

**CITY OF ONTARIO PLANNING COMMISSION/  
HISTORIC PRESERVATION MEETING**

**MINUTES**

**January 23, 2018**

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**CITY OF ONTARIO PLANNING COMMISSION/  
HISTORIC PRESERVATION MEETING**

**MINUTES**

**January 23, 2018**

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

**COMMISSIONERS**

**Present:** Chairman Delman, Vice-Chairman Willoughby, DeDiemar, Gage, Gregorek, and Reyes

**Absent:** Downs

**OTHERS PRESENT:** Planning Director Murphy, City Attorney Rice, Assistant Planning Director Wahlstrom, Principal Planner Zeledon, Senior Planner Mercier, Senior Planner Mejia, Senior Planner Mullis, Senior Planner Noh, Associate Planner Burden, Associate Planner Aguilo, Assistant City Engineer Do, and Planning Secretary Berendsen

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Willoughby.

**ANNOUNCEMENTS**

Mr. Murphy stated that there were items before them, a revised resolution for Item D and two correspondence received relating to Items E & F

**PUBLIC COMMENTS**

No one responded from the audience.

**CONSENT CALENDAR ITEMS**

Commissioner Reyes requested item A-04 be pulled from the Consent Calendar for separate discussion.

**A-01. MINUTES APPROVAL**

Planning/Historic Preservation Commission Minutes of Special Meeting on December 18, 2017 approved as written.

**A-02. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP TIME EXTENSION REVIEW FOR FILE NO. PMTT14-020: A one-year Time Extension of**

the expiration date for the approval of File No. PMTT14-020, a Tentative Parcel Map (PM 19552) to subdivide a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) and EA (Euclid Avenue) Overlay zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1050-051-01); **submitted by Johnathan Ma.**

- A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-028:** A Development Plan (File No. PDEV17-028) to construct 37 multiple-family apartment units on 1.13 acres of land generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, Infill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1047-172-03 and 1047-172-19) **submitted by Kirk Wallace.**

#### **PLANNING COMMISSION ACTION**

*It was moved by Willoughby, seconded by Gregorek, to approve the Planning Commission Minutes of Special Meeting on December 18, 2017, as written, and to adopt the resolutions to approve the Tentative Parcel Map Time Extension, File No., PMTT14-020, and the Development Plan, File No., PDEV17-028, subject to conditions of approval. The motion was carried 6 to 0.*

#### **PUBLIC HEARING ITEMS**

- A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-045:** A Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on 40.20 acres of land located within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue. The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-281-15 and 0218-281-16) **submitted by KB Home.**

Senior Planner, Henry Noh, presented the staff report. He described the location and surrounding area. The project consists of 190 conventional single-family homes, a 1.5 acre private pocket park and 3 paseo connections. He described the different proposed designs, elevations, and layouts of the homes. He stated that staff is recommending the Planning Commission approve File No. PDEV17-045, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification as to where the larger parks would be outside of the proposed area.

Mr. Noh stated that the residents would be able to access Celebration Park in PA 11, through the paseo and another park in PA 14 that is under construction.

Mr. Reyes wanted clarification if the residents in the proposed area would have access to the club house in PA 15.

Mr. Noh stated no, they would only have access to the park areas.

Mr. Reyes wanted to know what kind of amenities would be going into PA 11 and 14, and clarification if these are developer parks.

Mr. Murphy stated that both of these will be public parks that are being built by the developers and will be turned over to the city. Celebration Park has already been turned over to the city, which is predominantly a passive park with an amphitheater, band stand and some rose gardens. The north park will be more active with some open fields, tot lots, shade structures and walking paths and play equipment.

Mr. Reyes wanted clarification as to the amenities that are being proposed in the pocket park for the current proposed project.

Mr. Noh stated that there are 2 half-court basketball courts, some bbq's and shade structures and some active open field areas being proposed.

Mr. Willoughby wanted clarification regarding play structures for younger kids within the proposed pocket park.

