



# THE CITY OF RANCHO CUCAMONGA

THE REGULAR MEETING **MINUTES** OF

THE HISTORIC PRESERVATION COMMISSION

AND

THE PLANNING COMMISSION

APRIL 27, 2016 - 7:00 PM

Rancho Cucamonga Civic Center  
COUNCIL CHAMBERS  
10500 Civic Center Drive  
Rancho Cucamonga, California

## I. CALL TO ORDER

Pledge of Allegiance **7:00 PM**

Roll Call

Chairman Wimberly X Vice Chairman Oaxaca X

Munoz X Macias X Fletcher X

*Additional Staff Present: Candyce Burnett, Planning Director; Jeff Bloom, Deputy City Manager/Economic and Community Development; Steven Flower, Assistant City Attorney; Tom Grahn, Associate Planner; Donald Granger, Senior Planner, Jason Welday, Traffic Engineer; Jennifer Nakamura, Associate Planner; Lois Schrader, Planning Commission Secretary; Jennifer Palacios, Office Specialist II; Mike Smith, Senior Planner*

*Chairman Wimberly offered some guidelines regarding the conduct during the meeting. He noted the public hearing portion of the Empire Lakes project was closed at the last meeting of April 13, however, comments will be received during the Public Communications section to follow. He said there would be another opportunity for public comment on the Empire Lakes project during the public hearing before the City Council on a future date. He limited comments to 5 minutes per speaker.*

## II. PUBLIC COMMUNICATIONS

*This is the time and place for the general public to address the Historic Preservation Commission or the Planning Commission on any item listed or not listed on the agenda. State law prohibits the Historic Preservation Commission or the Planning Commission from addressing any issue not previously included on the Agenda. The Historic Preservation Commission or the Planning Commission may receive testimony and set the matter for a subsequent meeting.*



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*Comments are to be limited to five minutes per individual or less, as deemed necessary by the Chair, depending upon the number of individuals desiring to speak. All communications are to be addressed directly to the Historic Preservation Commission or Planning Commission, not to the members of the audience. This is a professional business meeting and courtesy and decorum are expected. Please refrain from any debate between audience and speaker, making loud noises, or engaging in any activity which might be disruptive to the decorum of the meeting.*

*Richard Dick spoke in support and said it is a good use for the property.*

*Erik Westedt filled out a speaker card but did not come forward when he was called by the Chairman.*

*Paul Runkle spoke in support noting his prior experience with mixed use projects and the re-development of golf courses for other uses. He said the TOD concept is very popular and will support other businesses. He said there is a direct link of affordability of housing with density-the more we build, more options available, hence more affordable. He said it is key to deliver a quality project-Lewis Co are leaders and they are in business with a long term perspective.*

*Anna Millsap said she is a Lewis homeowner and is excited about this project; she believes their quality is great.*

*Danny Pierce spoke in opposition citing loss of valuable open space noting 52,000 tee times at Empire Lakes last year; a significant use for open space. He said changing the 2010 General Plan I means we will lose; 2 course to zero and the loss is unmitigated. He also expressed concern about exposure of hazardous materials, costs of future fire station and fiscal impacts.*

*Brandon Brooke spoke in opposition noting concerns about property owners/residents not receiving the notifications. He said there is misinformation regarding traffic, crime, city resources, and school impacts. He said the wildlife found on the course is amazing and people really enjoy it. He questioned the water usage calculations and that the EIR does not adequately address traffic stemming from other large projects in the area in combination with Empire Lakes.*

*Cherie Knudson opposed noting more open land is lost with each development, high rents and credit requirements of Lewis developments and tall buildings blocking views. She said the general public thinks all City officials and the Commission are in Lewis' pocket. She said the golf course should be preserved.*

*Gary Price opposed and said the concept of TOD development is based on a false premise; there is falling ridership, increased fares, and a change of demographics of riders. He asked if the City of Ontario reports of 8,000 new units to be built has been considered as traffic is already a problem. He implied a backroom deal because Lewis knew it was Open space and the seller knew it was open space and now there is the request to change it.*

*Stuart Schwartz opposed but commended Oaxaca and Fletcher for their diligence with questions. His concerns were about the prices of housing is above what workers in the area can afford; the consultants are not independent and there is no evidence to support the use of Metrolink by this development; He said private property rights do not assume buyers can automatically rezone. He said his sources say the course is net cash positive and still could be viable as open space; the project pictured is a myth-it will change. He claimed a lack of transparency.*

*Cynthia Gomez said she is sickened by those who imply something bad is going on. She supports the project, she stated this is nothing like LA and she hopes this will bring millennials as many are looking for this lifestyle-we prefer to walk or bike to work and we live with traffic it is a part of life. She said it meets*



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*multigenerational needs that she sees every day.*

