

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

September 25, 2012

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

September 25, 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 R. Ayala, Associate Planner Hildebrand III, Associate Planner Burden, Senior Planner Batres, Assistant City Engineer Lee, Sr. Management Analyst Scott Melendrez, Deputy Fire Chief Andres, and Planning Secretary Govea

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. Gregorek.

ANNOUNCEMENTS

Mr. Delman dedicated the meeting in memory of former City of Ontario Mayor Howard Snyder.

Mr. Blum suggested item B be heard last in the Public Hearing section. He then explained the reason for the unusual room set-up as there a meeting will take place on Thursday in the Council Chambers referencing the Ontario Airport.

Mr. Delman agreed to move item B to the end of the Agenda.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

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

It was moved by Hartley, seconded by Willoughby, to approve the Planning

Commission Minutes of August 28, 2012, as written. The motion was carried 7 to 0.

PUBLIC HEARING ITEMS

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV12-009**: A Development Plan to construct an 811,470 square-foot industrial building on 33.88 acres of land, located at the southwest corner of Francis Street and Etiwanda Avenue at 5750 East Francis Street, within the M3/VI (General Industrial/Vintage Industrial Overlay) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. **Submitted by Alere Property Group, LLC.** (APN: 0238-161-48).

Associate Planner John Hildebrand III presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PDEV12-009, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Gage asked about alternate parking spaces.

Mr. Hildebrand gave an explanation of the two site plans referencing parking and parking alternatives.

Mr. Blum spoke about warehousing standards and Development Code requirements referencing parking.

PUBLIC TESTIMONY

Matt Englhard, Alere Property Group, LLC, appeared and spoke. He thanked staff for their communication and dedication.

Mr. Gage asked about if there is enough parking for this project.

Mr. Englhard answered yes.

Mr. Reyes asked about the architectural design of the building.

Mr. Englhard spoke about the roof structure. He stated the building is commissioned by the Cal Green code.

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

Mr. Willoughby asked about a screen wall along Francis Avenue.

Mr. Hildebrand stated there will be a fourteen foot high wall running along the truck loading area along Etiwanda Avenue but not along Francis Avenue.

Mr. Reyes asked about underground power lines for this project.

Mr. Hildebrand stated this particular site will not have an underground power line system.

Mrs. Hartley spoke about the landscaping, screening, and design of the building stating it is very attractive.

Mr. Reyes commented on the site plan and thanked staff for requesting detailing on the landscaping.

Mr. Delman thanked the architect for the design and layout.

PLANNING COMMISSION ACTION

CEQA Determination and Mitigated Negative Declaration. It was moved by Downs, seconded by Gregorek, to adopt the CEQA Determination and Mitigated Negative Declaration, 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. PDEV12-009. It was moved by Willoughby, seconded by Gage, to adopt a Resolution to approve the Development Plan, subject to conditions of approval. Roll call vote: AYES, Gage, Gregorek, Hartley, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0.

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV12-012 & PCUP12-015:** A Development Plan (File No. PDEV12-012) to construct a two-story, 49,500 square foot office building on 5.58 acres of land within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, and a Conditional Use Permit (File No. PCUP12-015) to establish a private school (San Joaquin Valley College) in conjunction with the construction of the proposed office building, located at 4580 E. Ontario Mills Parkway. 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 a Mitigated Negative Declaration of environmental impacts, previously adopted by Planning Commission on May 23, 2006 in conjunction with File Nos. PDEV05-069 & PMTT05-029 (PM 17393). **Submitted by RCH Construction** (APN: 0238-041-38).

Associate Planner Clarice Burden presented the staff report. She stated that staff is recommending the Planning Commission approve File Nos. PDEV12-012 and PCUP12-015, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Gage asked where the parking spaces will be located.

Ms. Burden showed the parking spaces on the power point presentation which are three-hundred eighty-seven spaces. This is more than twice the requirement.

Mr. Downs asked Ms. Burden to show him the other building on the site plan again.

Ms. Burden presented each building on power point.

Mr. Downs spoke about his parking concerns.

Mr. Blum stated the building was approved by the Planning Commission several years ago. The building itself never was completely constructed. However, some of the improvements have been constructed including the parking field. He stated the parking field is for this particular site.

