

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

March 27, 2012

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

March 27, 2012

REGULAR MEETING: Ontario 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, Blum, Murphy, Alvarez, Lee, Andres, White, and Govea

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Downs.

ANNOUNCEMENTS

No one responded.

PUBLIC COMMENTS

Irene Chisholm, Creekside representative asked if the Tuscana item was on the Agenda tonight. Mr. Delman confirmed.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of February 28, 2012, approved as written.

*Planning Commission Minutes of February 28, 2012, are approved as written.
The motion was voice carried 7 to 0.*

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, AMENDMENT TO THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN, ZONE CHANGE, AND SPECIFIC PLAN FOR FILE NOS. PGPA09-001, PZC09-002, AND PSP09-001:** An Amendment to the Policy Plan (General Plan) component of The Ontario Plan (File No. PGPA09-001) to revise the Hamner/SR-60 Mixed Use Area to include Medium

Density Residential (11.0-25.0 dwelling units per acre), a Zone Change (**File No. PZC09-002**) to rezone approximately 20 acres of land from R1 (Single-Family Residential) to Specific Plan, and the adoption of Tuscana Village Specific Plan (**File No. PSP09-001**), to master plan approximately 20 acres of land by establishing land use designations and design guidelines for the property located at the northwest corner of Riverside Drive and Milliken Avenue. Staff is recommending the adoption of a Mitigated Negative Declaration (MND) of environmental effects for the project. **Submitted by Pelican Homes.** (APNs: 1083-361-01).

Associate Planner, John Hildebrand III presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PGPA09-001, PZC09-002, and PSP09-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

PUBLIC TESTIMONY

Ross Geller, Applied Planning, representative of the Katelaris family stood at the podium for questioning.

There were no questions for Mr. Geller.

Irene Chisholm, Creekside representative stood at the podium. She verified the zoning use of Creekside.

Mr. Hildebrand explained the Specific Plan in further depth to Ms. Chisholm.

Ms. Chisholm explained her concern of a brand new development.

Richard Moore, resident of Edenglen had the same concerns of Ms. Chisholm.

Mr. Geller responded to the concerns.

The public testimony was closed

Mr. Blum gave further explanation of the item.

The public hearing was re-opened

Mr. Geller spoke about the build-out of this project.

The public testimony was closed

Commissioner Gregorek stated he believes it is a good idea to create a commercial element to the project.

Mr. Willoughby verified the Specific Plan and Elements fall in line with The Ontario Plan.

Mr. Blum confirmed.

Discussion from the Planning Commission took place.

PLANNING COMMISSION ACTION

File No. PGPA09-001. It was moved by Gregorek, seconded by Downs to adopt the Resolution to approve the General Plan Amendment, Zone Change and Specific Plan, subject to conditions of approval, and based on facts and reasons contained in the staff report. Roll call vote: AYES, Gage, Gregorek, Hartley, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.

File No. PSP09-001. Moved by Willoughby, seconded by Gregorek to adopt the Resolution to approve the Specific Plan, subject to conditions of approval, and based on facts and reasons contained in the staff report. Roll call vote: AYES, Gregorek, Hartley, Reyes, Willoughby, Downs, Gage, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.

File No. PZC09-002. Moved by Gregorek, seconded by Hartley to adopt the Resolution to approve the Zone Change, subject to conditions of approval, and based on facts and reasons contained in the staff report. Roll call vote: AYES, Hartley, Reyes, Willoughby, Downs, Gage, Gregorek, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND TENTATIVE TRACT MAP FOR FILE NOS. PDEV09-016 AND PMTT11-007 (PM 18460):** A Development Plan (File No. PDEV09-016) to construct 176 dwelling units and a Tentative Tract Map (File No. PMTT11-007 – PM 18460) for residential condominium purposes, located at the northwest corner of Riverside Drive and Milliken Avenue, within the Residential land use designation of the Tuscana Village Specific Plan. The environmental impacts of this project were reviewed in conjunction with a Mitigated Negative Declaration prepared for the Tuscana Village Specific Plan (File No. PSP09-001). **Submitted by Pelican Homes.** (APNs: 1083-361-01).

Associate Planner John Hildebrand III presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV09-016 and PMTT11-007, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Gregorek questioned the commercial site and asked if they plan on grading all pads at one time.