*Kim Earl opposed the project and said many millennials do not want stack n pack, dorm room environment; young families do not want their children to play in a public area-they would prefer a back yard. Schools will be impacted and are already impacted. She questioned water supply vs conservation requirements, traffic, people will not walk or bike to work, affordability for Millennials. She said she understands their right to sell golf course but this is not a good replacement.*

*Frank Frenloff opposed and said the golf course is a pristine area. He said golf is cheap therapy-he is in his 80s and said he can swing the club and forget it all. He said it is great to see kids taking lessons-they learn good values.*

*Patricia Wallen spoke regarding the GFR project (Items E, F & G) she noted she lives adjacent to the site. She supports the removal of the eucalyptus trees as they cause much work and mess in her yard although she will miss the privacy they provide.*

*The Public Communications Section ended at 7:49 PM*

## **III. CONSENT CALENDAR/HISTORIC PRESERVATION COMMISSION AND PLANNING COMMISSION**

A. Consideration of minutes dated April 13, 2016

*Moved by Munoz, seconded by Oaxaca, carried 5-0 to adopt the minutes of April 13, 2016.*

## **IV. SCHEDULED MATTERS/PLANNING COMMISSION**

*Chairman Wimberly reminded the public of the expected conduct for the meeting and explained the order of Items B, C and D. He noted the public hearing portion is closed and no further testimony would be taken and that the focus of the meeting tonight is for the Commission to continue their discussion and deliberation of these items. He noted that staff would be the report and any updates from the last meeting, field questions as appropriate and then following their discussion the Commission may choose to take action. He said if the Commission recommends approval, the item will be forwarded to the City Council for final action and that meeting will be a noticed public hearing.*

B. ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN AMENDMENT DRC2015-00114 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the 2010 General Plan of the City of Rancho Cucamonga by revising text, graphics, and exhibits within the General Plan, and change the land use designations of parcels that are currently developed with the Empire Lakes Golf Course, an existing, private golf course of 160 acres that is located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, from Open Space to Mixed Use, in conjunction with a proposed mixed use, high density residential/commercial



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development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: Development Code Amendment DRC2015-00115 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (EIR) (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations has been prepared for consideration by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.

- C. ENVIRONMENTAL IMPACT REPORT AND SPECIFIC PLAN AMENDMENT DRC2015-00040 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, to delete text, graphics, and exhibits relating to the Empire Lakes Golf Course, an existing private golf course of 160 acres that is located within the subject Specific Plan area, and insert text, graphics, and exhibits that will describe the design and technical standards/guidelines for a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114 and Development Code Amendment DRC2015-00115. An Environmental Impact Report (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the Statement of Overriding Considerations has been prepared for consideration by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.
- D. ENVIRONMENTAL IMPACT REPORT AND DEVELOPMENT CODE AMENDMENT DRC2015-00115 – SC RANCHO DEVELOPMENT CORP. (LEWIS OPERATING CORP.): A request to amend the Development Code of the City Rancho Cucamonga by revising text, graphics, and exhibits within the Development Code that applies to properties, including the Empire Lakes Golf Course, an existing, private golf course of 160 acres, within the Rancho Cucamonga Industrial Area Specific Plan (IASP) Subarea 18 Specific Plan, a Specific Plan that applies to properties located north of 4th Street, south of the BNSF/Metrolink rail line, west of Milliken Avenue, and east of Utica/Cleveland Avenues, and insert text and graphics in conjunction with a proposed mixed use, high density residential/commercial development that is proposed to replace the golf course; APNs: 0209-272-11, -15, -17, -20, -22 through -28, 0210-082-41, -49 through -52, 0210-082-61, -64, -65, -67 through -69, -71 through -74, -78, -79, -84 through -88, -89, -90, 0210-581-01 through -06, 0210-591-02 through -14, and 0210-623-66. Related files: General Plan Amendment DRC2015-00114 and Specific Plan Amendment DRC2015-00040. An Environmental Impact Report (SCH No. 20150410083), Mitigation Monitoring Reporting Program (MMRP), and Facts and Findings to support the



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Statement of Overriding Considerations has been prepared by the Planning Commission and the City Council. This item will be forwarded to the City Council for final action.

