

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

MINUTES

March 27, 2018

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

MINUTES

March 27, 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: Development Director Murphy, City Attorney Rice, Assistant Planning Director Wahlstrom, Principal Planner Zeledon, Senior Planner D. Ayala, Senior Planner R. Ayala, Senior Planner Batres, Senior Planner Mercier, Senior Planner Noh, Assistant Planner Aguilo, Assistant Planner Antuna, Assistant Planner Vaughn, Assistant City Engineer Do, Assistant Building Official Rico, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENTS

Mr. Murphy stated that there are revisions to Item K in front of the Commissioners and that Item D would be continued.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of February 27, 2018, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-056: A Development Plan (File No. PDEV17-056) to construct 229 single-family homes on 59.8 acres of land within the Low Density

Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. 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: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton.**

It was moved by DeDiemar, seconded by Willoughby, to approve the Consent Calendar Items: Planning Commission Minutes of February 27, 2018, as written and File No. PDEV17-056. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

HISTORIC PRESERVATION ITEMS

Mr. Gregorek arrived at 6:39 PM.

- B. EIGHTEENTH ANNUAL MODEL COLONY AWARDS FILE NO. PHP18-003:** A request for the Historic Preservation Commission to accept the nominations for the Eighteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

Assistant Planner, Elly Antuna, presented the staff report for the 18th Annual Model Colony Awards. She described the awards: Founder's Heritage Award to the Benton Ballou House; Award of Merit to the Henry C. Hamilton House; Rehabilitation Award to Gloria's Cocina Mexicana and 111 West J Street. The awards will be presented on May 1st by the City Council, to coincide with Historic Preservation Month. She presented the history, architecture and interior and exterior designs, and explained how each location deserved their award. She stated that staff is recommending the Planning Commission approve File No. PHP18-003, pursuant to the facts and reasons contained in the staff report.

PUBLIC TESTIMONY

No one responded.

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

Mr. Gregorek stated the Historic Preservation Subcommittee concurred with the nominations and that all are worthy of receiving the awards.

Mr. Reyes stated that as a city, he is glad that we are recognizing these historic buildings. He stated that having grown up in a historic home built in 1901 and having it destroyed by the city he grew up in was really sad. He stated he is glad to see the continuation of

preservation by the homeowners and recognition by the city, is exceptional. He stated he is glad to see a commercial building on the list this year, which really has a great impact to our downtown, Gloria's.

Mr. Willoughby thanked the staff for doing a phenomenal job working with our historic properties, and the great collection of homes and business, that we can highlight and award for maintaining that historical look of Ontario.

Mr. Gage stated he applauded these homes and the business. He stated the Founder's Heritage Award going to the Benton Ballou house, is appropriate as the family goes way back in the city and the original Chaffey irrigation runs in the back. He stated Gloria's was the old laundry mat and he applauds Gloria's for rehabilitating that building. He stated he appreciated the old building getting brought back to their original luster, which preserves the quality within our city. He stated the other homes had a lot of work put into them as well. He thanked staff too for all their work.

Mr. Delman stated he would like to echo the awe and respect of the other commissioners for these magnificent structures that represent Ontario's heritage.

PLANNING / HISTORIC PRESERVATION COMMISSION ACTION

It was moved by Gregorek, seconded by Gage, to approve the Model Colony Nominations, File No. PHP18-003. 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 ITEMS

- C. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP17-021 AND PDEV17-046:** Development Plan (File No. PDEV17-046) to construct a 4,500 square-foot self-service carwash (Fast 5 Xpress) in conjunction with a Conditional Use Permit (File No. PCUP17-021) to establish and operate the drive-thru carwash, on 0.93 acres of land, within the Commercial land use designation of the Grove Avenue Specific Plan, located at 2345 S. Grove Avenue. 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: 0216-081-25) **submitted by Fast 5 Xpress Car Wash. Continued from February 27, 2018 meeting.**

Assistant Planner, Alexis Vaughn, presented the staff report. She described the location and the surrounding properties. She stated the layout and she went over the conditions of approval, architectural elements, noise evaluation and mitigated measures that are to be enforced. She stated a community meeting was held and described the concerns brought up at the meeting and how those issues were addressed. She stated that staff is recommending the Planning Commission approve File Nos. PCUP17-021 and PDEV17-046, pursuant to the facts and reasons contained in the staff report and attached

resolution, and subject to the conditions of approval.

Ms. DeDiemar wanted clarification regarding the community meeting, and if all of those concerns have been addressed to the satisfaction of those that attended the meeting.

Ms. Vaughn stated she took notes at the meeting and incorporated and addressed the concerns in her report.

Mr. Murphy stated that at this time we don't know if they are satisfied with the adjustments that were incorporated into the conditions of approval.

Mr. Willoughby wanted clarification regarding the two isles being used for different purposes: for entry and stack isles.

