

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

MINUTES

October 25, 2022

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

MINUTES

October 25, 2022

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

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman DeDiemar, Anderson, Dean, Gage, and Lampkin

Absent: Ricci

OTHERS PRESENT: Executive Director Community Development Murphy, Planning Director Zeledon, City Attorney Guiboa, Principal Planner Mercier, Senior Planner Ayala, Associate Planner Aguilo, Associate Planner Antuna, Assistant Planner Morales, Planning Intern Fernandez, Senior Engineer Tang, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

SPECIAL CEREMONIES

Presentation to Chairman Willoughby for his years of service.

Mr. Zeledon, Planning Director, Scott Murphy, Executive Director of Community Development Agency, and all the Planning Commissioners spoke heartfelt words regarding Mr. Willoughby and his service over the last 12 years.

A short recess/reception was taken to honor Mr. Willoughby.

ANNOUNCEMENTS

Mr. Zeledon stated that there are 5 letters in support of Item D, that Item E is being asked to be continued, and that Item I have a revised exhibit before the Commission. He also stated that Items H, I and J would be presented together.

Mr. Lampkin commented regarding the 1 year anniversary of the murder of Jesus Sanchez.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of August 23, 2022 and August 30, 2022, approved as written.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Dean, to approve the minutes of August 23, 2022. It was approved unanimously by those present (5-0). DeDiemar recused as she was not at this meeting.

It was moved by Dean, seconded by Gage, to approve the minutes of August 30, 2022. It was approved unanimously by those present (4-0). DeDiemar and Willoughby recused, as they were not at this meeting.

PUBLIC HEARING ITEMS

- B. HISTORIC LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP21-016:** A public hearing to consider a Local Landmark Designation of a single-family residence (Tier III Eligible Historic Resource) located at 409 North San Antonio Avenue. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines; (APN: 1048-314-11) **submitted by Mallory Jean and Robby Gibson, and Gray McMinn. City Council action required.**

Planning Intern Fernandez, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval File No. PHP21-016, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wants to know if the designation would change if they discover more information about the property.

Ms. Ayala stated the designation would not change, only the tier determination would be able to be brought back for future change.

Mr. Lampkin wanted to know is the research would continue on the property.

Ms. Ayala stated they will not actively pursue anything further.

Mr. Lampkin wanted to know if the Mills addresses were located in Ontario.

Ms. Ayala stated the Russian Village is located in Claremont.

PUBLIC TESTIMONY

No one from the public wished to speak on this item.

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

Mr. Gage spoke in favor of the property.

Mr. Willoughby spoke in favor of the property.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Lampkin, to recommend approval of a resolution for the Historic Landmark Designation, File No., PHP21-016, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and

Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

- C. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP22-011:** A public hearing to consider a Mills Act Contract (Preservation Agreement) for a 4,379 square-foot Prairie style single-family residence, a Contributor within the College Park Historic District, located at 119 East Princeton Street, within the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) zoning district. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines; (APN: 1047-531-31) **submitted by Rafael Marquez and Jacqueline Gonzalez. City Council action is required.**

Mr. Gage recused himself from this Item as he is within 500 feet of the project property.

Associate Planner Antuna, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval File No. PHP22-011, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

PUBLIC TESTIMONY

No one from the public wished to speak on this Item.

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

Mr. Lampkin spoke in favor of this project.

Mr. Willoughby spoke in favor of the Mill's Act Contract program.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by DeDiemar, to recommend approval of a resolution for the Mills Act Contract, File No., PHP22-011, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, and Willoughby; NOES, none; RECUSE, Gage; ABSENT, Ricci. The motion was carried 5 to 0.

- D. **ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PHP22-012 AND PCUP22-017:** A public hearing to consider a Certificate of Appropriateness (File No. PHP22-012) and a Conditional Use Permit (File No. PCUP22-017) to construct a 2-story, 558-square-foot detached residential accessory structure to accommodate a private Artist's Studio/Workshop on 0.56-acre of land located at 328 East Princeton Street, a designated Local Landmark and a Contributor to the College Park Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) 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.; (APN: 1047-543-09) **submitted by Edward and Mary Rivas.**

Associate Planner Antuna, presented the staff report. She stated that staff is recommending the Planning Commission approval of the Certificate of Appropriateness, File No. PHP22-012, and the Conditional Use Permit, File No. PCUP22-017, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wanted clarity regarding the property owner opposed to the project.

Ms. Antuna stated once she had discussed the project with the property owner, they were no longer opposed to it.

PUBLIC TESTIMONY

No one from the public wished to speak on this item.