Mr. Noh stated there was none being proposed.

Mr. Reyes stated that the reason he wanted this to be looked at separately was because he would in the future, like to be able to see more details of the amenities being offered. He stated that with 190 homes going in with this project, he would like to have some minor sort of tot lot amenities in parks like this in the future. He explained that he appreciated the basketball court offerings, which are nice for older children, but a parent with younger kids having to walk two blocks to the other parks to have tot activities might be difficult. He stated that we might want to look closer at this in the future and put some sort of small tot equipment in, especially being that there is room for it in this size park. He stated he would also like to see shade so that the bbq areas are more readily used. He stated that other than that, he thinks the project is very good.

Mr. Murphy asked if it was the desire of the Commission to have that incorporated into

this project or is this for future projects?

Mr. Reyes asked if we could apply it in this case, and we could have staff work with that, he would prefer that now.

Mr. Willoughby stated he would like to have the applicant come forward and discuss it with him and also that he concurs with Mr. Reyes thoughts of the distance for a family with young children to have to walk to enjoy tot lot amenities.

Mr. Delman asked the other Commissioners if they were in agreement with this. They agreed.

Mr. Gage stated that with 190 homes there will probably be 190 kids and he agreed that we should consider some sort of equipment play equipment in their area.

Mr. Delman opened the Public Hearing and asked the applicant to come forward.

### **PUBLIC TESTIMONY**

RJ Hernandez, the project manager, spoke and stated that they were very diligent about designing the park in accordance with Subarea 29 Planning Area 3 guidelines. He described the amenities that are available in the proposed park area. He stated that with his project schedule and working with the Planning staff, he would like to work with the city on these issues but would like to be able to continue to move forward with the project. He stated that he was concerned that this was the first he heard about these changes.

Mr. Reyes stated this was the first time before Planning Commission so that is why it's the first these concerns have been brought forward. He stated he is not asking for the park to be redesigned, but just that a small tot lot area be included, that would make it feel more like a family place. He stated it seems unlikely that a family with a young child would go so far to use the tot lot, and he feels like it would be better if they could offer something more internal for the area. He would like to have staff work with the applicant to integrate something into the project, but not delay the project. He stated it is his hope that the other Commissioners would support this.

Mr. Hernandez stated that he would be willing to look at this with staff. He stated he has a young child and he did keep children ages 2 to 5 in mind when he designed this area, and that children this age like to run around. He stated that he understands the desire for this type of equipment, but it is costly and he is concerned about the lead time for something like this.

Mr. Reyes clarified that he isn't looking for a huge addition, just something even off the shelf that could be added to this area, that wouldn't delay the project from moving forward, and stated that most tot lots don't need to be ADA accessible so it really opens up options for this addition.

Mr. Willoughby wanted clarification if it was feasible for this item to have staff to work with KB Homes to work on some sort of tot lot amenity, but not delay the project.

Mr. Murphy stated that this can be added as a condition of approval that a tot lot would

need to be provided and that this could be worked out with staff, and it can be approved with this in place.

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

### **PLANNING COMMISSION ACTION**

*It was moved by Willoughby, seconded by DeDiemar, to adopt a resolution to approve the Development Plan, File No., PDEV17-045, with the added condition that the applicant work with staff to add a tot lot to the pocket park area and subject to all other conditions of approval. The motion was carried 6 to 0.*

**B. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NOS.: PMTT17-006 (PM 19832), PDEV17-020 & PHP17-036:**

A Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes in conjunction with a Development Plan (File No. PDEV17-020) and a Certificate of Appropriateness (File No. PHP17-036) to allow for the construction of a two-story retail and medical office building totaling 37,074 square feet located on the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1051-614-08) **submitted by Creative Design Associates.**

Senior Planner, Lorena Mejia, presented the staff report. She gave the history of the property and the project site location and surrounding area. She stated that the Certificate of Appropriateness was approved at the last Historic Preservation Sub-Committee meeting. She stated that the first floor would be retail and the second story would be medical offices. The buildings would be connected by a second story walkway with stairways and elevators provided. She described the landscaping, the elevations, and architectural features that are proposed for the project. She stated that staff is recommending the Planning Commission approve File Nos. PHP17-036, PMTT17-006 & PDEV17-020, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby wanted clarification on the height of the project, which looks to be about 43.9 feet, as it compares to the existing facilities.