Mr. Hildebrand explained the processes of each phase.

Raymond Lee, Assistant City Engineer spoke about the west bound traffic lanes.

Mr. Gregorek expressed concern of driveway entrance along Milliken Avenue.

Mr. Blum stated there should be landscape delineation. This can be added as a condition.

Mr. Reyes questioned the location of the crosswalk.

Mr. Willoughby stated whoever makes a motion to approve should include the additional condition.

Mr. Gage asked for clarification of what they approving tonight for this item.

Mr. Hildebrand clarified the commercial development plan.

Mr. Willoughby questioned the signal as being included in phase one. He also asked about residential parking.

Mr. Lee clarified the condition to the applicant to construct the signal. All offsite improvements will be bonded.

Mr. Hildebrand spoke about page eight of the staff report referencing the parking ratios.

Mr. Blum stated staff is working on bringing the ABC licensing info to the Planning Commission ref the usage of the proposed building of activities.

Mrs. Hartley asked if there is going to be a Vineyard.

Mr. Blum stated it could be grown in the future.

PUBLIC TESTIMONY

Ross Geller, Applied Planning complimented staff on the thoroughness of the presentation of the staff report, specifically John Hildebrand III and Jerry Blum. He spoke about the transitioning of the streets and lanes and live entertainment activities in the outside area.

Mr. Blum spoke about pedestrian studies.

Mr. Reyes asked about what type of animals would be considered at the petting zoo.

Mr. Geller spoke about the purpose of the petting zoo.

Brian Johnson, Pelican Homes spoke about the set-backs and northerly trees. He is unable to move the buildings back three feet.

Mr. Blum spoke about the set-backs stating 12.9 feet would be sufficient depending on the tree species.

Ms. Chisholm clarified information about apartments developed in their area. She spoke about a site photo which is her concern. They have a vested interest in what is developed. She addressed traffic impacts to Creekside Communities.

Marcos Velayos, Park and Velayos, representative of the Riboli family complimented staff on the information presented. He spoke about the olive trees and asked for the plan to review the buffers. He also spoke about the fifteen-foot set-back and the impacts of

increasing or decreasing it. He requested clarification on the build-out phase.

Mr. Hildebrand explained the processes of the phases.

Mr. Moore asked for total parking spaces and street improvements.

Mr. Hildebrand answered 368 parking spaces and explained street improvements.

Mr. Lee provided additional information referencing traffic on Riverside Drive.

Mr. Geller addressed the set-back being requested to the north. There is a nine foot wall being proposed. He spoke the olive trees and the buffer between the residential area and the nursery.

The public testimony was closed

Commissioner Gregorek stated there have been good concerns and comments on this project. Need extra islands condition should be added.

Mr. Downs stated this is a well-thought out plan.

Mrs. Hartley stated this is a beautiful development.

Mr. Reyes stated this is a gateway to the city.

PLANNING COMMISSION ACTION

File No. PDEV09-016. It was moved by Gregorek, seconded by Willoughby to adopt Resolutions to approve the Development Plan and Tentative Tract Map, subject to conditions of approval. Roll call vote: AYES, Gregorek, Hartley, Reyes, Willoughby, Downs, Gage, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0.

File No. PMTT11-007. It was moved by Gage, and seconded by Reyes

- D. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND TENTATIVE PARCEL MAP FOR FILE NOS. PDEV09-017, PCUP09-026, AND PMTT09-003 (PM 18459):** A Development Plan (File No. PDEV09-017) for the phased construction of a commercial center, including three buildings totaling 26,000 square feet of floor area, a Conditional Use Permit (File No. PCUP09-026) to operate a retail farm store and establish alcoholic beverage sales and live entertainment, and a Tentative Parcel Map (File No. PMTT09-003 – PM 18459) to subdivide 20 acres into 10 parcels, located at the northwest corner of Riverside Drive and Milliken Avenue, within the Commercial land use designation of the Tuscana Village Specific Plan. The environmental impacts of this project were reviewed in conjunction with a Mitigated Negative Declaration prepared for the Tuscana Village Specific Plan (File No. PSP09-001). Submitted by Pelican Homes. (APN: 1083-361-01).

