

**CITY OF ONTARIO PLANNING COMMISSION**

**MINUTES**

**May 24, 2011**

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# CITY OF ONTARIO PLANNING COMMISSION

## MINUTES

May 24, 2011

**REGULAR MEETING:** Senior Center, 225 E. B Street, Ontario, CA  
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, D. Ayala, Hildebrand, Mejia, Mercier, Ramey, and Govea

### PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. Reyes.

### ANNOUNCEMENTS

Mr. Blum announced agenda items C and F will be continued to the June 28, 2011 Planning Commission meeting.

### PUBLIC COMMENTS

No one responded from the audience.

### CONSENT CALENDAR ITEMS

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

Planning Commission Minutes of April 26, 2011, approved as written.

*It was moved by Gregorek, seconded by Downs, to approve the Planning Commission Minutes of April 26, 2011, as written. The motion was carried 6 to 0 with Mr. Willoughby abstaining.*

### PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT FOR FILE NO. PGPA11-001:** An amendment to the Land Use and Safety Elements of the Policy Plan (General Plan) to 1) bring introductions, policies, exhibits and tables into consistency with the adopted LA/Ontario International Airport Land Use Compatibility

Plan; and 2) revise policy language to improve clarity and completeness. The environmental impacts of this project were previously analyzed within the Negative Declaration prepared for the LA/Ontario International Airport Land Use Compatibility Plan (SCH# 2011011081) adopted by Ontario City Council on April 19, 2011; City initiated. (City Council Action Required).

Associate Planner, Lorena Mejia, presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PGPA11-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

### **PUBLIC TESTIMONY**

No one responded.

The public testimony was closed

Mr. Reyes questioned Ms. Mejia on the noise impact zones for the overlap of the Chino Airport.

Ms. Mejia stated the City of Chino is responsible to show how their noise impacts zoning and it would be adopted as a separate map.

### **PLANNING COMMISSION ACTION**

*File No. PGPA11-001. It was moved by Gregorek, seconded by Hartley, to adopt a Resolution recommending approval to the City Council of an amendment to the Land Use and Safety Elements of the Policy Plan (General Plan), and based on facts and reasons contained in the staff report. Roll call vote: AYES, Downs, Gage, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, none. The motion was carried with 7 to 0 votes.*

- C. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA11-002:** A text amendment to the Creekside Specific Plan to eliminate the requirement for "No Parking" signs and associated red-painted curbs within certain cul-de-sacs, and add a requirement to red-paint certain island curbs within the Creekside residential community, which is generally located north of Riverside Drive, south of State Route CA-60, east of Turner Avenue, and west of Milliken Avenue. The project is exempt from environmental review pursuant to State CEQA Guidelines Section § 15301 (Existing Facilities). City Initiated. (City Council action is required).

Planning Director, Jerry Blum stated he is recommending the Planning Commission continue File No. PSPA11-002 as per memo given to the Planning Commission dated May 24, 2011 (memo on file).

### **PUBLIC TESTIMONY**

### **PLANNING COMMISSION ACTION**

*File No. PSPA11-002. It was moved by Hartley, seconded by Gregorek, to*

*continue item C to the June 28, 2011, Planning Commission meeting. Roll call vote: AYES, Gage, Gregorek, Hartley, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, none. The motion was voice carried 7 to 0.*

- D. **ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE NO. PUD08-001:** An amendment to the Downtown Civic Center Planned Unit Development, increasing the maximum residential density range for commercial/residential mixed-use development projects from 45-50 dwelling units per acre to 45-65 dwelling units per acre. The environmental impacts of this project were reviewed in conjunction with an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (No. SCH No. 200405115, certified on November 16, 2004), adopted by the City Council on April 5, 2011. This application introduces no new significant environmental impacts. **Submitted by J.H. Snyder Company** (APNs: 1048-551-10 through 13; 1048-552-13 through 19; 1048-553-01 through 17; 1048-547-04 through 94; and 1048-548-01 through 54). (City Council action required).

Senior Planner, Chuck Mercier, presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PUD08-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek asked if the architectural design is being kept in its original state.

Mr. Mercier confirmed it would be kept the same.

Ms. Hartley asked if there will be elevators.

Mr. Mercier confirmed there will be elevators installed.

Mr. Willoughby questioned what type of parking will exist.

Mr. Mercier stated there will be subterranean parking for the residential units.

Mr. Gage questioned if the units were going to be for sale or rent.

Mr. Blum stated ownership is difficult to put on the current market. Rentals are of demand at this time.

Mr. Reyes asked for parking counts.

Mr. Blum stated there will be forty parking spaces along the street.