Mr. Willoughby asked how many parking spaces will be created in the new parking area.

Ms. Burden spoke about the existing parking spaces so a total of three-hundred eighty-seven parking spaces will exist.

Mr. Blum spoke about the difference in the existing and non-existing parking spaces.

Ms. Burden stated she does not have that number.

Mr. Blum recommended asking the question to the applicant.

PUBLIC TESTIMONY

Steve Perry, Director of Real Estate Development, appeared and spoke. He spoke about the benefits of parking space area at this site.

Mr. Willoughby asked for the number of parking stalls in the new project.

Mr. Perry stated there are about one-hundred existing parking stalls.

Mr. Delman asked about the teacher orientation.

Mr. Perry stated maps are given out and parking permits are issued to teachers and students.

Mr. Delman asked if parking signs are posted in designated areas.

Mr. Perry answered yes.

Mr. Gage asked further questions referencing parking.

Mr. Perry stated the students typically wish to park as close to their classes as possible. He stated there are security guards present until 10:00 p.m.

Mr. Willoughby asked for the function of the area to the east of the building.

Mr. Perry stated it is an outdoor break area for the students.

Mr. Gage asked about the landscaping in the existing area.

Mr. Blum stated the landscaping meets original requirements.

Dick Hedley, General Contractor, appeared and spoke. He thanked the Planning Commission and staff for their prompt assistance on this project.

Carol Plowman, Lee and Associates, appeared and spoke. She expressed her appreciation to the City of Ontario staff.

Mr. Blum stated he appreciates the comments of Ms. Plowman. For purpose of clarification it is neither his staff nor the Planning Commission's effort alone. It is the effort of the City of Ontario.

Mr. Delman concurred with Mr. Bum's statement.

Mr. Perry stated projects in Sacramento took approximately four to five months per Conditional Use Permit and San Diego took over six months. For the City of Ontario to complete the process in ninety days is unheard of in the metro area so he tips his hat to our community. He thanked everyone involved.

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

Mr. Delman spoke about the parking area.

Mr. Willoughby stated he sees there being enough parking.

Mr. Gage stated it seems they are talking about parking issues but he sees the parking issues to be with the adjacent building.

Mr. Gregorek spoke about the parking signs and security guards.

Mrs. Hartley stated she was impressed with Mr. Perry and the project.

Mr. Gregorek stated he is thankful to the applicant towards finishing the project.

Mr. Delman stated he is happy to see a new school in our community.

Mr. Willoughby stated these type of projects is crucial in this economy.

PLANNING COMMISSION ACTION

CEQA Determination and Mitigated Negative Declaration. It was moved by Gregorek, seconded by Downs, to adopt the CEQA Determination and Mitigated 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, none; ABSENT, none. RECUSE, Reyes. The motion was carried 6 to 0 with Commissioner Reyes recusing.

File Nos. PDEV12-012 and PCUP12-015. It was moved by Willoughby, seconded by Downs, to adopt a Resolution to approve a Development Plan and Conditional Use Permit, subject to conditions of approval. Roll call vote: Hartley, Willoughby, Downs, Gage, Gregorek, and Delman; NOES, none; ABSENT, none. RECUSE, Reyes. The motion was carried 6 to 0 with Commissioner Reyes recusing.

- E. **ENVIRONMENTAL ASSESSMENT & TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT11-011 (PM 19360):** A Tentative Parcel Map (PM 19360) for condominium purposes to subdivide approximately 10-acres of industrial land into three parcels for property developed with a multi-tenant industrial complex, located at 1500 South Milliken Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. 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. The proposed project is exempt from environmental review pursuant to Section 15315 (Class 15-Minor Land Divisions) of the California Environmental Quality Act Guidelines. **Submitted by Pancal ADC Irvine, LLC.** (APN: 0211-281-11).

Senior Planner Luis Batres presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PMTT11-011, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Willoughby asked if slurry seal is a condition for the parking area.

Mr. Batres answered no. He stated it is staff's opinion that the parking needs to be re-stripped rather than slurry sealed.

Mr. Willoughby expressed concern about the pavement showing its age.

PUBLIC TESTIMONY

Jay Tanjuan, Panattoni Development Company, appeared and spoke. He thanked staff for their effort put forth in this improvement project and business plan. He stated they are going to include frontage along Milliken Avenue.

