

**CITY OF ONTARIO PLANNING COMMISSION**

**MINUTES**

**June 26, 2012**

| <b>CONTENTS</b>  | <b>PAGE</b> |
|--|-------------|
| PLEDGE OF ALLEGIANCE .....   | 2           |
| ANNOUNCEMENTS.....   | 2           |
| PUBLIC COMMENTS.....   | 2           |
| CONSENT CALENDAR   |             |
| A-01. Minutes of May 22, 2012 .....  | 2           |
| PUBLIC HEARINGS  |             |
| B. File Nos. CEQA Determination and Mitigated Negative Declaration,<br>PCUP11-009, PVAR11-004, and PDEV11-005..... | 2           |
| C. File Nos. PDEV11-010 and PMTT11-010.....  | 4           |
| D. File Nos. PDEV12-002 and PCUP12-006.....  | 6           |
| E. File Nos. PDEV12-006, PCUP12-011, and PVAR12-001.....   | 9           |
| F. File No. PHP12-002 .....  | 11          |
| MATTERS FROM THE PLANNING COMMISSION.....  | 12          |
| DIRECTOR'S REPORT.....   | 13          |
| ADJOURNMENT .....  | 13          |

# CITY OF ONTARIO PLANNING COMMISSION

## MINUTES

June 26, 2012

**REGULAR MEETING:** City Hall, 303 East B Street  
Called to order by Chairman Delman at 6:30 p.m.

### COMMISSIONERS

**Present:** Chairman Delman, Downs, Gregorek, Hartley, Reyes, and Willoughby

**Absent:** Vice-Chairman Gage

**OTHERS PRESENT:** City Attorney Raymond, Planning Director Blum, Assistant Planning Director Murphy, Senior Planner Batres, Associate Planner Hildebrand III, Associate Planner D. Ayala, Assistant City Engineer Lee, Development Director Simpson, Crime Prevention Specialist White, and Planning Secretary Govea

### PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mrs. Hartley.

### ANNOUNCEMENTS

No one responded from the audience.

### PUBLIC COMMENTS

No one responded from the audience.

### CONSENT CALENDAR ITEMS

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

Planning Commission Minutes of May 22, 2012, approved as written.

*It was moved by Downs, seconded by Gregorek, to approve the Planning Commission Minutes of May 22, 2012, as written. The motion was carried 6 to 0 with Gage absent.*

### PUBLIC HEARING ITEMS

#### **B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE REVIEW FOR FILE NOS. PDEV11-005,**

**PCUP11-009 & PVAR11-004**: A Development Plan (**File No. PDEV11-005**) to construct a 49-foot tall Verizon monopine telecommunication facility with up to twelve 4-foot panel antennas and one 2-foot microwave dish, a Conditional Use Permit (**File No. PCUP11-009**) to operate the facility and a Variance (**File No. PVAR11-004**) to allow a telecommunication facility to exceed the 40 foot height limit, on a 1,104 square foot lease area of a 1.54-acre parcel of land developed with a Masonic Hall, within the R3 (High Density Residential) zone located at 1025 N. Vine Avenue. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental impacts for consideration. **Submitted by Verizon Wireless.** (APN: 1048-022-16).

Associate Planner Clarice Burden presented the staff report. She stated staff is recommending the Planning Commission approve File Nos. PDEV11-005, PCUP11-009, and PVAR11-004, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Reyes questioned the landscaping in Exhibit B of the staff report.

Ms. Burden stated three live trees will be planted around the facility and shrubs will be planted around the enclosure.

Mr. Reyes asked if there will be a maintenance landscape agreement.

Ms. Burden stated the facility will be maintained by the carrier which includes landscaping maintenance.

### **PUBLIC TESTIMONY**

Fiona Hilmer, representative Verizon Wireless, thanked Ms. Burden for her assistance on this item. She concurs with the comments made by Ms. Burden.

Mr. Reyes asked Ms. Hilmer if they will have a maintenance landscape agreement.

Ms. Hilmer answered yes.

The public testimony was closed

Mr. Reyes stated he would like to see more shrubs tall enough to screen fifty percent visibility so there is no bare block wall to be seen. He would like to know the type of trees that will be planted.