Mr. Murphy stated they don't have the exact height for the existing buildings but that end gable on the building looks about 38 to 40 feet and that the proposed project would be in the proximity with the existing facilities.

Mr. Willoughby wanted clarification regarding the two suites in the northwest area, if that was connected to the other building for the elevator access in some way.

Ms. Mejia stated yes it was through the second story walkway.

Mr. Willoughby stated that the asphalt was in bad condition and wanted clarification if this will be upgraded or a slurry coat done.

Ms. Mejia stated the asphalt would be upgraded within the confines of their parcel area.

Mr. Willoughby asked if that applied to the existing landscaping within the redlines of the parcel, would that be upgraded as well.

Ms. Mejia stated yes that the landscaping and irrigation would be upgraded and that some of the planters would be enlarged as well.

Mr. Reyes wanted clarification regarding the plaza areas in front of the building and if these were intended for people to sit.

Ms. Mejia stated that yes there is proposed bench seating around some of the shade tree areas and this is intended for patrons and employees to sit and relax.

Mr. Reyes wanted clarification regarding access to the building from the parking in the back.

Ms. Mejia stated that there is a walkway between O'Reilly's and the building, on either end of the building, and access on the northern end.

Mr. Willoughby wanted clarification regarding the minimum square footage for the lower retail space.

Ms. Mejia stated that yes each one of spaces are about 1,500 to 1,600 square feet, but they have the option to expand into additional space.

Mr. Reyes asked if the applicant could work with staff regarding the tree screening for the residences to the east of the building, being that the building was two stories and their backyards would be looking directly at these elevations which aren't very embellished.

Mr. Murphy stated that the Planning landscape division is always really good about making sure the existing landscape is enhanced and there will also be new landscape added within the parking area, so we would have that issue covered with both of those items.

### **PUBLIC TESTIMONY**

Mr. Christopher Chung, the project manager, representing Euclid PHD, LLC, appeared and spoke. He thanked the staff for all their hard work and being so easy to work with. He stated he wanted clarification regarding the uses that were stated in the staff report for the lower portion of the building stated commercial retail only, but the plan they submitted reflected medical and professional offices here as well. He stated they wanted to have the flexibility that if they were unable to get retail in that they would have the option to have professional offices there as well.

Mr. Reyes asked is the landscape architect and architect could go into some detail regarding the project and what is proposed in the open spaces.

Mr. Kenneth Pang, the architect for the project appeared and stated in the courtyard facing the front parking area, they will be providing benches and seat walls for sitting areas and shaded canopy with the trees where people could stay and enjoy the space.

Mr. Willoughby wanted clarification regarding the landscape on the east side of the parking lot regarding the size of the trees proposed.

Mr. Craig Duncan, the landscape architect for the project, stated 36-inch boxed Sycamore trees and 24-inch boxed Koelreuteria trees.

Mr. Willoughby wanted clarification regarding the east area on the property line regarding what is there and what is proposed to be replaced.

Mr. Duncan stated that there are currently Crepe Myrtles along the wall and that they have cataloged all of the existing trees and their current condition, and the 24-inch boxed Crepe Myrtles that are proposed are for the parking along the west end. He stated that they have not proposed to do anything with the trees along the wall to the east, as this is the back of the building.

Mr. Reyes wanted clarification regarding the east planter area and if any shrubs or vines were proposed to green up this area, beside the Crepe Myrtles and DG that are there.

Mr. Duncan stated that no there was nothing proposed for this area as the residences wouldn't be able to see that area on this side of the wall.

Mr. Reyes stated that he wanted to know if they could work with staff to maybe think about something, maybe evergreens, to soften and screen the area more for the residents.

