

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

**MINUTES**

**March 22, 2016**

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**CITY OF ONTARIO PLANNING COMMISSION/  
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**MINUTES**

**March 22, 2016**

**REGULAR MEETING:** City Hall, 303 East B Street  
Called to order by Chairman Willoughby at 6:37 p.m.

**COMMISSIONERS**

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

**Absent:** Gage.

**Late:** Ricci.

**OTHERS PRESENT:** Planning Director Murphy, City Attorney Rice, Principal Planner Zeledon, Senior Planner Mercier, Senior Planner Mullis, Senior Planner Ayala, Associate Planner Burden, Associate Planner Mejia, Assistant Planner Antuna, Assistant City Engineer Do, and Planning Secretary Callejo.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Gregorek.

**SPECIAL CEREMONIES**

Mr. Willoughby welcomes new Planning Commissioner Nancy DeDiemar and recognizes former Planning Commissioner Sheila Mautz who resigned to assume the role of City Clerk. Ms. Mautz was presented with a plaque of appreciation and a short recess was called for a cake reception in her honor.

**ANNOUNCEMENTS**

No one responded from the audience.

**PUBLIC COMMENTS**

Brian Terry resides at 150 N. Bonita Court and came to speak. He spoke about parking on Bonita Court and that it is horrendous. He states that he contacted Mayor Leon and the Mayor had him contact another person in the City for assistance. Mr. Terry gives various examples of the trouble on Bonita Court from a stabbing incident, trash pick-up, vagrancy, and mainly parking problems. He also explained that there are only a few properties that have driveways and thus, there are many homeowners vying for parking space along the public streets.

Mr. Willoughby stated that it sounds like both Code Enforcement and Police issues and they would try to get Mr. Terry in touch with the appropriate staff persons regarding these issues.

Mohamed Cotel asked if he could come up and speak on a non-agenda item. He stated his property is located at 1253 East Holt Blvd. which is located next to a residential complex (Holt & Grove). Mr. Cotel states that the nearby curb has red painted fire zoning but next to his property, the curb is not red painted. The problem is, vehicles park on the street and cannot view on-coming traffic when entering or exiting the carwash business. There have been many car accidents and he is requesting red zoning for no parking.

Mr. Willoughby asks if his property is the car wash.

Mr. Cotel confirms it is.

Mr. Willoughby says they will put Mr. Cotel in contact with the appropriate person who can help resolve this issue.

Mr. Fuentes came up to speak on a non-agenda item. He resides at 1251 S. Cypress. He states that the stop sign at Cypress and Phillips Street is difficult to see because there is no light. He is requesting a traffic signal be placed at that location because cars do not stop there.

Mr. Willoughby confirmed that the stop sign is on Phillips Street and sends him to Khoi Do, Assistant City Engineer for assistance.

Ron Anthony came up to speak on a non-agenda item. He resides at 1163 East Nocta Street. He states there is a vacant lot near his home and the road is not widened. Mr. Anthony says since the population has increased and the road has not widened, there is no parking on the south side of the street and no sidewalk. He continues to explain there's a hazard for children to walk and barely enough room for cars to drive both ways. He questions if the City has future plans to put a sidewalk and curb in.

Mr. Willoughby pointed him to someone who oversees the streets, Khoi Do, Assistant City Engineer for assistance.

### **CONSENT CALENDAR ITEMS**

Agenda item A-02 was pulled for separate discussion.

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

Planning/Historic Preservation Commission Minutes of February 23, 2016, approved as written.

