by the applicant in both Spanish and English to every unit in the mobile home park.

Mr. Blum asked how many people responded to the survey.

Mr. Batres stated approximately sixty-four percent of the units responded to the survey.

Mr. Delman asked if the sixty-four percent of responses were in favor of the proposal.

Mr. Batres answered yes.

## PUBLIC TESTIMONY

Attorney Richard Pech, appeared and spoke. He stated he is in agreement with the staff report.

Mr. Reyes asked the manner in which the surveys were given out to the units.

Mr. Pech stated the surveys were mailed out by regular mail with a return stamped envelope.

Mr. Reyes asked how many owners and how many renters there are of the two-hundred and thirty units.

Mr. Pech stated the residents in the mobile home park are owners.

Mr. Reyes questioned the owner's intention of the proposal.

Mr. Pech stated Legislative policy is to promote home-ownership and in terms of the future, the park would have a greater value as condominiums than as a rental park.

Mr. Reyes questioned the options for residents who may be able to purchase a unit.

Mr. Pech stated the owner of the mobile home park could provide owner-financing and or assist with lower interest rates.

Mr. Reyes stated he is concerned for senior citizens that may not be able to make this type of purchase.

Mr. Pech stated there is no obligation for them to purchase a unit. They can continue to rent if they wish.

As there was no one else wishing to speak, Chairman Delman closed the public testimony

Mr. Downs stated he is concerned with the response rate.

Mr. Delman stated he is lucky to receive a ten percent response rate in every survey he has done in business so this response rate is not too poor.

Mr. Willoughby asked for clarification whether if as a Planning Commission they are supposed to make certain that the four requirements of this proposal have been followed.

Mr. Blum answered yes.

Mr. Gage questioned the adequacy of the mailers sent out by the applicant. He asked if regular mail was sufficient.

Mr. Blum answered yes. He added that if there were potential issues with this proposal there would have been residents in attendance of tonight's meeting but there is no one in the audience in opposition.



Mr. Delman agreed with Mr. Blum's statement.

Mr. Gregorek stated he is in favor of the project.

### **PLANNING COMMISSION ACTION**

*CEQA Determination and Negative Declaration. It was moved by Gregorek, seconded by Willoughby, to adopt the CEQA Determination and Negative Declaration, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: Gregorek, Hartley, Willoughby, Downs, Gage, and Delman; NOES, Reyes; ABSENT, none. RECUSE, none. The motion was carried 6 to 1.*

Mr. Gage stated we only have so much control of this type of project due to the fact that the State regulates policy. He stated affordable home-ownership is a noble matter.

*File No. PMTT12-001. It was moved by Gregorek, seconded by Downs, to adopt a Resolution to approve the Tentative Tract Map, subject to conditions of approval. Roll call vote: AYES, Hartley, Willoughby, Downs, Gage, Gregorek, and Delman; NOES, Reyes; ABSENT, none. The motion was carried 6 to 1.*

### **MATTERS FROM THE PLANNING COMMISSION**

#### **Old Business Reports From Subcommittees**

**Historic Preservation (Standing):** Mr. Gage spoke about the Consultant working on Holt Boulevard from Benson Avenue to Vineyard Avenue project. Mr. Gregorek spoke about the pictures that were selected for display for the project. Mr. Gage stated the picture that will run adjacent to the diagonal sidewalk that goes through the park is quite large. It is seven feet high and fifty feet long with one side in color and the other in black and white. It is comprised of historical pictures of Ontario and the Euclid Corridor and it is done by an artist that incorporates all the pictures in a collage. Mr. Delman stated this will be a nice addition to the Downtown area of Ontario.

**Airport Land Use Compatibility (Ad-hoc):** This subcommittee did not meet.

**Development Code Review (Ad-hoc):** This subcommittee did not meet.

**Zoning General Plan Consistency (Ad-hoc):** This subcommittee did not meet.

**ABC Licensing Guidelines Committee (Ad-hoc):** This subcommittee did not meet.

#### **New Business**

Mr. Reyes spoke about the Consultant who was selected to do the work on the Holt Boulevard project.

**NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

**DIRECTOR'S REPORT**

None at this time.

**ADJOURNMENT**

The meeting was adjourned at 7:39 p.m. Mr. Delman motioned to adjourn, seconded by Mr. Gregorek.

  
Secretary Pro Tempore

  
Chairman, Planning Commission