

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

March 26, 2013

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

March 26, 2013

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, Mautz, Reyes, and Willoughby

Absent: None.

OTHERS PRESENT: City Attorney Gomer, Planning Director Blum, Assistant Planning Director Murphy, Senior Planner Mercier, Assistant City Engineer Lee, Sr. Management Analyst Melendrez, Deputy Fire Chief Andres, Corporal Alvarez, and Planning Secretary Govea

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. Reyes.

ANNOUNCEMENTS

Mr. Blum stated agenda item B is requested for continuance to April 23, 2013.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of January 22, 2013, approved as written.

Planning Commission Minutes of February 26, 2013, approved as written.

It was moved by Mautz, seconded by Gregorek, to approve the Planning Commission Minutes of January 22, 2013 and February 26, 2013, as written. The motion was carried 6 to 0 for January 22, 2013 with Delman abstaining. The motion was carried 7 to 0 for February 26, 2013.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT FOR FILE NO. PGPA12-002:** The proposed General Plan Amendment is to revise the Mobility Element - Figure M-2 Functional Roadway Classification Plan by adding existing road segments to the map and modify Figure M-3: Multipurpose Trails and Bikeway Corridor Plan by changing the location of certain multipurpose trails within the southern portion of the City of Ontario. The proposed amendments to Figures M-2 and M-3 would not result in the construction of new streets or trails therefore is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3). City Council action is required. Continued from Planning Commission meeting of February 26, 2013. **Submitted by City of Ontario.**

Planning Director Jerry Blum stated staff is recommending the Planning Commission continue File No. PGPA12-002 as per memo given to the Planning Commission dated March 26, 2013 (memo on file).

PUBLIC TESTIMONY

No one responded from the audience.

PLANNING COMMISSION ACTION

File No. PGPA12-002. It was moved by Willoughby, seconded by Reyes, to continue this item to the next Planning Commission meeting of April 23, 2013. Voice Roll call vote: Downs, Gage, Gregorek, Mautz, Reyes, Willoughby, and Delman; NOES, none; ABSENT, none. RECUSE, none. The motion was carried 7 to 0.

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FILE NO. PDCA13-002** – A request to amend the Development Code to allow variety stores as a permitted use within the C1 (Shopping Center Commercial) zoning designation and to allow grocery and variety stores within the Euclid Avenue Overlay District. An addendum to The Ontario Plan (TOP) EIR has been prepared for this project pursuant to the requirements of California Environmental Quality Act; **submitted by One Ontario Plaza, LLC.** City Council action is required.

Assistant Planning Director Scott Murphy presented the staff report. He stated that staff is recommending the Planning Commission recommend approval of File No. PDCA13-002, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Gage asked for details on the Euclid Overlay District in regards to maintaining its character. He asked for the types of nuisances that were spoken of in the staff report.

Mr. Murphy stated there are a variety of nuisances such as failure to comply with conditions of approval, excessive noise, public safety concerns, excessive service calls, dust, vibration, and code violations.

Mr. Gage asked if a number of different establishments could have the same concentration in the area.

Mr. Murphy answered yes it could.

PUBLIC TESTIMONY

No one responded from the audience.

Mr. Gage handed out photographs he took of the site (on file). He stated he is concerned about the same type of establishments located in the same area.

Mr. Delman asked for the name of the proposed business.

Mr. Murphy stated there have been discussions of Family Dollar, Dollar General and Dollar Tree moving in to the City.

Mr. Delman handed out photographs of Family Dollar locations to the Planning Commission (on file).

Mr. Gage stated The Ontario Plan discourages concentration of businesses.

Mr. Reyes stated we cannot govern variety chain store brands. He also stated the parking and landscaping at this particular location is unkept.

Mr. Gregorek agreed with Mr. Reyes. He asked for the square footage of Liborio market.

Mr. Murphy stated he believes the market is about 24,000 square feet.

Mr. Gregorek suggested initiating a minimum square footage requirement to the site.

Mr. Downs asked if the site is operated by multiple owners.

Mr. Murphy stated there is a combination of different zoning in that area which consists of C1 on the corner, C2 zone at the existing variety store, Rite Aid and Liborio Market.

Mr. Blum stated if a single shopping center is operated by multiple owners they generally cross easements for purpose of landscaping, parking and sharing of costs.

Mr. Delman stated the property maintenance concern is not on the agenda tonight.

Ms. Mautz stated the variety store code violations are of great concern for the Code Enforcement Department.

Mr. Gage asked staff if the Development Code Amendment is approved could the other half of the site consist of the same type of business.

Mr. Blum stated the possibility does exist.

Mr. Reyes asked how the application would be handled if this item is approved.

Mr. Blum stated it would be handled just like any other applications which would go through the Business License Department first then to the Planning Department to verify

zoning.