Mrs. Hartley stated this is for the back of the building. She questioned the actual need to plant more shrubs.

Mr. Reyes stated yes this is for the back of the building but it is also on a corner lot.

Ms. Burden stated staff can confirm the shrubs are of adequate height when the plan check is completed.

Mr. Reyes stated he is satisfied with Ms. Burden's comments.

**PLANNING COMMISSION ACTION**

*File No. PVAR11-004. It was moved by Willoughby, seconded by Downs, to adopt a Resolution to approve a Variance, subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: AYES, Downs, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

Mr. Blum stated the CEQA Determination and Mitigated Negative Declaration will need action before the Variance.

*Mr. Willoughby motioned to rescind the aforementioned action. Mr. Reyes seconded.*

*CEQA Determination and Mitigated Negative Declaration. It was moved by Willoughby, 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: Downs, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

*File Nos. PVAR11-004, PDEV11-005, and PCUP11-009. It was moved by Willoughby, seconded by Hartley, to adopt the Resolutions to approve a Variance, a Development Plan, and a Conditional Use Permit subject to conditions of approval, and based on facts and reasons contained in the staff report and resolution. Roll call vote: AYES, Gregorek, Hartley, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PDEV11-010 & PMTT11-010 (PM 19336):** A Development Plan (File No. PDEV11-010) to construct four industrial buildings totaling approximately 539,437 square feet on approximately 29 acres of land and a Tentative Parcel Map (File No. PMTT11-010) to subdivide approximately 29 acres into four parcels and one letter lot, for property generally located at the northwest corner of Etiwanda Avenue and the I-10 Freeway within the Light Industrial land use designation of the Crossroads Business Park 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. Pursuant to the California Environmental Quality Act, a Mitigated Negative Declaration has been prepared for the project. Submitted by Jeremy Mape, Western Realco. (APNs: 0238-051-16, 17, 18, 19, 20, 21, 22 & 238-021-73).

Senior Planner Luis Batres presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV11-010 and PMTT11-010, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Downs questioned the purpose of the retention basin.

Mr. Batres stated the purpose is to capture the water build-up and then to be it naturally soaks in the soil.

Mr. Blum stated the San Sevaine River takes most of the water from the north and passes under the I-10 freeway and through the rail yard but there is still residual water that needs to be carried to the north.

Raymond Lee, Assistant City Engineer spoke about the two purposes for retention basins. When there is no storm drain system within the vicinity of the project the water has to be retained onsite so the streets will not flood. The second is for water quality purposes where water treatment is required.

General discussion about the project took place.

### **PUBLIC TESTIMONY**

Gary Edwards, President Western Realco, 500 Newport Center Drive Suite 630 Newport Beach, CA 92660 stood at the podium. He stated he is looking forward to begin the project.

Mr. Reyes questioned the reasoning for not installing fencing.

Mr. Edwards stated they are happy to spend money where there is a value creation. This is going to be a secured facility.

Mr. Reyes asked if Cal Trans will have to be involved in this project.

Mr. Edwards answered yes.

Mr. Willoughby questioned phase one and two.

Mr. Edwards gave clarification on the proximity of the buildings.

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

Mr. Reyes spoke about the landscaping.

Mr. Gregorek spoke about the potential of damage to the landscaping due to a high wind area.

Mr. Batres clarified the landscaping measurements.

Mr. Willoughby asked about landscaping around the southerly portion of building one.

Mr. Blum referred Mr. Willoughby to the fencing exhibit on the staff report.

Mr. Willoughby stated he is concerned with potential damage to the trees.

Public Hearing re-opened.

Mr. Willoughby stated he is interested in not installing the tubular fence across the building due to potential damage to the root system during the grading process.

Mr. Edwards stated he would like to say that if they damage anything during the process they will replace it but he not certain how to answer Mr. Willoughby's request.

Mr. Willoughby asked if the tubular fence is conditioned to continue across the building.

Mr. Blum stated that is correct as discussed in the staff report.

The public testimony was closed

Mr. Delman spoke about his concern with the landscaping issue.