*Mike Smith, Senior Planner, presented the updated staff report and a brief PowerPoint presentation (copy on file) and noted several letters that had been received are on the dais for the Commissioners' review. He said Commissioners Fletcher, Oaxaca and Wimberly submitted some questions following the last meeting for staff and/or the applicant to answer and that he would re-state their questions prior to supplying the answers. He said he had already spoken to the Commissioners and provided the information requested but for the sake of the record he would re-state the questions and answers as follows:*

*Vice Chairman Oaxaca asked if we are trying to solve a regional or City housing problem with this development.*

*Mr. Smith said no, this project is not intended to address a specific situation. He said the project is a response by the applicant to address market conditions. Staff has also observed homes are bought before being completed and vacancies are very low and staff is often approached by developers about the process for residential development in the City. He said there is not the same level of demand to build other types of development such as office uses or industrial.*

*Vice Chairman Oaxaca asked if there is enough critical mass of transit frequency or mode variety now or in the future that would drive occupancy of rental units or home purchases in Empire Lakes or is it "TOD lite" with a limited number of commuters.*

*Mr. Smith said it is not expected to be a full TOD and we still expect residents to use their cars and that is why standard parking requirements are in place-staff is looking at it holistically. We want to take advantage of the station and we know that not all will use it but the potential is there in the future so we are trying to plan ahead for a possible future demand.*

*Vice Chairman Oaxaca asked about Lewis' prior experience as a developer, phasing, anchor tenants and walkability.*

*Mr. Smith said this will be answered by the applicant.*

*Mr. Smith began to re-state Commissioner Fletcher's questions however, Commissioner Fletcher said he wanted to ask his own questions within the framework of his comments during Commission comments.*

*Chairman Wimberly asked for clarification regarding the expected phased areas.*

*Mr. Smith said the first phase is located between 4th and 6th Streets, the second between 6th and 7th Streets and the third is between 7th Street and the railroad tracks (moving south*



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*to north). He said a minimum of 50,000 Square Feet of non-residential development in the Overlay is required; if only 20,000 square feet is developed south of 6th Street, 30,000 square of non-residential use is required north of 6th. He said with respect to Open Space, it is 160 acres which is about 1.92% of the total City open space. He said the General Plan recognizes open space as an important amenity, and therefore we are looking at it from an overall perspective. He said it is private property. The loss relative to City's total open space overall is minimal. He said with respect to the course as an amenity, the applicant is supplying open space as part of the project and also fees to help maintain them will be assessed. He said the City requires the applicant to pay funding towards the joint public use facility for the CSD, Library, and Police and a fire station will also be developed in the future. He said the applicant will also be required to pay development impact fees for these services. He said with respect to water- CVWD reviewed the supply assessment prepared by the applicant and they certify they have enough water to supply the project. He said regarding schools-the superintendent says they have the capacity to supply student services as well. Regarding traffic-Jason Welday/Traffic Engineer will respond as well as the air quality consultant.*

*Jason Welday, Traffic Engineer said the traffic analysis was prepared in accordance with the San Bernardino County Congestion Management Plan and with input from the City of Rancho Cucamonga, Ontario and Caltrans and all studies were done in accordance with CEQA.*

*James Kurth said he is an air quality manager and that operational emissions produced mostly by cars will create impacts. He said the AQMD thresholds do not consider larger projects like this. He indicated fewer impacts occur when development such as this is close to rails and bus lines.*

*Chairman Wimberly asked for clarification regarding the water analysis and the concerns of residents having to reduce water use and the amount of water estimated for the project.*

*Jo Lynne Russo-Pereyra of the CVWD said this is a regulatory compliance issue and not a water supply issue. She said the water district has been preparing for this since 2009-but the State did a blanket regulation/one size fits all cut in water usage. She said it is a flawed strategy although the Governor did anticipate additional building/development and therefore modified landscape requirements. She said they are also looking at per capita use which has lessened.*

*Mr. Smith said all impacts were analyzed in the EIR and appropriate mitigations were stated and the document has been on review for public to review and for comment. He concluded his report and response to the previous questions at about 8:12 PM.*

*Chairman Wimberly asked the Commissioners for any additional questions.*

*Commissioner Fletcher said he has respect for Lewis companies and is uncomfortable with*



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*unfounded attacks on them. He said they have a different set of interests, it is not a question of good or bad. He said his concern is about the process with respect to little opportunity for the public and commission to comment and felt that this item coming to the Commission was a surprise-he summarized the dates and subjects of various meetings held over the course of the last 2 years. He said he wanted more conversation about alternate-appropriate land uses that might bring more City revenue, less impacts and higher paying jobs. He said staff indicated this did not occur-the EIR only addressed other levels of density and not other uses. He asked how much population is needed to support TOD. He thought that improvements to the station would occur before any other big developments.*

*Mr. Smith said the number of apartments is about 17,000; and single-family residences is 40,000 per the Housing Element profile of 2015 from SCAG.*

*Commissioner Fletcher commented that almost 1/3 of our housing stock is apartments-he said he was not aware of a shortage. He asked if we have a limitation on population growth or density in the City.*

*Mr. Smith said according to the General Plan, in 2009 the number of dwelling units was 55,700 and for 2030 buildout it would be about 63,253. He said the population in 2009 was 179,000 and anticipated population at buildout in 2030 is 204,000.*