Mr. Willoughby acknowledged the 5 letters received in favor of the project.

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

Mr. Gage made comments regarding the support letters received and spoke in favor of the project.

Mr. Lampkin made comments regarding the support letters received and spoke in favor of the project.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Gage, to approve a resolution for the Certificate of Appropriateness, File No., PHP22-012, and the Conditional Use Permit, File No. PCUP22-017, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

- E. **ENVIRONMENTAL ASSESSMENT, VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR21-005 AND PDEV21-028:** A public hearing to consider a Variance (File No. PVAR21-005) to reduce the building setback along an arterial street from 20 feet to 2.67 feet, in conjunction with a Development Plan (File No. PDEV21-028) to construct one industrial building totaling 32,165 square feet on 1.3 acres of land located at 1108 and 1120 East California Street, within the IL (Light Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5, Minor Alteration in Land Use Limitations) and 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; (APNs: 1049-382-01 and 1049-382-02) **submitted by Phelan Development Company.**

Staff is asking that this item be continued to the Planning Commission meeting on November 22, 2022.

PUBLIC TESTIMONY

No one from the public wished to speak on this item.

As there was no one wishing to speak, Chairman Willoughby left the public testimony open

PLANNING COMMISSION ACTION

The Variance, File No. PVAR21-005 and the Development Plan, File No., PDEV21-028, were continued to the November 22, 2022 meeting. It was approved unanimously by those present (6-0).

- F. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT21-015:** A public hearing to consider Tentative Parcel Map No. 20375, subdividing 2.286 acres of land into three numbered lots and one lettered lot for residential purposes located at 1225 Benson Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. 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; (APNs: 1011-521-30) **submitted by Szuan Chi Chan.**

Assistant Planner Morales, presented the staff report. He stated that staff is recommending the Planning Commission approve Tentative Parcel Map 20375, File No. PMTT21-015, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wanted to know about the property to the north.

Mr. Morales responded.

Mr. Lampkin wanted to clarify the number of units built per parcel and SB2-9.

Mr. Morales responded.

Mr. Lampkin wanted to know if the residents within Montclair were also notified.

Mr. Morales stated yes, all property owners within 300 feet.

Mr. Lampkin wanted to know if they went beyond 300 feet.

Mr. Morales stated no.

PUBLIC TESTIMONY

No one from the public wished to speak on the item

As there was no one wishing to speak, Chairman Willoughby closed the public hearing.

Mr. Lampkin stated he had a question for the applicant.

Mr. Willoughby opened the public hearing again and asked the applicant to step forward.

Mr. Lampkin asked the applicant if he agreed to the Conditions of Approval.

The applicant stated yes.

As there was no one wishing to speak, Chairman Willoughby closed the public hearing.

Attorney Guiboa asked that the applicant state his name for the record.

Mr. Willoughby opened the public hearing again and asked the applicant to step forward.

Applicant, Richard Chu stated he was representing the owner.

As there was no one wishing to speak, Chairman Willoughby closed the public hearing.

Mr. Willoughby spoke in favor of the project.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Anderson, to approve a resolution for the Tentative Parcel Map 20375, File No., PMTT21-015, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

- G. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-016:** A public hearing to consider Tentative Tract Map No. 20451, subdividing 30.17 acres of land for condominium purposes, into 138 numbered lots and 48 lettered lots, residential uses, landscape neighborhood edge, private drives, private lanes, private streets, and parking, and common open space purposes, located at the southwest corner of Hamner Avenue and Old Edison Road, within PA-3 (RD-7 / Row Townhomes and RD-8 / Motorcourt Townhomes) and PA-4 (RD-6 / 6 and 8 Pack Courtyard / Row Townhomes) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2002061047) was certified by the City Council on January 16, 2007. This application 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; (APNs: 0218-252-39 and 0218-252-09) **submitted by Richland Ventures, Inc.**

Associate Planner Aguilo, presented the staff report. She stated that staff is recommending the Planning Commission approve Tentative Tract Map 20451, File No. PMTT21-016, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Willoughby wanted to know about the Clifton Street connection.

Ms. Aguilo responded.

PUBLIC TESTIMONY

Craig Cristina representing Richland Ventures spoke in favor of the project.

Mr. Gage asked if the applicant agreed with all the conditions of approval.

Mr. Cristina stated yes.

As there was no one else wishing to speak, Chairman Willoughby closed the public hearing.