Mr. Reyes stated he brought the issue in to discussion because he thought the fence was not going to be installed along the south side of building one but if fencing is conditioned for building one he believes it is a great advantage.

#### **PLANNING COMMISSION ACTION**

*CEQA Determination and Mitigated Negative Declaration. It was moved by Downs, seconded by Reyes, 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: Reyes, Willoughby, Downs, Gregorek, Hartley, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

*File Nos. PDEV11-010 and PMTT11-010. It was moved by Willoughby, seconded by Hartley, to adopt a Resolution to approve a Development Plan, subject to conditions of approval. Roll call vote: AYES, Willoughby, Downs, Gregorek, Hartley, Reyes, and Delman; NOES, none; ABSENT, Gage. The motion was carried 6 to 0.*

Mr. Reyes clarified the reasoning of Commission discussion and thanked staff for a job well done.

- D. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW, FOR FILE NOS. PDEV12-002 AND PCUP12-006:** A Development Plan (File No. PDEV12-002), to construct an 8,500 square foot building and a Conditional Use Permit (File No. PCUP12-006) to operate a truck leasing company, on approximately 2.12 acres of vacant land, located at 1010 East Holt Boulevard, within the C3 and M1 (Commercial Service and Limited Industrial) zoning districts. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section § 15332 (In-Fill Development Projects). **Submitted by Suppose-U-Drive Truck Lease.** (APNs: 1049-131-010, 011, & 012). Associate Planner John Hildebrand III presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV12-002 and PCUP12-

006, pursuant to the facts and reasons contained in the staff report and attached resolutions.

General discussion about the project took place.

### **PUBLIC TESTIMONY**

Justin Johnston, U-Drive Truck Lease, 34 Smithcliffs Road Laguna Beach, CA 92651 stood at the podium. He stated they are a 76 year-old company and he is here to address questions and concerns.

Mr. Downs questioned the types of trucks in their inventory.

Mr. Johnston stated they have a variety of sizes in trucks. The majority of their inventory is medium duty trucks.

Mr. Downs asked how many trucks will be on their lot.

Mr. Johnston stated less than twenty trucks will be on their lot at one time.

Mr. Willoughby asked for the hours of operation.

Mr. Johnston answered their hours will be 7:00 a.m. to 6:00 p.m.

Mr. Willoughby asked if the five bays are for truck servicing.

Mr. Johnston answered yes. Their business consists of preventive maintenance. There will be no major work.

Mr. Reyes asked if the Architect is present.

Matt Simon, Architect spoke about the colors chosen for the building which mirrored their logo colors. He stated they used a gray pallet.

Mr. Hildebrand stated it is more of a granite color.

Mr. Reyes asked if the idea of the screen was to hide some of the equipment.

Mr. Simon stated yes. There is an air-conditioning unit on top of the building and they also wanted to "cap" the building with the red color.

Willoughby asked there is a doorway from the stairs that leads to the exit of the building.

Mr. Simon answered yes.

Mrs. Hartley stated she likes the colors they have chosen and this is an attractive building.

Rafael Dodd, property owner to the east of the project, stated he is concerned with noise



levels. He suggested a concrete wall around the perimeter of the building to decrease noise levels.

Mr. Blum stated this is an industrial area noise levels are higher than residential. He stated the storage of the vehicles will be outside but work done on the vehicles will be done inside.

Mr. Dodd stated a block wall between the two businesses would make a difference in noise levels.

Mr. Blum stated these types of issues should be considered in the beginning stages of the development. The receptors' windows from each business should not be facing each other. He stated the nearby residential units are non-conforming.

Mr. Johnston addressed the issue of the noise levels. He stated the preventive maintenance of the vehicles will be done inside the facility and with the Environmental Protection Agency laws, emission levels on vehicles are quiet compared to the past noise levels. They would prefer not to install a block wall due to the cost factors and unnecessary use of it.

The public testimony was closed

Mr. Gregorek stated he is in favor of the project.

Mr. Reyes spoke about the possibility of a block wall.

Mrs. Hartley stated there are few residential units on Holt Boulevard. We are looking at a beautiful project to enhance Holt Boulevard. She does not see an absolute need for a block wall.