*Commissioner Fletcher commented that economically he thought it was more important to create more jobs before housing and if there are not good paying jobs they would not be able to afford any housing, and that he did not feel it was accurate to say that people move out of the City because they can't afford the housing, they move because of job transfers etc. He said he believes there is a good mix of jobs in the City and is best if people can live and work in the City. He said he did not believe the open space of the golf course could be fairly compared with open space in the northern sphere that is not usable or accessible to most people nor would the developer be providing a large amount of open space within the project area. He asked about any conversations with the golf course owner regarding the economic feasibility of the course. He expressed concern about market driven development and a drain on City funds.*

*Mr. Smith said he confirmed no discussions took place with the golf course owner – only with applicant and their consultants.*

*Commissioner Fletcher asked if the commercial portion could never get built if no “market demand” exists.*

*Mr. Smith said right now we are only reviewing overall plan, so development applications within each part of the plan will get reviewed in detail as they are applied for: they have to fulfill the intent of the plan. They do have to fulfill the minimum and if a specific application does not provide a non-residential component then it will have to be addressed down the*



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*line with other future applications. He said the statement of market demand provides flexibility.*

*Commissioner Fletcher asked the joint public facility is part of the 220,000 square feet of non-residential uses-he asked if that is outside of the 85,000 square feet within the mixed use overlay.*

*Mr. Smith said the joint use facility is roughly located at 7th Street and The Vine and is in the Mixed Use Overlay so it is included in maximum 85,000 square feet.*

*Commissioner Oaxaca asked if the estimates were based on full build out of the project as proposed.*

*Mr. Smith said the fiscal impact analysis prepared by the City's consultant assumes full buildout and annual revenue. He said the revenue estimates are based on a base line number calculation.*

*Commissioner Fletcher expressed concern that with that many units that could be built prior to the commercial component, most of the dollars will be spent at Ontario Mills and we get the costs for community services provided. He asked if it will be a drain on the City's budget. He questioned how the fiscal impacts could be estimated if the commercial uses are market driven and therefore unknown. He said development fees are one time fees but the expenses go on forever and inflation should also be considered. He asked if the joint facility be paid for by developer.*

*Mr. Smith said the details of that are still in process but they will be solidified prior to the hearing before the City Council. He said currently the applicant is required to contribute 11 million dollars to construct and set aside the land for the facility.*

*Commissioner Fletcher asked if the CFD pays for staffing and maintenance and if there are auto escalators. He said it sounds like a future drain on the General fund.*

*Mr. Smith said there will be CFDs and escalators. He said existing maintenance districts are currently underfunded, but this development would join in and pay into those districts – he said there may be a future need to draw on the General Fund but the new CFD will have escalators whereas the old ones do not.*

*Commissioner Fletcher said this will generate 1.5 million in fees and costs to the City would be about 1 million and the estimate of \$500,000 net annual revenue to the City – he said it is a thin margin considering future expenses and if those revenues do not materialize. He then questioned the mitigation to the public for the loss of recreational open space-what's proposed does not compare. He suggested the developer fund or develop another major segment of Central Park. He asked if this had been considered.*



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*Mr. Smith said the applicant is already required to pay park fees that go to the City's park funds and the City decides where those funds go.*

*Commissioner Fletcher said those fees have nothing to do with the removal of this valuable resource that needs to be addressed and the suggestion seems reasonable in that we should compensate the people for the loss of their recreational open space. He said he is not convinced the project proposal is the best use of the land-the decision should not be based upon what provides the most value for the developer. He said since he does not consider this the best land use for our residents then he would also question the validity of the Statement of Overriding Considerations. He believed more discussion should have occurred earlier on.*

*Mr. Smith said that with respect to the completion of Central Park, the applicant pays park fees and where those fees are best applied is a City decision.*

*Bryan Goodman, said Lewis has had great involvement with the development of Central Park and if the City wanted to apply those park development impact fees to Central Park we would be supportive of that but it is a City decision.*

*Commissioner Fletcher said that Lewis could do more, faster and cheaper there than the City has done in 30 years. He said he is confused about the financial study. He asked if they would say this project 15 years from now will not be a drain on the City budget.*

*Bryan Goodman said regarding the sales tax; a footnote says 15% of tax revenue would be lost to other cities. He said we did our own analysis – we came up with a similar number. He said the CFD escalator is the mechanism that over time allows the cost of the maintenance to keep up with the revenue generated-this is the game changer.*

*Commissioner Fletcher said he felt more about this project should have been brought before the Commission for more discussions before it got to this point of the process.*