Associate Planner, John Hildebrand III presented the staff report. He stated that staff is

recommending the Planning Commission approve File Nos. PDEV09-017 and PMTT09-003 and continue File No. PCUP09-026, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

PUBLIC TESTIMONY

No one responded.

The public testimony was closed

PLANNING COMMISSION ACTION

File Nos. PDEV09-017 and PMTT09-003. It was moved by Gregorek, seconded by Gage, to adopt Resolutions to approve a Development Plan and a Tentative Parcel Map, subject to conditions of approval including additional condition concerning safety and traffic congestion offsetting the gas station site. Roll call vote: AYES, Hartley, Reyes, Willoughby, Downs, Gage, Gregorek, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0.

File No. PCUP09-026. It was moved by Gregorek, seconded by Hartley, to continue this item to the next Planning Commission meeting. Roll call vote: AYES, Hartley, Reyes, Willoughby, Downs, Gage, Gregorek, and Delman; NOES, none; ABSENT, none. The motion was voice carried 7 to 0.

Mr. Delman called for a five-minute recess.

- E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND PANAYIOTIS KATELARIS AND ADRIANA KATELARIS FILE NO. PDA11-001: A Development Agreement to construct up to 200 residential units, 120,000 square feet of commercial space, various interim improvements and uses, and the required infrastructure on 20 acres of land within the Tuscana Specific Plan, generally located northwest corner of Riverside Drive and Milliken Avenue; **submitted by Panayiotis Katelaris and Andriana Katelaris.** (APN: 1083-361-01). (City Council action is required).

Assistant Planning Director, Scott Murphy presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PDA11-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Mr. Geller addressed the issues raised by Mr. Velayos stating they can be addressed before this item goes to City Council.

Mr. Velayos stated part of reason to request the condition is that they would like to know that everyone is on the "same page". The issue is referencing the Development Agreement.

Mr. Geller stated if the issue is the mechanics of the Development Agreement it can be worked out.

Mr. Velayo stated part of the problem is the way the Development Agreement works.

The public testimony was closed

Mr. Blum stated he is not sure they would recommend a condition to meet referencing a Development Agreement.

PLANNING COMMISSION ACTION

File No. PDA11-001. It was moved by Willoughby, seconded by Reyes to adopt a Resolution to approve the Development Agreement, subject to conditions of approval and to facilitate a meeting between the two parties. Roll call vote: AYES, Reyes, Willoughby, Downs, Gage, Gregorek, Hartley, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0.

- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FOR FILE NO. PDCA12-001** - A request to amend the Ontario Development Code adding Article 22, Multi-Modal Overlay District, creating the overlay district and establishing development standards and permitted and conditionally permitted uses for approximately 75 acres of land located south of Interstate 10, west of Archibald Avenue, and north and east of Guasti Road. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to §15061(b)3 (General Rule) and §15301 (Existing Facilities) of the State CEQA Guidelines. **Submitted by the City of Ontario.** (APN: 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31, and 33).

Assistant Planning Director, Scott Murphy presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PDCA12-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Murphy stated warehousing would be a permitted use.

PUBLIC TESTIMONY

Tom Miller, owner of various parcels on the amendment thanked staff and the Planning Commission for their time and effort.

The public testimony was closed

Mr. Reyes thanked staff for the great idea of an overlay.

PLANNING COMMISSION ACTION

File No. PDCA12-001. It was moved by Willoughby, seconded by Hartley to adopt a Resolution to approve the amendment of the Ontario Development

Code, subject to conditions of approval. Roll call vote: AYES, Willoughby, Downs, Gage, Gregorek, Hartley, Reyes, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation: This subcommittee did not meet.

ALUCP: This subcommittee did not meet.

Development Code Review: This subcommittee did not meet.

Zoning General Plan Consistency: This subcommittee did not meet.

New Business

Election of Officers

Nomination of Chairman for Richard Delman by Gregorek. Voice vote approved.

Nomination of Vice-Chairman for Rick Gage by Mr. Willoughby. Voice vote approved.

DIRECTOR'S REPORT

None.

ADJOURNMENT

The meeting was adjourned at 10:13 p.m. Chairman Delman motioned to adjourn, seconded by Commissioner Gregorek.


Secretary Pro Tempore


Chairman, Planning Commission