*It was moved by Gregorek, seconded by Downs, to approve the Planning Commission Minutes of February 23, 2015, as written. The motion was carried 5 to 0. Commissioner Gage was absent and Commissioner DeDiemar abstained. File No. PDEV15-020 passed with a vote of 6-0 with Commissioner Gage absent.*

**A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-020:** A Development Plan to construct 149 single-family homes on approximately 14.5 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. 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). (APNs: 218-444-10 thru 17, 218-444-25 thru 41, 218-444-43, 218-452-10, 11, 12, 218-462-16 thru 25, 218-462-36 thru 52, 218-482-25 thru 48, 218-483-23 thru 48 and 218-503-01 thru 44); **submitted by Brookfield Residential.**

### **PUBLIC HEARING ITEMS**

**B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS: PDEV15-018 & PCUP15-011:** A Development Plan to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit to operate the wireless facility within 500-feet of residentially zoned property, located within an existing 2.68-acre site at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15332 (Class 32: In-Fill Development Projects) of the State CEQA Guidelines. 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. (APN: 1048-451-51); **submitted by Verizon Wireless.**

Principal Planner, Rudy Zeledon, presented the staff report. He stated the project is proposed to construct a 54-foot stealth wireless telecommunication church tower. The tower will be located just in front of the sanctuary area in the front parking lot and take up one parking space. Mr. Zeledon explains the details of the enclosed structure and landscape which will surround it. He states the tower is designed to complement the existing church which is a Colonial Revival style. The equipment enclosure will be screened from public view. He stated that staff is recommending the Planning Commission approve File Nos. PDEV15-018 and PCUP15-011, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

No one responded.

### **PUBLIC TESTIMONY**

Christine Song, applicant from Verizon Wireless came up to speak. She began by thanking Planning staff for working so diligently with them on the application and review process; they were very grateful. She said she would answer any questions.

Mr. Ricci asked if there would be room for expansion in the future.

Ms. Song stated there is that possibility and could be something that would be explored if another carrier approached Verizon for co-location possibilities. She says she would imagine there would need to be some kind of modification to the current proposed tower design to accommodate another carrier.

Mr. Willoughby asks that the current design it would only support one antenna.

Ms. Song states she believes so.

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

Mr. Gregorek stated that churches look better for stealth design than trees.

### **PLANNING COMMISSION ACTION**

*It was moved by Delman, seconded by Ricci, to adopt resolutions to approve the Development Plan, File No. PDEV15-018 and a Conditional Use Permit, File No. PCUP15-011 subject to conditions of approval. Roll call vote: AYES, DeDiemar Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT, AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-001:** A City initiated request to change the General Plan land use designations on 83 properties generally located south of Fourth Street and west of Euclid Avenue, and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03). 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 environmental impacts of this project were previously analyzed in 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. (APNs: Various) **City initiated. City Council action is required.**
- D. **ENVIRONMENTAL ASSESSMENT, AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-001:** A City initiated request to change the zoning designations on 881 properties generally located south of Fourth Street and west of Euclid Avenue, 127 properties along East Holt Boulevard, and 37 other properties located throughout the City in order to make the zoning consistent with The Ontario Plan land use designations of the properties. The environmental impacts of this project were previously analyzed in 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the

Airport Land Use Compatibility Plan (ALUCP) for ONT. (APNs: Various) **City initiated. City Council action is required.**

Associate Planner, Clarice Burden, presented the staff reports for both Items C and D together. Ms. Burden stated these items were taken to community open houses on January 25 and 27, 2016 to introduce them and get feedback. She shared that approximately 250 individuals attended the meetings and staff received written comment cards from 52 people and, out of those, 19 did not support the proposed changes. Ms. Burden stated there were no specific comments about the proposed General Plan Amendment. She explained that the Zone Change encompasses approximately 1,100 properties and is part of The Ontario Plan (TOP) consistency project which is intended to make all the zoning in the city consistent with The General Plan, which was adopted in 2010. Ms. Burden gave some of the reasons why the changes are being proposed, including to encourage the elimination of strip-commercial along Holt Blvd. to revitalize the corridor, to allow isolated rural properties that are surrounded by single-family homes to convert to single-family zoning, to eliminate split-zoning which will result in better development and to accommodate housing sites per the City's Housing Element. She stated some of the concerns which were expressed were related to Holt Blvd. The proposed concerns included: parking, traffic and higher density. She also explained that parking and traffic were analyzed during The General Plan adoption in 2010. She stated that staff is requesting the Planning Commission recommend to the City Council approval of File Nos. PGPA16-001 and PZC16-001.