Mr. Willoughby wanted to clarify with staff the uses that the applicant had questioned and if medical offices would be allowed on the lower level.

Mr. Murphy stated that the Euclid Avenue Overlay does not allow for medical office on the ground level. He stated that general office uses would be allowable on the ground floor and medical offices on the second floor.

Mr. Chung wanted clarification as to the wording in the resolution, does the term commercial retail include general office use. He also stated that the parking was calculated for 50,000 square feet of medical offices on the lower level, so if they weren't able to have this, there would be extra parking available.

Mr. Murphy stated yes commercial retail includes general office.

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

There was no Planning Commission deliberation.



## **HISTORIC PRESERVATION COMMISSION ACTION**

*It was moved by Willoughby, seconded by Gregorek, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP17-036, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

## **PLANNING COMMISSION ACTION**

*It was moved by Gage, seconded by Reyes, to adopt a resolution to approve the Parcel Map, File No., PMTT17-006 and Development Plan, File No., PDEV17-020, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-005**: An Amendment to the Policy Plan (general plan) component of The Ontario Plan to: [1] modify the Land Use Element designation on a portion of a lot totaling 2.8 acres of land from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (Related File No. PZC16-003); (APNs: 1049-382-05 and 1049-172-01) **City Initiated. City Council action is required.**
- D. **ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-003**: A Zone Change on a portion of a lot totaling 2.8 acres of land, from IG (General Industrial) to IL (Light Industrial) to bring property zoning into consistency with the Policy Plan (general plan) component of The Ontario Plan, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-382-05 and 1049-172-01). (Related File No. PGPA16-005); **City Initiated. City Council action is required.**

Assistant Planner, Jeanie Aguilo, presented the staff report. She described the project location and the surrounding area, and showed what the existing zoning is and what was being changed to bring the zoning into alignment with The Ontario Plan. She stated that staff is recommending the Planning Commission recommend approval of the Addendum to an EIR and of File Nos.

PGPA16-005 and PZC16-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

### **PUBLIC TESTIMONY**

No one responded.

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

There was no Planning Commission deliberation.

### **PLANNING COMMISSION ACTION**

*It was moved by Willoughby, seconded by Gregorek, to recommend approval of adoption of the Addendum to an EIR, Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

*It was moved by Gage, seconded by Willoughby, to recommend approval of adoption of a resolution to approve the General Plan Amendment, File No., PGPA16-005, and the Zone Change, File No., PZC16-003, with the amended resolution and subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

### **E. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA17-001:** A City initiated request to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City; and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes.

Staff is recommending the adoption of an Addendum to an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (Related File PZC17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City Initiated. City Council action is required.**

### **F. ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC17-001:** A City initiated request to change the zoning designations on

approximately 800 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and utility corridors located mostly on the east and south sides of the City, and additional areas located throughout the City, in order to make the zoning consistent with The Ontario Plan (TOP) land use designations of the

properties. The environmental impacts of this project were previously analyzed in an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This project introduces no new significant environmental impacts. 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 ONT Airport Land Use Compatibility Plan (ALUCP). (Related File: PGPA17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City initiated. City Council action is required.**

Associate Planner, Clarice Burden, presented the staff report. She described the meetings held for the community and the responses that were received. She described the environmental impacts of the changes and the zoning descriptions and areas, what is there and what will be changed. She stated that staff is recommending the Planning Commission recommend approval of File No. PGPA17-001 and PZC17-001 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding Area 23 which has a small motel there and if they will be allowed to stay a motel, but once they close their doors that use would not be allowed there.

Ms. Burden stated that this is correct. The current zoning is ONT which is Ontario International Airport which was a zone established for the airport. The current motel is currently legal non-conforming within the industrial zoning designation and should they close their doors for more than 6 months, it would revert to the current zoning.

Mr. Reyes wanted clarification regarding Area 15 and the difference between RE-2 and AG Residential and if someone wanted to do smaller lots how would that work.