Mr. Mercier stated there will be parking on Euclid Avenue, C Street, Lemon Street, and D Street.

Mr. Blum stated there should be adequate parking and there will be structured parking in the future.

Mr. Gage questioned the type of business this project is aiming towards.

Mr. Blum answered retail and commercial businesses will be allowed.

Mr. Gregorek asked for the percentage of occupancy.

Brent Schultz, Housing and Neighborhood Revitalization Director, answered ninety-seven percent of the units are townhomes.

Mr. Gage asked about the levels of affordable housing.

Mr. Schultz spoke about the median income ranges.

Mr. Gage questioned the use of the park south of the area.

Mr. Schultz stated it's a place where the City can have community events.

Mr. Blum stated there is a meeting that will take place tomorrow to try to finalize the plan for the park.

### **PUBLIC TESTIMONY**

Dan Ward, J.H. Snyder representative, stated they are excited to bring this project to the Downtown area.

Mr. Downs asked how this project will be marketed to appeal to the community.

Mr. Schultz stated this is a walkable area since the sidewalks have been improved. They have worked on access points to and from the Downtown area.

Mr. Blum spoke about facades stating they changed from the old building facades. Projects like this will help stimulate other commercial businesses to grow.

Mr. Gregorek asked when this project is anticipated to begin construction.

Mr. Ward answered about five and a half months.

### **The public testimony was closed**

Mr. Gregorek stated he is excited about this project.

Mrs. Hartley said she is happy to see J.H. Snyder back again with the City of Ontario.

Mr. Gage stated he is glad to see the project going forward.

Mr. Reyes commended the project.

Mr. Downs said he is excited to see this project move forward.

## PLANNING COMMISSION ACTION

*File No. PUD08-001. It was moved by Downs, seconded by Gregorek, to adopt a Resolution to recommend approval to the City Council for the Planned Unit Development, 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.*

### **E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW**

**FOR FILE NO. PDEV08-026:** A Development Plan to construct a 4-story mixed-use development project consisting of 153 dwellings and approximately 30,800 square feet of commercial-office and retail space on approximately 2.4 acres of land, bordered by Euclid Avenue on the west, D Street on the north, Lemon Avenue on the east and C Street on the south, within the C-1 Block of the Downtown Civic Center PUD. This application revises a previously approved Development Plan (File No. PDEV06-009). The environmental impacts of this project were reviewed in conjunction with an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (No. SCH No. 200405115, certified on November 16, 2004), adopted by the City Council on April 5, 2011. This application introduces no new significant environmental impacts. **Submitted by J.H. Snyder Company** (APN: 1048-551-10 through 13). (Action is final unless appealed. Action is contingent upon City Council approval of PUD08-001).

Senior Planner, Chuck Mercier, presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PDEV08-026, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

### **PUBLIC TESTIMONY**

Mr. Gage asked if there are square footage restrictions.

Mr. Ward spoke about fire restrictions and stated he is not sure if there is a maximum size.

Mr. Blum spoke about the types of businesses that would occupy this space stating there are no restrictions written within the Planned Unit Development but it is intended for different occupants.

Mr. Reyes asked if major street improvements will take place in front of this project.

Mr. Ward answered major street improvements took place one year ago.

The public testimony was closed

## **PLANNING COMMISSION ACTION**

*File No. PDEV08-026. It was moved by Gregorek, seconded by Downs, to adopt a Resolution to approve a Development Plan, subject to conditions of approval and contingent upon City Council approval of the Planned Unit Development.*

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

- F. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE REVIEW FOR FILE NOS. PDEV10-007, PCUP10-028, AND PVAR11-001:** A Development Plan (File No. PDEV10-007) to construct, a Conditional Use Permit (File No. PCUP10-028) to operate, and a Variance (File No. PVAR11-001) to exceed the 35 foot height limit within the R2 (Medium Density Residential) zone to allow construction of a T-Mobile stealth wireless telecommunication facility within a proposed cupola with a roof height of 48 feet on an existing place of worship (Calvary Apostolic Tabernacle), located at 602 North Virginia Street. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental impacts for consideration. **Submitted by T-Mobile.** (APN: 1048-451-51). (Actions are final unless appealed).

Planning Director, Jerry Blum stated he is recommending the Planning Commission continue File Nos. PDEV10-007, PCUP10-028, and PVAR11-001, as per memo given to the Planning Commission dated May 24, 2011 (memo on file).