Mr. Downs asked for clarification on what strip development along Holt Boulevard is and what the intent for clean-up is.

Ms. Burden stated that they are sites not part of a larger center and they are more of a stop and shop type of destination.

Mr. Murphy added that if one remembers the development of Holt in the 50s and 60s, there were several single standing business on the west side. Currently, there are many strip mall developments which offer multi-shopping stores and that adds to traffic on the streets. There are also now areas where there are conflicts between commercial and residential zones. He states there is commercial backing onto residential and the idea is to take those older retail areas and transition them into either commercial centers or residential.

Ms. Burden mentioned a late correspondence received earlier in the day from the Harwick Family, which was available to the Planning Commission and public for review.

### **PUBLIC TESTIMONY**

Gina Ramirez came up to speak and stated she is a homeowner in Charter Village Green at 946 Coneflower Lane, behind Holt Blvd. She shared her concerns with changing the zoning to high-density is the parking situation and traffic. She stated currently there is a parking situation that is out of control. She questions why the businesses are not being asked to be spruced up and look a little more modern and contribute to the community.

Wes Chambers stated he resides at 1836 S. Palmetto. He stated staff should have a letter

dated March 5 that states everything he wants to say – he opposes at this time. He explained they have had horses on the property since 1965. He stated there are apartments to the west, north, and south and his neighbor is the open space. He says there has never been a complaint in years from the City or neighbors. He stated that if you [City] want to make it consistent, they [City] should make it R1 (Single Family Dwelling) or R2 (Medium Density Dwelling).

Mr. Willoughby questions what his property is zoned and what it was changing to.

Ms. Burden states it is proposed to go to Low-Density Residential (LDR-5).

Mr. Chambers said he should have stated it's going to Low-Density Residential from Agricultural Residential (AR).

Linda Meza stated she resides at 2008 S. Fern. Ms. Meza began with questioning Planning staffs response of her receiving the community mailer. Her property is not being changed, but she lives immediately across the street from proposed zone-changing property. Staff told her she would not be affected and she disagrees.

Mr. Willoughby explained mailers are sent to property owners within a certain radius of projects to notify them of the actions being proposed.

Ms. Meza stated that's exactly why she was there and what she wanted to address. Ms. Meza read some points of concern. She stated she has lived on Fern Ave. for 40 years and is right across the street the proposed change in zone from AR-2 to MDR-18. Ms. Meza stated she came to the January 25<sup>th</sup> community outreach and spoke with Senior Planner, Melanie Mullis, and she explained that the City was rezoning as part of The General Plan and that there are no plans for any buildings in her area. Ms. Meza stated that the last time her area was trying to be rezoned, she attended a City Council meeting and the plan ended up being to try and buy people out of her area and build condos, townhouses and apartments. She stated a real estate company was courting their neighborhood to buy their properties. She continued by saying she thinks there are enough apartments in their little area and there are commercial buildings to the north, south and west of their neighborhood already. She said they deal with issues such as traffic, graffiti and crime. Now there is a possibility that the City will be able to build whatever they want contrary to what staff told her. She questioned if there weren't enough run down, abandoned buildings in Ontario already. She stated that the City starts huge projects which they don't finish and turns housing which doesn't sell into low-income or Section 8 housing and leasing them. She questioned why the City has to intrude in their neighborhood, is it because they have access to the 60 FWY? She stated that is a problem in itself, the roar of the cars and the noise from the Ontario Airport. However their little neighborhood puts up with it because their love they homes. She continued by asking the City to not disrupt their lives and make this zone change look like something advantageous.