Ms. Burden stated that the standard for the AG residential lots have to be 100 feet wide and in RE-2 its 70 feet. In a lot of this area the properties don't meet the 100 feet and most of these properties are already developed, so it would only really effect someone that wanted to do a room addition or that type of thing. She stated that what the RE-2 zoning does is recognize the smaller lots but also allows for animal keeping for those that do have adequate area to provide the setbacks for animal keeping.

Mr. Reyes wanted clarification that animal keeping could remain.

Ms. Burden stated yes.

Mr. Willoughby wanted to verify that AR minimum lot size is 18,000 square feet and RE-2 is about 10,000 square feet, and wanted clarification regarding animal keeping on RE-2, if they sell the property would the new owner still be able to maintain animals.

Ms. Burden stated that yes those square feet ranges are correct. She stated that with RE-2, they could keep their animals and even establish new animal keeping on a parcel that didn't have it previously.

Mr. Willoughby wanted clarification that the setbacks and distances would remain the same for animal keeping in RE-2 and AR.

Ms. Burden stated that was correct.

Mr. Gage wanted clarification regarding the St. George property in the downtown area, proposing dark brown high density. What is it know and what is the reasoning for changing? He stated the property is currently a church and school.

Ms. Burden stated that the change is to coordinate with the General Plan that was adopted for the area in 2010. She stated that the school can remain as long as they want to but it gives them the option if they choose to transition that land to private party or they could develop it with residential uses.

Mr. Gage stated that wouldn't the high density zoning encourage them to make a money decision on that, because they could get more money for that land, so they would sell to high density apartments and move the church and school and take down the historic St. George Church.

Mr. Murphy stated the current General Plan for this is already High Density Residential and they are just bringing the zoning into consistency. He stated that whether or not it would encourage them to relocate, they still have a current vibrant church activity there and they would need to go through an EIR process and an environmental review and the historic aspect would need to be looked at. He stated that he's not sure it's much of an incentive so much as it is bringing the zoning into consistency and regardless whether we make it low density or medium density, they still have that right to pursue alternative uses on that property, being as we don't have a designated church zone, it is currently conditionally permitted in all our residential uses.

Mr. Gage wanted clarification that this is proposed as a change so it's not High Density now and that there is no church zoning.

Mr. Murphy stated it is only a zone change and that we do not have a church zone designation. He clarified the current zoning is Medium Density up to 25 to the acre and would go to High Density which takes it up to 45.

Mr. Reyes wanted clarification if what the zoning for churches varies based on whatever the zoning is for the property.

Mr. Murphy stated that is correct, that churches are generally conditionally permitted in most of the zoning designations that we have within the city.

Mr. Reyes wanted clarification that if a project is brought is for a church, how does the staff look at it based on the zoning or the area and that this change would not make it more difficult for churches.

Mr. Murphy stated they have to go through the Conditional Use Permit process and we evaluate their site plan, how traffic circulates and how it fits in with the neighborhood. He stated that is would not make it more difficult for churches.

**PUBLIC TESTIMONY**

Lynn McIlwain spoke regarding his residents on Map 15 and stated he was in favor of this proposal, and keeping the farming animal zoning.

Quyen Lee and her neighbor Maggie came forward, and Quyen spoke regarding their residents located on E. Locust St. on Map 15. She stated she doesn't mind horse keeping and they have two neighbors that have horses and they take them away to ride them, so they don't bother the neighborhood. She stated their lots are very big and the houses are very small and they have huge backyards which have lots of weeds and gophers, which have done huge damage to the land. She stated they have ants, big spiders, rats and lots of gophers, more gophers than humans on the block. She stated it's very expensive and difficult to keep up the lots. She stated she would like to be reconsidered to change to a higher density, maybe LDR-5, so that they could build another house in the back because of the huge lot sizes. She did write a letter and had several neighbors sign it and gave it to Ms. Burden. Maggie spoke and stated that they wanted to be reconsidered for LDR-5 so that they could build a larger dwelling than what exists on the property.