#### **PUBLIC TESTIMONY**

#### **PLANNING COMMISSION ACTION**

*File No. PVAR11-001. It was moved by Reyes, seconded by Downs, to continue item F to the Planning Commission meeting of June 28, 2011. Roll call vote: AYES, Reyes, Willoughby, Downs, Gage, Gregorek, Hartley, and Delman; NOES, none; ABSENT, none. The motion was voice carried 7 to 0.*

*File Nos. PDEV10-007 and PCUP10-028. It was moved by Reyes, seconded by Downs to continue item F to the Planning Commission meeting of June 28, 2011. Roll call vote: AYES, Reyes, Willoughby, Downs, Gage, Gregorek, Hartley, and Delman; NOES, none; ABSENT, none. The motion was voice carried 7 to 0.*

- G. **ELEVENTH ANNUAL MODEL COLONY AWARD NOMINATIONS:** (File No. PADV11-002) A request for the Historic Preservation Commission to accept the nominations for the Eleventh Annual Model Colony Awards, as recommended by the Historic Preservation Subcommittee. (City Council presentation of Awards).

Associate Planner, Diane Ayala, presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PADV11-002, pursuant to the facts and reasons contained in the staff report.

#### **PUBLIC TESTIMONY**

The public testimony was closed

Mr. Gregorek complimented staff for the highly considered nominees.



Mr. Gage spoke about the many residences that qualify for such an award.

Mrs. Hartley stated this year we have chosen some outstanding residences for these awards. She spoke about Latimer's history with the City of Ontario.

Mr. Delman stated it is gratifying to see residents restore their homes. He is appreciative to have received such an award for his own residence.

### **PLANNING COMMISSION ACTION**

*File No. PADV11-002. It was moved by Gregorek, seconded by Willoughby, to request the Historic Preservation subcommittee to accept the nominations submitted for the Eleventh Annual Model Colony awards. Roll call vote: AYES, Downs, Gage, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, none. The motion was carried 7 to 0 with Delman abstaining from voting on the Latimer home.*

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

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

**ABC Licensing Guidelines Committee:** This subcommittee will meet in June 9, 2011.

**Airport Land Use Compatibility:** This subcommittee will meet in either June or July 2011.

**Development Code Review:** Mr. Gregorek stated this subcommittee will meet May 25, 2011.

**Historic Preservation:** This subcommittee met on May 12, 2011 and discussed the New Model Colony Award nominations.

**Rules and Procedures Review:** This subcommittee did not meet. It is scheduled for July 2011.

**Zoning General Plan Consistency:** This subcommittee did not meet.

Mr. Gregorek spoke about the Americans with Disabilities Act (ADA) standards in reference to the memo that was given to the Planning Commission in response to Mr. Gregorek's comment from April 26, 2011 Planning Commission meeting.

Scott Murphy, Assistant Planning Director, gave an explanation on handicap ramps.

Mr. Blum gave an update on the shopping center and stated Code Enforcement visited the property and gave notices on violations.

Mr. Reyes stated he was at the property yesterday and noticed weed abatement took place. He noticed new graffiti and he plans to report it as soon as possible. He did notice a slight improvement already and thanked Mr. Blum for his support.



Mr. Blum spoke about the shopping center on Euclid Avenue and Walnut Avenue which is now a Dollar Tree store.

Mr. Gage spoke about taking decades to restore buildings where grocery stores became vacant.

### **New Business**

Mr. Gage spoke about the 2011 California Preservation Foundation Seminar he attended on May 15 – 17, 2011 in Santa Monica with Mrs. Hartley, Mr. Gregorek, Cathy Wahlstrom, Rudy Zeledon, and Diane Ayala.

Mrs. Hartley spoke about the session she attended on Green Buildings.

Mr. Gregorek spoke about a session he attended on Historic Building codes.

### **DIRECTOR'S REPORT**

Mr. Blum spoke about the excellent presentations Cathy Wahlstrom and Diane Ayala gave at the 2011 California Preservation Foundation Seminar.

He recognized two Planning Interns in the audience, Michelle Nguyen and Jeanie Aguilo and Planning Volunteer, David Koo.

They stood at the podium and introduced themselves.

Mr. Blum spoke about each of them and commended their outstanding abilities and levels of professionalism in the Planning Department.

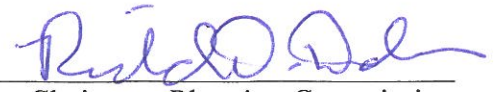
Mr. Reyes thanked all three for their attendance and spoke about past co-workers that he remembered throughout the years.

Mr. Delman stated this will be our last Planning Commission meeting at the Senior Center. Our meeting will take place at the new City Hall on June 28, 2011.

### **ADJOURNMENT**

The meeting was adjourned at 9:10 p.m. Mr. Delman motioned to adjourn, seconded by Mr. Gregorek.

  
Secretary Pro Tempore



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Chairman, Planning Commission