Ron Anthony stated he resides at 1163 East Nocta. Mr. Anthony stated he had spoken with Senior Planner, Melanie Mullis, and he has concerns regarding the property which is currently zoned Medium-Density Residential and is proposed to Mixed-Use. He stated it would be a great place for a large mall and he heard the changes wanting to be made to Holt, but these changes would also cause more traffic. He said one of his concerns with

these larger shopping centers would be they would have large trucks coming through and large brick walls go up and the people backing up to this area would be greatly affected. He questioned why there needs to be rezoning when there are so many empty buildings along Holt and empty spaces and potentially affect the daily lives of folks who live in that area. He stated you can make any type of commercial you want with something like Old Town Pasadena which is more walking friendly and that can be done with incentives through the City. He stated there are already big conglomerates in places on Vineyard and around the City so you don't need one here. He asked why there is a need to take the old part of Ontario and change it into a shopping mall.

Mr. Willoughby asked staff to clarify that they are not looking for a large shopping mall.

Mr. Murphy stated this is proposed to be mixed-use development which provides for residential and commercial. He stated it allows for a great amount of flexibility of how that is designed. He continued by saying you have a number of small properties in that area that can be consolidated into larger properties and can be developed residentially and commercially. Mr. Murphy stated that ideally, they would love some design that works with the neighborhood where residents could walk to the shopping and not have to get into their cars and drive. He says the Mixed-Use zone provides for that flexibility.

Mr. Anthony questioned if the mixed-use/commercial zoning can be developed as all commercial or does it have to be Mixed-Use.

Mr. Murphy states it would have to mixed-use. It cannot be 100% commercial.

Mr. Anthony then questioned why put this use in a Residential area. He asked why not put this use out towards Holt and reserve the back half for residential. He stated that is about 2 city blocks.

Mr. Willoughby explained that from Holt to Nocta it would be a mix of residential and if commercial were to come in, the bulk would likely still be residential. He also stated that some of the parcels might be consolidated and housing development could be done as an infill project, but it would not be solely commercial or big box type facilities.

Mr. Anthony questioned that potentially there could be commercial stores on Nocta.

Mr. Murphy stated that the potential exists but when they begin to look at laying out the plans, they look at the transition of uses. He said they question how will there be a transition from residential to commercial. He said they typically don't go and put in commercial and have homes across the street. Mr. Murphy stated that if there is commercial which goes in there, they would have notices go out and this process would start all over and they would get residents comments on the design.

Mr. Anthony again stated he just doesn't understand why the City needs to go in and put commercial in an area where residential is currently. He understands it all is "if" and "potential", but why even give it that possibility.

Mr. Willoughby stated maybe he has misunderstood that it's not commercial, but mixed-use so a big box could not come into that area. He also stated that the Planning staff has a

pretty good track record of keeping things where they should be and that they mix with the neighborhood.

Mr. Murphy pointed out that currently, between Virginia and Grove, the current zoning is residential. However, if you go west and east, the commercial zoning does extend all the way to Nocta.

Mr. Anthony said it may be zoned that way, but it's all residential in that area, there's nothing but houses except one liquor store.

Mr. Murphy said, that's probably true, but from a "use" standpoint, the current zoning is for commercial and those homes could "in theory" be demolished and a commercial use could come in all the way to Nocta. So, he explained, the mixed-use doesn't change anything expect for the properties between Virginia and Grove. It just provides move flexibility in how those properties are being designed and laid out.

Mr. Anthony concluded by saying he feels they are taking Old Ontario history and changing it into business.

Hamid Amini, stated his business is at 740 W. Holt. His question is regarding the current zoning of C3 (Commercial Service) to group A45 (proposed MDR-25 – Medium-High Density Residential). He stated the businesses next to his, are zoned Community Commercial and his is proposed Medium-High Density Residential. He stated he feels this would diminish the value of his property changing from commercial to residential.

Mr. Willoughby asks for clarification from planning staff.

Planning Staff tried to verify what the current zoning is and Mr. Murphy stated that for some of the properties along Holt, the Interim Community Commercial Overlay has been applied (ICC Overlay). He explained that this gives businesses the ability to continue to operate and expand. He said the uses which are allowed are those within the overlay currently. Mr. Murphy says that if the Commission would choose to, they can apply the ICC Overlay for 740 W. Holt.