*Mr. Smith said that the process and availability of this project has been here and available for you to review: if we are approached by any applicant and they want to talk about what they need to do for a proposal, typically we would not engage with the Planning Commission at that time. We provide the applicant with information and comments. When it comes to the Commission it is more concrete-at public scoping the project is still embryonic. It develops from there and at the workshop you could then at least visualize what was being proposed.*

*Commissioner Fletcher said it is not the specifics of the project that is his concern – it is the use/land use change - we should have met regarding appropriate land use to the City. He said his whole past experience is in income/expenses and if we can't maintain ponds and*



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*parks, then we should look at uses that bring tax benefits to the City. We never looked at alternative uses in spite of his request and there was a lack of public meetings to discuss this.*

*Vice Chairman Oaxaca thanked staff for their diligence for responding. He commented that the realities of special districts are that some have not been able to keep up. Although there is additional revenue, multi-family development has a lower assessment rate. He asked if Mr. Welday could summarize the change in levels of service (LOS) at specific intersections.*

*Mr. Welday displayed a graphic of several intersections with significant impacts that can be mitigated with some changes such as signal timing. He noted some intersections will not improve and will suffer additional delays.*

*Vice Chairman Oaxaca asked if it is a safe conclusion that intersections studied will have fairly significant effects over time even without the project.*

*Mr. Welday said project/no project completion and even ambient growth, was taken into account.*

*Vice Chairman Oaxaca said one individual provided comment re: potential effects of other proposed projects in the region and how are they accounted for with respect to traffic.*

*Mr. Smith suggested the preparer of the EIR would be best to respond.*

*Sarah Brandenburg of Fehr & Peers said they considered already known and approved projects in the area and those noted by SCAG through 2025.*

*Commissioner Oaxaca asked her to address the specific project comment regarding other large housing projects in the area with respect to the connection of larger housing projects related to cumulative impacts.*

*Tina Anderson of BonTerra Psomas said they performed an outreach to Ontario and other neighboring areas to develop the list of contacts for each topic studied in the EIR.*

*Vice Chairman Oaxaca confirmed that CEQA requires the agency to focus on the effects of the project being considered in context with other identified projects in the area not just the individual project identified and its effects on the Lead Agency.*

*Bryan Goodman said with respect to the job breakdown of 118,000 jobs identified within 3 miles of the site found in the Census – financial, insurance, real estate professional and technical services is 18%; risk management, administrative services and remediation is 15%, retail trade is 14%, transportation/warehousing is 12%, fashion is 8%; a broad mix of good jobs. Household income in the same radius is about 75k on average which is in line*



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*with their price points. He said with respect to the conditions for the joint use facility is-complicated-it is under construction.*

*Randall Lewis said the Lewis Companies' experience with mixed use development is in Terra Vista which has 1.5 miles of retail, condos, schools, parks, apartments; a community which evolved over time and we have brought in the best consultants. He said with respect to other possible uses such as an auto mall or another Victoria Gardens, there is not a market for it here. He said they are expert in this market and what generates the demand; in this case it is household growth with spendable income. He said the retail use they do will have to get phased in. He said they partnered with Forest City at Victoria Gardens and they were very involved there. He said they are also working on the Chino Preserve that is a mixed use center.*

*Commissioner Fletcher asked what type of home product will be offered.*

*Mr. Lewis said their guesses and estimates are good. He would expect higher density detached houses, condos, and townhouses as they want to give options and this development will evolve over time. He said it will not be in just 3 phases but they plan to start at the south end and work north.*

*Commissioner Macias offered support of the project and said that the information presented has not changed his mind on any matter. He said he believes we should provide a multitude of housing types and the City will grow like it or not. He referred to an article he read noting that people still want the best deal. He said things will change and land use plans all have to be flexible as we are a market driven society. He said Commissioner Fletcher made some good points, but some are policy issues that we are to consider at a different time and it is not valid to hold this project hostage because we did not deliberate policy issues such as the completion of Central Park. He said transportation options provided have been provided and the Golf course is not a significant amenity for all.*

*Commissioner Munoz said he looked at the EIR and he had plenty of time to do so, he reviewed the comment letters, staff kept us up to date, and the EIR was specific. He said the benefits outweigh the impacts.*

*Vice Chairman Oaxaca said this was a valuable discussion and he appreciates all the comments and he thanked the CVWD for the District comments and clarification. He thanked staff for clarifying his questions and explaining why we need this development-it is an issue of housing and housing diversity and the ability to own or rent a home. He said clarity with respect to transit development was given. He said he is very familiar with transit and how it relates to areas surrounding it. He said he looks to the future with the knowledge that we won't get it all at once. He said the City is hoping to be ahead of the game and on the leading edge; this is forward thinking and this developer has some success in doing that. Mr. Lewis checked the box of success factors-in that he is creating a community in response to the market and it considers the City's needs over a period of time. He said*