Mr. Delman wanted clarification that if the zoning was changed to LDR-5 would the property owner be able to build a second house larger than the current dwelling.

Mr. Murphy stated that they would need to subdivide the property, but they run into the same issue with the current AG and the RE-2 standards, you can have a second dwelling on the property but it cannot be larger than the current residence, but you can have that now. The only way to accomplish that would be to consolidate several of the properties and then re-subdivide them to bring the lot sizes down to 7,200 square feet.

Mr. Willoughby wanted clarification regarding subdividing the 23,000 square foot lots into two 11,000 lots, in an RE-2 zone.

Mr. Murphy stated that theoretically yes you could but, with the configuration of the lots that they are working with, it would make that difficult.

Mr. Gage wanted clarification regarding the regulations for the second dwelling that needs to be smaller than the current residence, and if any exceptions are made or is it a one size fits all. He stated that if the existing residence is the size of a guest house it seems fair that they should be able to build a larger residence and who came up with these regulations that are one size fits all.

Mr. Murphy stated that the state came up with the legislation, but it doesn't state that they can't expand their current residence, but that a second dwelling is ancillary to the existing residence. He stated we didn't want to have two full size residents on the property but they had the option of having an accessory dwelling if it was needed, but it does have limitations as to the size.

Mr. Willoughby wanted clarification regarding the law that was handed down from the state mandating the size, but doesn't state that if they wanted to add a 2,000 square foot addition to the existing dwelling and then come back and build a 1,500 square foot second dwelling, they could.

Mr. Murphy stated not quite that big. There is a limitation of 850 square feet is the max.

Les Garrison stated he is in Map 17 and backs up against Walnut. He was concerned about the signs and wanted to make sure that by rezoning this that they wouldn't be able to just put up neon signs.

Mr. Willoughby stated that staff could clarify that it would fall under the signage regulations which are the same for neighborhood commercial versus community residential.

Mr. Murphy stated that was correct, generally they are allowed signage on the building itself and then monument signage out along the street, which is based on the frontage, which is one sign for every 600 feet of frontage, but there are also height limitations, 8 foot maximum and a limitation on the total square footage which is 50 square foot total.

Daniel Cholinga came forward and stated he was south of the 10 freeway, and wanted to know how they are going to structure the 10 freeway. He stated Caltrans came in and built a big wall and took a lot of his property. He stated he received a letter that they want more and he wanted to clarify what we would be taking.

Mr. Murphy explained that Caltrans and San Bernardino County Transportation Authority are working on a project that will widen the 10 Freeway and they had a meeting regarding this. He stated they sent out letter to those individuals that would be impacted by the project and some are impacted more than others depending on the amount of additional right-of-way that is needed. He explained that we are doing zone changes tonight and the City of Ontario is not part of that project. He stated that we could get some information to him regarding this project, if he wanted to leave his name and phone number.

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

Mr. Reyes wanted clarification regarding Area 14 at Campus and Woodland and the residence there that is now going to be industrial and is there a current resident there that has any thoughts on this change.

Ms. Burden stated that this recommendation is based on the property owner's request. This is one of the properties that went before the City Council and staff was asked to take another look at it and see if industrial would be appropriate for this location and being that it is directly adjacent to industrial.

Mr. Reyes wanted clarification regarding the letter from Mrs. Lee and the regulations regarding accessory dwellings and would they be able to have a 850 square foot second dwelling, in addition to adding square footage to the original home.

Mr. Murphy stated that this is correct and that some of the provisions put out now are less restrictive than they were previously and they can do up to 40% lot coverage.

Mr. Reyes wanted to know what the biggest differences are to the areas that are being changed from General Commercial to Neighborhood Commercial.

Mr. Murphy stated when we look the General Plan and Development Code we try to

create a hierarchy similar to residential for commercial. With General Commercial, we are typically looking at larger sites with good freeway access. Neighborhood Commercial is exactly that commercial-within residential and usually these are more restrictive uses so that we don't have impacts to the neighborhoods, which are generally smaller sites and don't have freeway accessibility.