Mr. Willoughby stated the use stays unless someone comes along in the future and wants to develop using the Medium-High Density residential use.

Mr. Amini questioned if the commercial use would be limited to what he does right now.

Mr. Murphy stated that if the following zone change take place, his property would become MDR-25 and the used car facility would be considered legal non-conforming. It could continue to operate as long as Mr. Amini wanted to. If he wanted to sell, he could and a new operator could go in and operate as a used car lot. However, he could not expand the use. It would have to be consistent to what he has out there right now. Mr. Murphy continued to say that if the ICC Overlay is applied, other uses which are currently allowed within the Community Commercial Overlay zone would be allowed on this site. There are still some limitations of how much he could expand; only 25%. There are still limitations and the ultimate goal is develop residential, and the intent is to have residential, but this would be a placeholder until that time.

Mr. Amini stated he can expand or another owner can do other types of uses within the ICC Overlay.

Mr. Murphy stated a new owner can have uses within the ICC Overlay. The limitations come up when expansion takes place. He would only be up to expand up to 25% of what already exists.

Mr. Amini questioned what the difference is between groups A36 and A41.

Mr. Murphy stated those properties are proposed with the MDR-25 and the ICC Overlay is being applied. He said if the Commission were to include this property with the ICC Overlay, it would be the same thing.

After conferring with the Commission, Mr. Willoughby stated the Commission would like to see the whole strip have the ICC Overlay so all properties are consistent. He made sure this is fine with Mr. Amini, who stated that is good.

Earl Campio came up to speak and stated his family had been in the city since 1945. Mr. Campio stated he owns the property at 1340 W. Holt Blvd. which when operating was a pottery yard. He stated at one point there was both a business and residence on the property and in 1952 it was zoned business, residential and light manufacturing. He continued by sharing that they manufactured pottery and his father was the last Native American from Prado Dam. His father was born at Prado as part of the El Rincon Reservation. He wants to know how the ICC Interim Overlay is granted; is it by how long you've lived there, pure history, or money.

Mr. Willoughby stated none of the above.

Mr. Campio stated he would disagree.

Mr. Willoughby stated it's based on the consistency of the use of the surrounding property.

Mr. Campio stated that by looking at the map [on the overhead], there are only two properties that currently have the ICC Overlay. One is Vince's Spaghetti, which he said his business was there at the same time. He shared their business no longer has a business license and they were no longer open. However, they still have a residence. He wants to know he can't have the interim overlay use.

Mr. Murphy asked Mr. Campio what use he has on the property now.

Mr. Campio stated strictly residential.

Mr. Murphy stated that is likely why the use of ICC Overlay was not considered. He said when they looked at rezoning; they were looking at existing commercial business and their longevity. This property has a residential use which it is consistent with the new zoning.

Mr. Campio asked if he can still live on his property, his children can live on this property.

Mr. Murphy confirmed they can.

Mr. Campio stated that he has been approached by state and maybe federal government about having his property donated as historical because his father was one of the last potters and a book has been written about his family. He shared his family decided not to go on the Reservation and they are featured in a book called *Oh My Ancestors*. He wanted to know if he decided to donate his home, would there be any conflict.

Mr. Murphy stated not at all; the City has a number of historic properties in commercial, residential and single and multi-family zones. He said they receive their own review as a historic property and whether they are eligible for state or national register would be determined at that review.

Jose Luis Barrera – did not come up to speak.

Erina Higa, who resides at 229 N. Vine referred to map 5. She stated she had comments about Holt/Vesta and San Antonio/Vine. She said the zoning is to change from medium-residential to commercial. She invited the Commission to drive down that neighborhood to see how commercial would look since it's a historic neighborhood. She also brought up the same parking issues and stabbing referred to by an earlier speaker.

Lorree Masonis referred to map 10, but didn't know if it affects her property since she lives at 1837 E. Fifth Street, off Vineyard and close to the 10 FWY.

Staff looked to see if her property is affected by any of the zone changes.

Mr. Willoughy stated her property is not impacted.