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*traffic will increase even without this project and we could stand still and be victims to the traffic growth or try to be proactive. He said he understands the concern about the loss of the golf course-but this is the best possible option.*

*Commissioner Fletcher said that with respect to policy issues not specific to this development perhaps upcoming workshops will give more opportunity to discuss those. He said he has always opposed market driven development as it results in not the best development long term.*

*Chairman Wimberly thanked staff Lewis Companies for providing options so all have a choice. He said he appreciated all the comments.*

*Moved by Macias, seconded by Munoz, carried 4-1 (Fletcher opposed) to recommend approval of General Plan Amendment DRC2015-00114, Specific Plan Amendment DRC2015-00040, Development Code Amendment DRC2015-00115 and forward all applications and the EIR to the City Council for final action.*

*The Chairman called a recess at 9:40 PM and the full Commission reconvened at 9:51 PM.*

## V. PUBLIC HEARINGS/HISTORIC PRESERVATION COMMISSION

***The following items have been advertised and/or posted as public hearings as required by law. The Chairman will open the public hearing to receive testimony. All such opinions shall be limited to 5 minutes per individual for each project. Please sign in after speaking.***

- E. ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS DRC2016-00180 - GFR INVESTMENTS - A request to add a free standing garage, rear yard access driveway, perimeter walls, and remove an adjacent Eucalyptus windrow for the Ernst Muller House, associated with a request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968, and Design Review DRC2015-00589. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

*This item was heard in conjunction with items F & G*

## VI. PUBLIC HEARINGS/PLANNING COMMISSION

***The following items have been advertised and/or posted as public hearings as required by law. The Chairman will open the public hearing to receive testimony. All such opinions shall be limited to 5 minutes per individual for each project. Please sign in after speaking.***



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- F. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19968 - GFR INVESTMENTS - A request to subdivide 5.0 acres into 11 lots in the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Design Review DRC2015-00589 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.
- G. ENVIRONMENTAL ASSESSMENT AND DESIGN REVIEW DRC2015-00589 – GFR INVESTMENTS - A Design Review for 10 lots within the Low (L) Residential District of the Etiwanda Specific Plan on the east side of East Avenue, south of the 210 Freeway, located at 6563 East Avenue; APN: 0227-071-17. Related Files: Tentative Tract Map SUBTT19968 and Certificate of Appropriateness DRC2016-00180. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration.

*Tom Grahn, Associate Planner, gave the staff report and PowerPoint presentation (copy on file) for Items E, F and G. He said staff received a letter from the South Coast Air Quality Management District. He said staff recommends adding a condition to prepare an HRA. The condition will read:*

*Prior to the issuance of grading permits the applicant shall prepare a Health Risk Assessment and any requirements and/or conditions shall be incorporated into the Landscape Plan and building plans. The HRA shall be submitted to the Planning Director for review prior to incorporation into the Landscape Plan and building plans.*

*Chuck Crowell said his is available for questions.*

*Chairman Wimberly opened the public hearing (one person spoke during public comment in support of the tree removal request; her comment is repeated below).*

*Patricia Wallen spoke regarding the GFR project (Items E, F & G) she noted she lives adjacent to the site. She supports the removal of the eucalyptus trees as they cause much work and mess in her yard although she will miss the privacy they provide.*

*Chairman Wimberly closed the public hearing.*

*Commissioner Macias said he had no problems with the application and offered support.*

*Commissioner Fletcher said it is a nice attractive design and thanked and complimented the applicant for making the minor adjustments requested by the DRC. He offered his support.*

*Vice Chairman Oaxaca had no issues appreciated the adjustments based on the DRC comments. He noted that the windrows are getting old and they have a much shorter life*



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*than redwoods. He said as they continue to disappear we have a replacement policy incorporating more appropriate trees.*

*Chairman Wimberly said he lives in the area and noted we are seeing the last of those trees and it will be interesting to see what is put in their place. He said the project should be well received.*

*Moved by Fletcher, seconded by Oaxaca, carried 5-0 to approve the applications for the Certificate of Appropriateness DRC2016-00180, Tentative Tract Map SUBTT19968 and Design Review DRC2015-00589 and the Mitigated Negative Declaration of environmental impacts.*

- H. CONDITIONAL USE PERMIT DRC2015-01149 - CARIYENIS WELLNESS - A request to operate a massage establishment within an existing 1,114 square foot tenant space within the General Industrial (GI) zoning district located at 9087 Arrow Route, Suite 100; APN: 020901219. Planning Department staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines as a Class 1 (CEQA Guidelines Section 15301) exemption, which covers existing facilities.