Mr. Downs asked if there is any plan to upgrade the parking lot.

Mr. Tanjuan answered yes that improvement is in their budget in upcoming years however they would be willing to move up the improvement date if at the request of the Planning Commission.

Mr. Willoughby stated this is a busy corner in our city. It seems logical to improve the visual state of their complex.

Mr. Reyes asked where the nearest school is located.

Mr. TanJuan answered he is not sure.

Mr. Reyes stated he is happy to see plans for a sidewalk since there is a school nearby.

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

Mr. Delman commented on the slurry seal stating it would be beneficial for the parking lot.

Mr. Willoughby stated he would like the slurry seal to be conditioned.

The Commission verbally agreed to condition the slurry seal take place as soon as possible.

Mr. Reyes stated he is happy to see improvement on the trash enclosures.

Mr. Batres stated the entire structure will have to be re-painted per the Building permit.

Mr. Blum stated since this item is exempt from environmental review one action would be appropriate.

PLANNING COMMISSION ACTION

CEQA Determination and PMTT11-011 and condition to slurry seal the parking lot. It was moved by Willoughby, seconded by Hartley, to adopt the CEQA Determination, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: Reyes, Willoughby, Downs, Gage, Gregorek, Hartley, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 7 to 0.

B. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT

PGPA12-001; AND ZONE CHANGE PZC12-002: A request to amend the General Plan designation from *Open Space (Parkland)* to *Industrial (0.55 FAR)* and to change the zoning classification from *Open Space (OS)* to *Industrial Park (M2)* of an approximately 18,000 square foot portion of a city-owned, legal lot of approximately fifty-four acres of land. The area of change is located at the southeast corner of the Ontario Soccer Complex (2200 East Philadelphia Street). Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. **Submitted by City of Ontario.** (APN: 113-281-13). City Council action is required.

Senior Planner Richard Ayala presented the staff report. He stated staff is proposing the Planning Commission recommend approval File Nos. PGPA12-001 and PZC12-002, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Willoughby asked if the 18,000 square foot of space is open land.

Mr. Ayala answered that it is currently landscaping only.

PUBLIC TESTIMONY

Ted Darland, resident of Ontario, appeared and spoke. He asked if the sign can be seen from the Pomona freeway.

Mr. Ayala answered yes it will be located adjacent to the Pomona freeway.

Mr. Darland stated he is concerned with by passers gazing at the sign causing traffic and collisions. He asked if the sign will be strong enough to handle 60-70 mile an hour wind.

Mr. Blum stated all structures including signage are required to address the Building codes and are able to withhold the heavy winds. He stated the signs can only change images once every seven seconds to not distract drivers. This billboard meets all criteria of the State of California, Division of Transportation of Highways.

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

Mr. Gage thanked Mr. Darland for his notable comments. He is glad safety is being addressed.

Mr. Reyes asked if they will have an opportunity to review the sign site.

Mr. Blum answered yes if approval is recommended this project will go to the City Council and the signage will come back for review and comment. He added the The Ontario Plan speaks about governance and decision-making in the best interests of the community and in this case we saw how the billboard promotes the Soccer Complex in the City of Ontario. The City will receive one panel every seven seconds for city promotion.

Mr. Delman stated we take safety seriously. He believes the State and the City has mitigated Mr. Darland's concerns.

PLANNING COMMISSION ACTION

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

Mr. Reyes commented on the recent approval of the signage for the Mercedes Benz dealership. He spoke about the need of promotion in our city.

File No. PGPA12-001. It was moved by Reyes, seconded by Downs, to recommend adoption of a Resolution to approve a Zone Change, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: AYES, Downs, Gage, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.

Mr. Gage complimented Commissioner Reyes for his comments on referencing signage.

File No. PZC12-002. It was moved by Downs, seconded by Willoughby, to adopt a Resolution to recommend approval a General 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 7 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

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

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Blum spoke about the Airport Land Use Compatibility Plan award recognition we will receive in late October.

ADJOURNMENT

The meeting was adjourned in honor and memory of Mayor Snyder at 8:08 p.m. Mr. Delman motioned to adjourn, seconded by Mr. Gregorek.


Secretary Pro Tempore


Chairman, Planning Commission