Ms. Masonis stated she still had questions. She asked about the Airport Influence (ACLUP).

Mr. Willoughby stated we were not dealing with the airport tonight and thanked her.

Mr. Willoughby asked if there was anyone else wanting to speak on these two items. A few hands went up in the chambers. Mr. Willoughby called them forward.

John Guerro came up to speak and stated he resides at 1752 S. Cypress. He stated he has concerns about Fern Ave. He stated the current zoning is Residential Agricultural and is changing to Medium-Density Residential. He is asked that the zoning stay the same. He stated that there's a nursery on Euclid that back's up to the property and if the zoning changes, his neighbors might develop apartments around him and that's a big concern.

Mr. Willoughby asked if he had a specific question for staff.

Mr. Guerro questioned if the zoning did change, will all the properties be developed separately or does there have to be a certain amount of property owned before it can be

developed.

Mr. Murphy stated they were trying to figure out what the minimum lot size for development was. He stated in theory they could be developed individually, however, as long and narrow as those lots are, it is unlikely to get a good configuration on them and meet the density requirement. He stated probably more likely and over time, someone will go in and consolidate the property and development all together. He said at this point in time it's hard to say.

Maria Alvara came with her son, who helped interpret on her behalf. He stated they reside at 1434 W. Stoneridge. They were questioning if they were going to build more houses and make it a higher residential area.

Mr. Willoughby asked staff to clarify what the proposed zoning is.

Ms. Burden stated that on the south side of Stoneridge they are proposing for HDR-45; which is High-Density Residential. She stated that most of these properties are developed.

Ms. Alvara's son stated this was another question, knowing there are already homes and apartments with little parking. They wondered if they would be forced to sell and what about the parking issue which already exists.

Mr. Willoughby explained there are no plans on the books, they are trying to bring the current zoning into consistency with The General Plan.

Mr. Murphy agreed with Mr. Willoughby stating that most of the properties down in that area are pretty well developed and are smaller apartment buildings. He states it is a bit of a challenge to think of redeveloping that area because there are so many owners that are out there and trying to go out and acquire all of those and redevelop all of those would be very difficult.

Joe Small came up to speak and stated he lives in Upland but owns the apartments located at 210 & 220 West D Street. He stated his apartments are the only thing on that lot and he's surrounding by parking lots. The zoning is changing to high-density and he feels this makes the property more enticing to sell. He wanted to know why it can't stay parking rather than changing to High-Density Residential.

Mr. Willoughby stated that they are making zoning consistent with The General Plan.

Mr. Small questioned if it wouldn't be advantageous to the City to stay parking.

Irma Diaz was there as a business owner and stated her neighboring land is being proposed to go from Heavy Industrial (IH) to General Industrial (IG). She wanted to know if that affects her neighboring property. She stated her property is located at Shea Center Drive.

Mr. Murphy stated Shea Center Drive is under a Specific Plan. He explained that the property going from Heavy Industrial (IH) to General Industrial (IG) which limits the

types of uses which can go on the property. The uses can't be as heavy as they currently allow. He said it's more compatible with what is out there now.

Mr. Willoughby called for a 3-5 minute recess.

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

Mr. Murphy wanted to put some of the expressed concerns by property owners at ease and explain what happens to legal uses if the proposed zoning is passed. He stated any use which is legally established, whether it is keeping horses or a used car lot, whatever the case may be, the zone change puts them in a category referred to as legal-nonconforming. He said the use can continue for as long as the owner wants it, they can sell their property and the same use can continue. He said it's only in the event when that use is discontinued for a period of time, and that varies depending on if it's commercial or residential property of whether it's 120 or 180 days. If that use is discontinued, they would not be able to re-establish that use. So, as long as they keep that use, they can have it for as long as they wish. He states that also applies to horse-keeping.

Mr. Willoughby asked for confirmation if the timeframe for residential had been extended up to 180 days.

Mr. Murphy said that was correct. It used to be 90 days. He shared that for commercial properties it went from 90 days to 120 days.