PLANNING COMMISSION ACTION

It was moved by Dean, seconded by Gage, to approve a resolution for the Tentative Tract Map 20451, File No., PMTT21-016, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

- H. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT22-009:** A public hearing to consider Tentative Tract Map No. 20530, subdividing 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property

generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B, 5C, 5D and 5E (Residential – SFD/Attached and Edison Easement) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction File No. PSP05-004, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted Environmental Impact Report and 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: 0218-016-06, 0218-016-07, 0218-016-18, 0218-203-08, 0218-203-01, 0218-203-02, 0218-203-03, 0218-203-04, 0218-203-07, 0218-203-06, 0218-203-05 and 218-016-22) **submitted by Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC.**

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA22-001:** A public hearing to consider a Development Agreement (File No. PDA22-001) between the City of Ontario and BrookCal Ontario, LLC., to establish the terms and conditions associated with Tentative Tract Map 20529 (PMTT22-010), an 11.11 acre property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B, and 4C (Residential – SFD/Attached) land use district of the Rich-Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction File No. PSP05-004, for which Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted Environmental Impact Report and 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; (APNs: 0218-161-14). **submitted by BrookCal Ontario LLC. City Council action is required.**
- J. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT22-010:** A public hearing to consider Tentative Tract Map No. 20529 for condominium purposes, subdividing 11.11 gross acres of land into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction File No. PSP05-004, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted Environmental Impact Report and 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: 0218-161-14) **submitted by BrookCal Ontario LLC.**

Principal Planner Mercier, presented the staff report. He stated that staff is recommending the Planning Commission approve Tentative Tract Map 20530, File No. PMTT22-009, and Tentative Tract Map 20529, File No. PMTT22-010, and recommend approval of the Development Agreement, File No. PDA22-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wanted to know if there would be two separate HOAs.

Mr. Zeledon responded and also referred to the applicants.

PUBLIC TESTIMONY

Craig Cristina with Richland representing Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC was present.

Tim Roberts with Brookfield representing BrookCal Ontario was present.

Mr. Lampkin wanted to clarify the Tract Map.

Mr. Cristina responded with the reasoning behind the split and designing two neighborhoods more cohesively.

Mr. Lampkin wanted to know if there would be two HOAs.

Mr. Cristina stated it is designed to be compatible with New House Lansea Homes its current HOA.

Mr. Roberts reiterated the property split and it's envisioned with one HOA and share the amenities.

Mr. Lampkin clarified what the representatives stated and then asked if there are two HOAs who will be responsible for the open space.

Mr. Roberts responded.

Mr. Lampkin commented on the two developers working together.

Mr. Gage left the Council Chambers.

Mr. Roberts representing Tract 20529 stated he accepted all the COAs and the Draft Development Agreement, and that they worked through some Engineering confirmations this afternoon and just wanted to put these on record, regarding the SCE grant outs as referenced in COA 2.09 and other easements in rights-of-way for public improvements in Phase II are intended to be obtained prior to the commencement of improvements in Phase II, but the condition 1.14d indicates these easements and grants as a condition to the recordation of the map and is requesting that these will not be a requirement for the recordation of the map.

Senior Engineer Jefferey Tang that he concurs with these clarifications, and the right-of-way the improvements outside of Tract 20529 will not hold up their recordation.

Mr. Cristina accepted the Conditions of Approval for Tract 20530, as written.

Mr. Lampkin wanted to consult with the City Attorney Guiboa regarding the clarifications being requested.

Mr. Roberts stated that to the north of Tract 20529 there is SCE property and in order to put the utilities in for the tract they will need to go through the SCE grant out process and the reason behind the clarification.

Mr. Guiboa stated we don't have any issues with the clarifications being requested.

As there was no one else wishing to speak, Chairman Willoughby closed the public hearing.

There were no Planning Commissioner comments.

PLANNING COMMISSION ACTION

It was moved by Anderson, seconded by Lampkin, to approve a resolution for Tentative Tract Map 20530, File No. PMTT22-009, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

It was moved by DeDiemar, seconded by Lampkin, to approve a resolution for Tentative Tract Map 20529, File No. PMTT22-010, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

It was moved by Dean, seconded by Anderson, to recommend approval of a resolution for the Development Agreement, File NO. PDA22-001, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, none; ABSENT, Ricci. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on October 13, 2022.

Mr. Gage recapped the meeting.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated that next month the Commission would be nominating a new Chairman for the Planning Commission.

ADJOURNMENT

Mr. Lampkin asked that we adjourn the meeting in honor of George Newbury.

Gage motioned to adjourn; it was agreed unanimously. The meeting was adjourned at 8:34 PM to the next regular meeting on November 22, 2022.

Gwen Beundsen

Secretary Pro Tempore

Nancy L. Alkhemar

Chairman, Planning Commission