*Jennifer Nakamura, Associate Planner gave the staff report and PowerPoint presentation (copy on file).*

*Cariyenis Garcias said she is the applicant and available for questions.*

*Chairman Wimberly opened the public hearing and hearing no comment, closed the public hearing.*

*Moved by Macias, seconded by Fletcher, carried 5-0 to approve Conditional Use Permit DRC2015-01149.*

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT DRC2014-01132 - FOOTHILL & EAST, LLC - A request to eliminate Development Code Section 17.38.060 (H) (8) which requires the preservation of an existing grove of eucalyptus trees related to the development of a 193-unit multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities for a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action.



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CONTINUANCE REQUESTED TO MAY 11, 2016.

- J. ENVIRONMENTAL ASSESSMENT AND ZONING MAP AMENDMENT DRC2014-01131-FOOTHILL & EAST, LLC - A request to change the zoning designation for 8.8 acres of land from Community Commercial (CC) to Mixed Use (MU) related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action. CONTINUANCE REQUESTED TO MAY 11, 2016.
- K. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP SUBTT19945 - FOOTHILL & EAST, LLC - A request to subdivide 8.8 acres of land for residential condominium purposes related to the development of a 193-unit, multi-family mixed use development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.
- L. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT REVIEW DRC2014-01130 - FOOTHILL & EAST, LLC - A request for site plan and architectural review of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a site located on 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Minor Exception DRC2016-00169, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.
- M. ENVIRONMENTAL ASSESSMENT AND MINOR EXCEPTION DRC2016-00169 - FOOTHILL & EAST, LLC - A request to reduce the required parking by 44 spaces (52 spaces if 3,246 square feet of retail tenant space is developed) related to the development



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of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Development Review DRC2014-01130, Tentative Tract Map SUBTT19945, Tree Removal Permit DRC2014-01134 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016

- N. ENVIRONMENTAL ASSESSMENT AND TREE REMOVAL PERMIT DRC2014-01134 - FOOTHILL & EAST, LLC - A request to remove approximately 184 trees related to the development of a 193-unit, multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site of 8.8 acres of land within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Uniform Sign Program DRC2015-00318. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.
- O. ENVIRONMENTAL ASSESSMENT AND UNIFORM SIGN PROGRAM DRC2015-00318 - FOOTHILL & EAST, LLC - A request to review the Uniform Sign Program related to the development of a 193-unit multi-family residential development with the potential for 3,246 square feet of commercial space to support future mass transit opportunities on a project site within the Community Commercial (CC) Zoning District at the northwest corner of Foothill Boulevard and East Avenue; APN's: 1100-201-03, 04 and 07. Related Files: Development Code Amendment DRC2014-01132, Zoning Map Amendment DRC2014-01131, Tentative Tract Map SUBTT19945, Development Review DRC2014-01130, Minor Exception DRC2016-00169 and Tree Removal Permit DRC2014-01134. Staff has prepared a Mitigated Negative Declaration of environmental impacts for consideration. CONTINUANCE REQUESTED TO MAY 11, 2016.

*Chairman Wimberly noted a continuance has been requested for Items I-O.*

*Commissioner Fletcher commented about his desire for the applicant to build the 3,200 square foot commercial use at the same time as the residential use and also the requirement for a minimum of 2 commercial uses. He said the project description says there is a potential for commercial space. He said he thought it was clear that portion was to be developed and the applicant got the impression they could build it as 3 apartments and at a later date, and with better market conditions, they would build the commercial portion of the project. He recalled that at DRC it was clear this was not optional. He*



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*expressed concern that if we keep fudging then all we get in the end is high density.*

*Candyce Burnett, Planning Director said she understood that as a DRC requirement but when this application came in, those standards were not in place. She said the new overlay districts address these specific areas. She said Development Code changes are in process and staff re-noticed this item with an amended description to define the mixed uses.*

*Commissioner Fletcher noted that the discussion was that we would go along with the idea of a TOD and density bonuses for the developer provided we were given the 2 uses. He said we are not fulfilling what we want. He said that if he can't fill 3,200 square feet than he needs to go back to the normal standard of less density and more parking.*

*Vice Chairman Oaxaca said he has the same recollection. He said the design was nice but he still shares the concern about the previous standards and what we are responding to. He said it might be better to remind the applicant of this. He said the description has tilted more than what he is comfortable with.*

*Ms. Burnett noted that upcoming workshops will address this issue but this application was submitted 18 months prior to developing these standards. She said we thought this would be a true transit development with a flex space to support the transit line. That was the original intent of this development. We did the re-noticing to address that issue to define uses in MU districts with a TOD.*

*Commissioner Fletcher reiterated that if they want density bonus and parking reduction then they have to give the 2 uses- the agenda indicates it as an option.*

*Ms. Burnett assured the Commission that staff not ignoring the DRC. She said this is what is being brought forward to the Commission to evaluate.*

*Commissioner Fletcher said he thought the DRC had the purpose and that if the DRC does not approve the design it does not go to PC.*