Mr. Gregorek questions the property at 740 W. Holt and if it would be brought into the ICC Overlay.

Mr. Willoughby stated that if the Commission is in agreement, this property would be made consistent with the surrounding properties and brought into the ICC Overlay.

Mr. Ricci asks for clarification regarding high-density residential. He had questions about parking requirements; how they relate to new development and the Development Code.

Mr. Murphy states the Development Code has standards for all new developments. Also, many of the apartment buildings and complexes which were mentioned were built with standards from many years/decades ago and that has led to the parking problems being experienced today.

Mr. Ricci asked if all new development would have to include some sort of provision for parking. For example so many spaces per dwelling. This might help with some of the concerns expressed.

Mr. Murphy stated that an even bigger concern for staff would be those projects along Holt Blvd. No parking is allowed on Holt, so parking must be provided on-site so it's not spilling off onto the streets and into the other neighborhoods. That would not be a good design on our part.

Mr. Willoughby stated that we must also realize that over the past 40 years car usage has changed quite a bit, as well as dwelling has changed. He stated planning staff has kept parking issues as a concern for all new development and any new development would have to meet current criteria, codes and zoning.

### **PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Downs, to recommend City Council adopt the CEQA Determination of an Addendum to a previous EIR, Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

*It was moved by Ricci, seconded by Gregorek, to recommend City Council adopt a resolution to approve the General Plan Amendment, File No. PGPA16-001. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

*It was moved by Gregorek, seconded by Delman, to recommend City Council adopt a resolution to approve the Zone Change, File No. PZC16-001 including the property at 740 W. Holt into the ICC Overlay. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, Gage; ABSENT, none. The motion was carried 6 to 0.*

### **E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-002:**

A Development Code Amendment proposing various modifications and clarifications to the following provisions of the Ontario Development Code:

[1] Revise Section 3.02.030 (Amortization and Abatement of Nonconforming Signs), deleting “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs);

[2] Revise Division 5.02 (General Land Use Provisions), Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), and Division 6.01 (District Standards and Guidelines), deleting all references to the CCC zoning district;

[3] Revise Table 5.02-1 (Land Use Matrix), adding “Escape and Exit Rooms” (live interactive adventure, labyrinth, leadership, and strategy games) to the list of allowed land uses in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use - Downtown), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts;

[4] Revise Section 5.03.025 (Alcoholic Beverage Sales) to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses;

[5] Revise Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) to clarify that a temporary outdoor sales event may only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to the event;

[6] Revise Section 6.01.035 (Overlay Zoning Districts) to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established, commercial land use;

[7] Revise Section 8.01.020 (Sign Standards) to combine various Political Sign provisions into a single Subsection (8.01.020.K), and include provisions clarifying the purpose and intent of the Political Sign standards; and

[8] Revise Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners.

The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application 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). **City Initiated. City Council action is required.**

Senior Planner, Chuck Mercier, presented the staff report. Mr. Mercier stated staff is recommending several clarifications and modifications to the Development Code as a clean-up to the recent Development Code Update. He explained in detail each of the recommended changes and revisions being proposed and why. He stated that staff is requesting the Planning Commission recommend to the City Council approval of File No. PDCA16-002.

### **PUBLIC TESTIMONY**

No one responded.

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

### **PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Downs, to recommend City Council adopt a resolution to approve the Development Code Amendment File No. PDCA16-002. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

### **F. CERTIFICATE OF APPROPRIATENESS AND ENVIRONMENTAL ASSESSMENT FOR FILE NO. PHP16-001:**

A request for a Certificate of Appropriateness to construct 2 single story, single family residences (approximately 1750 square feet each) with detached garages (441 square feet each) on approximately 0.3 acres of land within the College Park Historic District, located at 326 East Fourth Street (APN: 1048-063-05) and 330 East Fourth Street (APN: 1048-063-06), within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). **Submitted by Kirk and Elena Wallace.**

Assistant Planner, Elly Antuna, presented the staff report. She stated the property is located within the College Park District and directly across from the Historic Graber