Mr. Reyes asked if staff would handle improvement issues to the center.

Mr. Blum stated violations would be handled by the Code Enforcement Department not the Planning Department. A red flag comment regarding the violations would permit the Planning Department to deny the application at the counter.

General discussion of the Planning Commission took place.

Mr. Blum stated the action tonight is whether or not variety stores would be permitted in the C1 zone and in the Euclid Avenue Overlay.

Mr. Willoughby asked if this amendment would correct the Developments Code in C1 zone from 2003.

Mr. Murphy stated the correction he referred to in the presentation tonight refers to the Euclid Avenue Overlay.

Mr. Willoughby asked if this issue would be of concern today if the correct Development Codes were to have been approved in the past.

Mr. Murphy stated yes that would be assuming that the City Council approve the Development Code in that fashion.

Mr. Willoughby stated we need to be cautious with the concentration of the area.

Mr. Delman referenced the memorandum handed out dated in 2003 and asked if the Giant Variety Store is considered the discount store.

Mr. Blum stated he believes it was processed as a Variety Store.

Mr. Murphy stated used merchandise is considered a thrift store which would not be allowed.

Mr. Murphy stated he is not aware of any signed leases that have been executed for this site. Interest, has however, been expressed.

General discussion of the Planning Commission took place.

Ms. Mautz stated she would vote in favor of a one month continuance but any time longer than a month would delay occupancy.

PLANNING COMMISSION ACTION

CEQA Determination and File No. PDCA13-002. It was moved by Gregorek, seconded by Downs, to continue the CEQA Determination and Development Code Amendment for one month. Roll call vote: Willoughby, Downs, Gage, Gregorek, Mautz, Reyes, and Delman; NOES, none; ABSENT, none.

RECUSE, none. The motion was carried 7 to 0.

- D. FILE NO. PHP12-008:** A request for a Local Landmark designation for a 1,100 square foot Craftsman style residential building, within the R1- Single Family Residential zone, located at 509 East E Street (APN: 1048-391-13); **submitted by Ryan Castillo.** City Council action is required.

Associate Planner Diane Ayala presented the staff report. She stated that staff is recommending the Planning Commission recommend approval of File No. PHP12-008, pursuant to the facts and reasons contained in the staff report and attached resolution.

PUBLIC TESTIMONY

No one responded from the audience.

Mr. Gage stated this is a beautiful Craftsman style home. He spoke about Rudi Pock and his past Hi-Fi shop.

Mr. Delman stated he is pleased that the property has decided to ask for the historical landmark. He spoke about engaging with the Pock family.

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

PLANNING COMMISSION ACTION

CEQA Determination and File No. PHP12-008. It was moved by Willoughby, seconded by Downs, to recommend adoption of the CEQA Determination and a Historical Property Landmark, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: Downs, Gage, Gregorek, Mautz, Reyes, Willoughby, 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): Mr. Gage stated they met on March 14, 2013. The subcommittee voted 2 to 0 with Mr. Gage abstaining for the Euclid Avenue Historic District.

The subcommittee requested 132 W. Bonnie Brae Court be removed from the historical designation list since it had been remodeled throughout the years. It was voted in favor 3 to 0.

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.

Rules and Procedures Committee (ask Jerry if Standing or Ad -hoc): Mr.

Willoughby stated this subcommittee met on March 13, 2013. They are still in review of the Rules and Procedures.

New Business

Mr. Reyes spoke about the 2013 Planning Commission Academy he attended with Mr. Gage in Pasadena on February 27-March 1, 2013.

Mr. Gage shared his experience at the same conference.

NOMINATIONS FOR ELECTIONS

Mr. Downs spoke on behalf of the Planning Commission and commended Mr. Delman on his leadership for the past two years he served as Chairman.

Mr. Downs nominated Mr. Gage as Chairman. Voice roll call 6 to 0.

Mr. Gregorek nominated Mr. Willoughby as Vice-Chairman. Voice roll call 6 to 0.

Mr. Blum stated the new officers will be seated at the regular meeting of April 23, 2013.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Blum stated staff is meeting with developers for the New Model Colony and for industrial areas. He thanked Rudy Zeledon and Diane Ayala for bringing the historic district to the subcommittee and Planning Commission. He thank Rudy Zeledon and all who participated in the Downtown Walking Tour which was well received.

Mr. Delman stated Ontario Heritage appreciates the support from the City of Ontario.

Ms. Mautz wished everyone a Happy Easter.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m. to the April 9, 2013 Special Planning Commission meeting at 6:00 p.m. Mr. Delman motioned to adjourn, seconded by Mr. Willoughby.


Secretary Pro Tempore

Neil Gage

Chairman, Planning Commission