Mr. Reyes stated he wanted this clarification because of his concern regarding the mom and pop type stores that are within these neighborhoods and wanted to make sure they would still be able to continue.

Mr. Murphy explained within the Development Code, the terminology the "corner store" is part of the neighborhood fabric and allow for those within residential neighborhoods, but they are more restrictive regarding the uses, and are intended to serve the immediate neighborhood.

Mr. Willoughby wanted clarification regarding the truck stop property that is going to General Industrial and could this be revisited years from now if the trucks choose to relocate, and make it commercial property.

Mr. Murphy stated that was correct. There is nothing that would preclude us from changing it in the future.

Mr. Willoughby wanted to know within General Industrial if the hotel was damaged beyond 50% would it be able to be rebuilt as a hotel.

Mr. Murphy stated that yes if it was more than 50%, it would come before the Planning Commission to be rebuilt and they could just go through plan check if it was less than 50%.

Mr. Gage wanted to thank the people of Ontario for coming out to speak tonight. He stated that one of his concerns of changing the St. George property to higher density gets people to sell.

Mr. Willoughby stated that HDR-45 is the General Plan designation for the property, so we aren't changing the General Plan, we are just bringing it into alignment with that.

Mr. Murphy stated that is correct,

Mr. Reyes wanted to know how long it has been sitting out of zone and what would happen if it continued to sit like that.

Mr. Murphy stated it has been that way since 2010 and his preference is that it not sit like that because we have an obligation under state law to make sure our General Plan and Zoning are consistent, but if the desire is to change it to a lower density, then we can certainly look at that. But we need to make sure that we aren't spot zoning.

Ms. DeDiemar asked if St. George was part of the notification process and if they had voiced any concerns or if anyone was present from St. George.

Mr. Murphy stated that was correct, when we look at the properties we try to look at what's out there and what makes sense. He stated when you look at the St. George property and

take the historic aspect out of it, it is a large property and it you look at the higher density in the surrounding area. He stated that obviously we all don't want to see the historic church disappear.

Mr. Gregorek stated that what is being proposed isn't much different from what is out there and the property is designated historic and he hasn't heard anything regarding the church selling the property and move on. He stated that maybe we are worrying about things that aren't going to happen and we should just stay on the course that staff has recommended.

Mr. Reyes stated that it is really tough to get churches built these days and he doesn't know if these changes will affect the church, and maybe this is just something that we send to City Council and let them weigh in on what should happen, being that it is in close proximity to the downtown.

Mr. Delman stated his recommendation is that we go forward with what staff is proposing.

Mr. Willoughby wanted to go over the letter from Jesse Fonz regarding some issues and that we do have codes within the City and have Code Enforcement that you can contact if you have any issues regarding someone not following these codes on their property.

#### **PLANNING COMMISSION ACTION**

*It was moved by DeDiemar, seconded by Gregorek, to recommend adoption of an Addendum to an EIR, Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

*It was moved by DeDiemar, seconded by Willoughby, to recommend adoption of a resolution to approve the General Plan Amendment, File No., PGPA17-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

*It was moved by Willoughby, seconded by Gregorek, to recommend adoption of a resolution to approve the Zone Change, File No., PZC17-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gregorek, Reyes, and Willoughby; NOES, Gage; RECUSE, none; ABSENT, Downs. The motion was carried 5 to 1.*

- G. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA13-003:** A Development Agreement Amendment (Third Amendment – File No PDA13-003) between the City of Ontario and SL Ontario Development Company LLC, to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No's 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913. The project is generally located north of Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor, within Planning Areas 4 through 27, of the Subarea 29 Specific Plan (Park Place Community). The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH#



2004011009) that was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07) **submitted by SL Ontario Development Corporation. City Council action is required.**

Principal Planner, Rudy Zeledon, presented the staff report. He described the history of the Development Agreement and what changes are being made. He stated that staff is recommending the Planning Commission recommend approval File No. PDA13-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

### **PUBLIC TESTIMONY**

Damon Gascon, of Lewis Management Corp., came forward and stated he was happy to answer any questions and as Mr. Zeledon stated the amendment phases certain infrastructure that will be consistent with how they are going to develop the balance of the property.