Cannery. Ms. Antuna stated the College Park was established in 2000 and is made up of mostly single-family residences. She shared there is an eclectic mix of architectural styles within the College Park District. Currently the proposed site is vacant except for an irrigation system. She stated the removal of the irrigation system will not affect the integrity of the College Park District according to an architectural historian survey. The parcels will have two single-family residences and have a detached garage. Ms. Antuna shared the architectural styles of each home and how they will fit into the College Park District. She stated notices were sent out property owners within 300 feet and to date, two neighboring property owners came to the Planning Counter and she shared with them the plans and design. Ms. Antuna says they both in support of the project. She also shared the Historic Preservation Subcommittee reviewed this project on March 10, 2016 at its regular meeting and has recommended approval with conditions. She stated that staff is recommending the Planning Commission approve File No. PHP16-001, 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**

Francisco Campos the designer/architect of the houses appeared as the representative of the project.

Mr. Willoughby told him his designs were really nice and compliment the neighborhood.

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

Mr. Delman stated that the Historic Preservation Subcommittee proudly recommended this infield project.

### **PLANNING COMMISSION/HISTORIC PRESERVATION COMMITTEE ACTION**

*It was moved by Downs, seconded by Gregorek, to adopt a resolution to approve the Certificate of Appropriateness, File No. PHP16-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

- G. **SIXTEENTH ANNUAL MODEL COLONY AWARDS FOR FILE NO. PADV16-001**: A request for the Historic Preservation Commission to accept the nominations for the Sixteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

Assistant Planner, Elly Antuna, presented the staff report. She stated that in conjunction with National Historic Preservation Month in May, the City recognizes historic achievements in preservation so the Model Colony Awards are awarded during this time. This year's ceremony will be held on Tuesday, May 3<sup>rd</sup>, during the scheduled City Council meeting. This year's theme is *Past Forward: Forging the Future with the Past*

and there are four nominees. Ms. Antuna shared information about each nominee, which are each a single-family residence. She gave background on their architectural style, significance and which award they will be receiving. The awards include: 2 Restoration Awards (located on Holt Boulevard and D Street), a John S. Landscape Award (located on Euclid Avenue) and an Award of Merit (located on Armsley Square). She stated that staff is requesting the Planning Commission recommend to City Council the presentation of the Model Colony Awards for File No. PADV16-001.

No one responded.

### **PUBLIC TESTIMONY**

No one responded.

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

Mr. Willoughby stated these were four excellent houses.

### **PLANNING COMMISSION/HISTORIC PRESERVATION COMMITTEE ACTION**

*It was moved by Delman, seconded by DeDiemar, to recommend to City Council a presentation of the Sixteenth Annual Model Colony Awards, File No. PADV16-001. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.*

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

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

**Historic Preservation (Standing):** This subcommittee met on March 10, 2016

- *Reviewed and recommended the Certificate of Appropriateness ( PHP16-001)*
- *Welcomed Commissioner Gregorek in replacement of Commissioner Mautz*
- *Heard the Clift Notes version for the Model Colony Awards*

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

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

#### **New Business**

- Election of Officers
  - Chair – Mr. Downs makes a motion to nominate Mr. Willoughby
  - All in favor to keep the same
  - Vice All in favor to keep the same
  - All in favor to keep the same
  - The Chairman has the responsibility to next month come back with new subcommittee appointments if he so chooses.

**NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

Mr. Delman hands out postcards for the Model Colony Awards to be held on May 3, 2016 during the City Council meeting at 6:30 p.m.

**DIRECTOR'S REPORT**

After Mr. Delman stated he will share his learning experiences from San Ramon (Planning Commissioners Academy) from earlier in the month, at a later time due to the late night; Mr. Murphy explained that when any Commissioner attends a conference they are obligated to share what they learned with the rest of the Commission.

**ADJOURNMENT**

Gregorek motioned to adjourn, seconded by Ricci. The meeting was adjourned at 9:27 p.m.

  
Secretary Pro Tempore

  
Vice-Chairman, Planning Commission