*Vice Chairman Oaxaca said the DRC did not want the applicants to drive our decision; we wanted staff and Commission to drive those standards.*

*There we no additional comments.*

*Moved by Oaxaca, seconded by Fletcher, carried 5-0 to continue Items I-0 to the May 11, 2016 meeting.*

- P. ENVIRONMENTAL ASSESSEMENT AND GENERAL PLAN AMENDMENT DRC2015-00887 – CITY OF RANCHO CUCAMONGA - An amendment to change the land use designations of multiple parcels within the City, generally located along Foothill Boulevard (near major street intersections with other streets such as East Avenue, Etiwanda Avenue,



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and Hermosa Avenue); in the vicinity of the intersection of Base Line Road and Amethyst Avenue; and at the southeast corner of the intersection of Etiwanda Avenue and Candlewood Street from their existing designations (which varies but includes, for example, General Commercial and Office) to Mixed Use, and to correct, as necessary, existing tables and text in the General Plan that specify the uses and range of development required on various parcels in the City that are currently designated for Mixed Use development; APNs: 0207-211-05, 0207-211-42 through -46, 0208-101-17 through -20, 0208-632-46 through -50, 0208-321-24, 1077-621-20 through -27, 0208-353-01 through -03, 1100-031-06, -07; 1100-041-01 through -03, 1090-601-04, -06 through -08, 1090-601-20, and -21, 1100-161-01 through -03, 0229-311-14 and -15, 1100-191-04, and 1100-201-03, -04, -06, and -07. Staff has prepared a Negative Declaration of environmental impacts for consideration. This item will be forwarded to the City Council for final action. CONTINUANCE REQUESTED TO MAY 11, 2016.

*Chairman Wimberly noted a continuance has been requested.*

*Mike Smith, Senior Planner said the continuance request is to further refine the proposed amendment.*

*Vice Chairman Oaxaca asked if there could be more discussion prior to the May 11 meeting date.*

*Steven Flower, Assistant City Attorney said this project merely clarifies the zoning map in conformance with the General Plan and to add some areas that were missed in the designation. This is more of a cleanup item.*

*Mr. Smith said we are adding several parcels to the Mixed Use District and to allow us to narrow down what parcels were affected. He said there are no specific standards related to this.*

*Moved by Munoz, seconded by Oaxaca, carried 5-0 to continue Item P to the May 11, 2016 meeting as requested.*

## VII. COMMISSION BUSINESS/HISTORIC PRESERVATION AND PLANNING COMMISSION

Q. INTER-AGENCY UPDATES

*None*

R. COMMISSION ANNOUNCEMENTS



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*None*

## VIII. ADJOURNMENT

*10:40 PM*

*I, Lois J. Schrader, Planning Commission Secretary of the City of Rancho Cucamonga, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on April 21, 2016, at least 72 hours prior to the meeting per Government Code Section 54964.2 at 10500 Civic Center Drive, Rancho Cucamonga.*



If you need special assistance or accommodations to participate in this meeting, please contact the Planning Department at (909) 477-2750. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired.

### INFORMATION FOR THE PUBLIC

#### TO ADDRESS THE PLANNING COMMISSION

The Planning Commission encourages free expression of all points of view. To allow all persons to speak, given the length of the agenda, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. To encourage all views and promote courtesy to others, the audience should refrain from clapping, booing or shouts of approval or disagreement from the audience.

The public may address the Planning Commission on any agenda item. To address the Planning Commission, please come forward to the podium located at the center of the staff table. State your name for the record and speak into the microphone. After speaking, please sign in on the clipboard located next to the speaker's podium. It is important to list your name, address and the agenda item letter your comments refer to. Comments are generally limited to 5 minutes per individual.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Public Comments." There is opportunity to speak under this section prior to the end of the agenda.

Any handouts for the Planning Commission should be given to the Planning Commission Secretary for distribution to the Commissioners. A copy of any such materials should also be provided to the Secretary to be used for the official public record.

All requests for items to be placed on a Planning Commission agenda must be in writing. Requests for scheduling agenda items will be at the discretion of the Commission and the Planning Director.

#### AVAILABILITY OF STAFF REPORTS

Copies of the staff reports or other documentation to each agenda item are on file in the offices of the Planning Department, City Hall, located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730. These



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documents are available for public inspections during regular business hours, Monday through Thursday, 7:00 a.m. to 6:00 p.m., except for legal City holidays.

### APPEALS

Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of \$2,597 for all decisions of the Commission. (Fees are established and governed by the City Council).

**Please turn off all cellular phones and pagers while the meeting is in session.**

**Copies of the Planning Commission agendas, staff reports and minutes can be found at [www.CityofRC.us](http://www.CityofRC.us).**