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

There was no Planning Commission deliberation.

### **PLANNING COMMISSION ACTION**

*It was moved by Willoughby, seconded by Gage, to recommend adoption of a resolution to approve the Development Agreement Amendment, File No., PDA13-003, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

- H. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA16-005:** An amendment to the Rich Haven Specific Plan (File No. PSPA16-005) to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use Overlay district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-01 and 218-211-23) **submitted by Brookcal Ontario LLC/Richland Communities. City Council action is required.**

Senior Planner, Lorena Mejia, presented the staff report. She stated it includes updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (General Plan) compliance. She stated that staff is recommending the Planning Commission recommend approval of an Addendum to an EIR and File No. PSPA16-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

### **PUBLIC TESTIMONY**

Terry Galloway, with the Galloway Group, came forward and stated he has been working with the staff and concur with their report. He stated this is the second Specific Plan Amendment to this area and this is a straight forward application.

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

There was no Planning Commission deliberation.

### **PLANNING COMMISSION ACTION**

*It was moved by Gage, seconded by Reyes, to recommend adoption of the Addendum to an EIR. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

*It was moved by Willoughby, seconded by Gregorek, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No., PSPA16-005, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

- I. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA08-001:** A Development Agreement Amendment (First Amendment – File No PDA18-001) between the City of Ontario and True North Management Group to extend the term of the development agreement allowing for the construction of up to 870,000 square feet of class “A” mixed use office park and the required infrastructure, on approximately 24.8 acres of land within the Guasti Specific Plan, for property located north of Guasti Road and south of the I-10 Freeway, between Turner Avenue and Archibald Avenue. The Environmental Impacts of this project were previously reviewed in conjunction with File Nos. PDEV06-001 & PMTT06-019 for which a Mitigated Negative Declaration was adopted by the Planning Commission on May 23, 2006. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07) **submitted by**

**True North Management Group. City Council action is required.**

Mr. Scott Murphy presented the staff report. He stated the history of the Development Agreement and stated they are recommending a 5 year time extension with the option of an additional 5 years. He stated that staff is recommending the Planning Commission recommend approval of File No. PDA08-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

**PUBLIC TESTIMONY**

No one responded.

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

Mr. Willoughby wanted clarification if after 5 years does it come before the commission again to extend to the additional 5 years or is it up to the Planning Department.

Mr. Murphy stated that the way it is worded is the additional 5 years is at the discretion of the City Manager.

Mr. Reyes stated he is glad we are giving some extra time to bring in some class "A" projects that are greatly needed in this area.

**PLANNING COMMISSION ACTION**

*It was moved by Reyes, seconded by DeDiemar, to recommend adoption of a resolution to approve the Development Agreement Amendment, File No., PDA08-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.*

**MATTERS FROM THE PLANNING COMMISSION**

**Old Business Reports From Subcommittees**

**Historic Preservation (Standing):** This subcommittee met on January 11, 2018.

Mr. Willoughby stated they approved the Certificate of Appropriateness for the retail office building that was presented to the commission tonight.

**Development Code Review (Ad-hoc):** This subcommittee did not meet.

**Zoning General Plan Consistency (Ad-hoc):** This subcommittee did not meet.

**New Business**

Mr. Reyes stated that he sees the progress of the new Sizzler project going in on

Mountain and looking forward to it opening.

**NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

**DIRECTOR'S REPORT**

Mr. Murphy stated the monthly reports are available in their packets.

**ADJOURNMENT**

Willoughby motioned to adjourn, seconded by Gregorek. The meeting was adjourned at 9:04 PM.

  
Secretary Pro Tempore

  
Chairman, Planning Commission