Mr. Blum stated the code requires that any storage of vehicles for commercial and industrial sites must be fully screened from public right of way. The wall that is located east and west provides good screening of the openings of the building. There may be a visual of an opening of the building going westbound on Holt Boulevard so maybe there should be a wall that wraps to the south to a certain extent.

Mr. Willoughby stated taking the wall to the first planter would block visibility from Holt Boulevard.

Mr. Blum spoke about the code requirements for screening.

Mr. Delman requested clarification of the green area on the staff report map.

Mr. Gregorek stated he believes the wall should wrap to a certain extent around the building and he recommends staff make the final determination of the wall.

Mr. Reyes agreed with Mr. Gregorek's statement. He stated a wall would help screen and decrease noise.



Public Hearing re-opened by Mr. Delman

Mr. Simon stated higher landscaping may help with screening.

Mr. Reyes asked Mr. Simon to be more specific with landscaping..

Mr. Simon stated he is referring to a six to eight foot hedge.

Mr. Reyes asked if Mr. Simon would be willing to work with staff on the landscaping options.

Mr. Simon answered yes.

The public testimony was closed

Mr. Gregorek feels comfortable with the Architect's compromise on landscaping. He motioned to approve the project with the condition of the Architect working with staff on landscaping.

Mr. Reyes stated he is concerned with the height of the hedge.

Mr. Delman agrees with the hedge recommendation.

Mr. Blum stated the code does not allow the use of landscape material. An eight-foot high wall is recommended that wraps to a certain degree.

Mr. Willoughby stated he feels more comfortable leaving this recommending up to the Planning Director.

#### **PLANNING COMMISSION ACTION**

*File Nos. PDEV12-002 and PCUP12-006. It was moved by Gregorek, seconded by Willoughby, to adopt a Resolution to approve a Development Plan and Conditional Use Permit, subject to conditions of approval. Roll call vote: AYES, Downs, Gregorek, Hartley, Reyes, Willoughby, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

Mr. Delman called for a recess at 8:36 p.m.

Meeting resumed at 8:42 p.m.

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NOS. PDEV12-006, PCUP12-011, AND PVAR12-001:** A Development Plan (File No. PDEV12-006) to construct a 65-foot tall, stealth (monopine) wireless telecommunications facility, a Conditional Use Permit (File No. PCUP12-011) to operate a wireless telecommunications facility within 500-feet of a residential district, and a Variance (File No. PVAR12-001) to exceed the maximum allowable height of 40-foot, located at the northeast corner of Riverside Drive and Turner Avenue, at Creekside Park, within the OS

(Open Space) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. **Submitted by Verizon Wireless.** (APN: 1083-151-02).

Associate Planner John Hildebrand III presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV12-006, PVAR12-001, and PCUP12-011, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Downs spoke about the height requirements for cell towers.

Mr. Blum stated forty-foot height is intended for residential areas. Rare exceptions should be allowed.

Mr. Gregorek agreed with Mr. Blum.

Mr. Reyes asked about the golf course.

Mr. Blum stated the golf course has been gone for quite awhile.

Mr. Hildebrand stated the pro-shop building sits within the Creekside park.

### **PUBLIC TESTIMONY**

Fiona Hilmer, representative, Verizon Wireless. She stated she concurs with the comments made by the Planning Commission.

Mr. Reyes asked Ms. Hilmer if she has been in contact with the city's Parks and Recreation Department.

Ms. Hilmer stated no, they have been in contact with Jimmy Chang, Information Technology Department.

Mr. Blum stated the Parks and Recreation Department is aware of the project.

Mr. Reyes asked if the Parks and Recreation Department had any issues with the project.

Mr. Blum stated we have not received any comments referencing concerns from the Parks and Recreation Department.

Mr. Reyes stated he is asking about city protocol.

Mr. Blum stated yes, the Parks and Recreation Department has been informed about the project.

Mr. Willoughby questioned if there is more equipment on the tower since the height is sixty-five feet.

Ms. Hilmer answered yes.

The public testimony was closed

Mr. Gregorek stated he is in favor of the project.

Mr. Delman agreed with Mr. Gregorek.

### **PLANNING COMMISSION ACTION**

*CEQA Determination and Mitigated Negative Declaration. It was moved by Willoughby, seconded by Hartley, 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, Reyes, Willoughby, Downs, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

*File Nos. PDEV12-006, PVAR12-001, and PCUP12-011. It was moved by Willoughby, seconded by Downs, to adopt a Resolution to approve a Development Plan, subject to conditions of approval. Roll call vote: AYES, Hartley, Reyes, Willoughby, Downs, Gregorek, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 to 0.*

Mr. Reyes clarified his comment to Mr. Blum.

Mr. Blum stated these types of plans get routed to the appropriate departments upon submittal.

- F. **ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS FOR FILE NO. PHP12-005:** A request for a Certificate of Appropriateness to determine the appropriateness of the design (within the downtown historic context) for a 1.77 acre park (Ontario Town Square) located on the east side of Euclid Ave and west side of Lemon Avenue between B and C Streets. The project includes planting California native plants, developing meandering pathways, creating a historically themed mosaic art wall, constructing a community amphitheatre, children's play area, and a wedding/garden area. **Submitted by City of Ontario** (APNs: 1048-552-13, 14, 16 and 17).

Associate Planner Diane Ayala presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PHP12-005, pursuant to the facts and reasons contained in the staff report and attached resolution.

No discussion took place.

### **PUBLIC TESTIMONY**

No one responded.

The public testimony was closed

Mr. Gregorek stated this will be a great addition to the downtown area. This will

compliment was has been done so far to that area. The final name of the park will be up to our City Council. He stated the name of “Ontario Heritage Square” was a thought he had.

Mrs. Hartley stated she thinks the plan is wonderful and the name of “Chaffey Heritage Park” was a suggestion she had.

Mr. Willoughby stated he is thrilled we received the grant.

Mr. Reyes stated he likes the selection of the plants chosen for this project. This is just the beginning of the elements of the area. He thanked Development and other staff for this project.

Mr. Delman stated the finished product is phenomenal.

Mr. Reyes believes this will also attract the seniors from the senior center and senior housing development to the park area.

Mr. Willoughby stated this could be a step in the direction to attract the community and region to this area.

Mr. Reyes recommended the presence of a Christmas tree for the month of December.

Mr. Gregorek and Mr. Delman both agreed to recommend “Ontario Heritage Square” as a suggestion to the City Council.

#### **PLANNING COMMISSION ACTION**

*File No. PHP12-005. It was moved by Willoughby, seconded by Gregorek, to adopt a Resolution to approve a Certificate of Appropriateness, subject to conditions of approval. Roll call vote: AYES, Reyes, Willoughby, Downs, Gregorek, Hartley, and Delman; NOES, none; ABSENT, Gage. RECUSE, none. The motion was carried 6 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**

Mr. Gregorek spoke about cell tower on Grove Avenue. He asked if it has always been located there.

Mr. Blum stated it may have been a cell tower we inherited.

Mr. Gregorek spoke about the project on Holt Boulevard stating there is also some debris on Vineyard Avenue and Walnut Drive.

Mr. Blum stated the original condition did not include fencing requirements.

Mrs. Hartley spoke about the area on Grove Avenue south of Chino Avenue. She asked about the waste pile up there.

Mr. Blum stated it may be the Chino green waste area.

Mrs. Hartley stated "West Days" magazine has an article about the City of Ontario.

Mr. Blum stated Rudy Zeledon, Senior Planner found a "Life" magazine photograph of Euclid Avenue picnic days in Ontario and will bring it to the next Briefing session.

**NOMINATIONS FOR SPECIAL RECOGNITION**

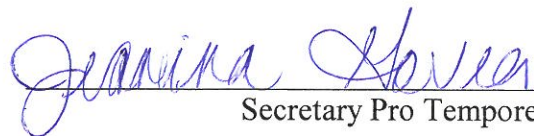
None.


**DIRECTOR'S REPORT**

None.

**ADJOURNMENT**

The meeting was adjourned at 9:30 p.m. Mr. Gregorek motioned to adjourn, seconded by Mr. Willoughby.

  
Secretary Pro Tempore

  
Chairman, Planning Commission