Mr. Murphy clarified that one was for those with a prepaid plan and the other was for those paying directly.

Mr. Willoughby asked if the northwest driveway will be enlarged or will it remain the same.

Mr. Murphy stated it is proposed to stay as is and be for entrance only.

Mr. Reyes wanted clarification regarding the wall along the east side being 8 ft and the landscaping to be used as additional buffer.

Mr. Murphy stated at this time it isn't determined but we can work with the applicant to get boxed trees to add instant screening and buffering.

Mr. Reyes stated that would be good.

Mr. Gage wanted clarification about the entry driveway and if there was any discussion about widening it.

Mr. Murphy explained they didn't want to have conflicting multiple points of access and there is already an existing signalized intersection for exiting and that helps to avoid additional conflicts from Grove Ave. traffic.

Mr. Willoughby wanted clarification regarding exiting out the south driveway and how do we prevent them from shooting across to do a u-turn at the Lowe's turn in, and if engineering has addressed this.

Mr. Do addressed the traffic issues and stated that there is adequate distance for them to make that turn.

Mr. Reyes wanted to know if back area as shown on the site plan is able to be closed off to keep people from wandering back there at night.

Mr. Murphy stated there are not any plans to limit vehicular access other than the tunnel will be closed off with metal roll-up doors and cones at the entry to the stacking lane.

Mr. Reyes stated the vacuum bay area stalls adjacent to the parking for the hotel are there enough definition for both businesses to avoid parking issues.

Mr. Murphy stated the driveway is sufficient to make sure there isn't any conflict, but as to a delineation of where the property line is no, but proximity wise you could infer its hotel property.

Mr. Willoughby wanted clarification if the area below the vacuum bay canopy was a planter.

Ms. Vaughn clarified that is a catch basin for water quality and is underground.

PUBLIC TESTIMONY

Applicant Tom Utman, owner of Fast 5 Express Car Wash, stated they have 11 facilities opened on popular streets throughout Southern California and located next to retail or residential. He stated that the Monrovia location is also adjacent to a mobile home park. He stated that after attending the community meeting they tried to be aware of all their concerns. He stated they did a noise study and agreed to the additional mitigation measures, like a higher 8 foot wall, moving the vacuums from the east side, putting a 10 foot wall at the end of the tunnel. He stated that they pride themselves on being a good neighbor. He explained that they don't usually bring additional traffic but most of it comes from existing traffic, which Grove Avenue is a busy street and they are trying to try to keep everything the same in regards to the ingress and egress. He explained regarding the issue of pollution they would have 16 cars that could be in the queuing area at any one time, and they don't have standing cars while vacuuming. He explained that everything they use is biodegradable and nothing goes into the storm drains. He stated that he would like to be a good neighbor. He explained that the Monrovia location has a mobile home next to them and have had no issues. He explained they offer a great service for \$6.00 in a short time and they are successful and offer a great service to the community and have no issues anywhere.

Mr. Willoughby wanted clarification regarding signage in the vacuum area to turn off their cars.

Mr. Utman described the operation, how staff works and stated that there is signage to turn off radios, but that cars are running in the queuing area, but very seldom while vacuuming.

Marlund Hale, the sound engineer of this project stated he is here to answer any noise questions and the mitigation measures that have been addressed with regards to vegetation and its ability to absorb sound, or reflect sound back.

Sylvia DeVries, at 1456 South Grove, from the mobile home park wanted clarification regarding the operating hours.

Ms. Vaughn stated the proposed times would be 7am – 7pm in winter and 7am-8pm in the summer, and a condition was established that no noise be aloud before 6:50 am.

Ms. DeVries stated the noise factor would be seven days a week and that the wall is only for the car wash area, but the mobile home park extends further. Her biggest concern is the noise factor and that they have residents that are elderly, ill and those that work during the evenings and sleep during the day that will be effected by it.

Mr. Utman stated regarding the hours of the operation, that they would be closing earlier than the existing tenant. He stated there will be 16 cameras to monitor but he can't say what will happen with the neighboring properties.

Mr. Willoughby wanted clarification regarding lighting for dark areas after 5 pm during day light savings and if reflecting light has it been addressed in regards to neighboring properties.

Mr. Utman stated lights have a shield and try not to reflect to neighboring properties.

Mr. Murphy stated the lighting in parking areas is for safety issues, and will be designed to avoid spilling over into the adjacent properties. He stated the standard conditions of approval address the photo metrics of the lighting.

Mr. Utman stated when it gets dark the traffic dies down.

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

Mr. Reyes stated his concerns regarding the noise and the neighbors and the easy access to the back area when they aren't suppose to be there and suggested a drive arm. He also stated he wasn't crazy about the trash location, but doesn't see another location without causing a hindrance when the trash is being picked up.

Ms. DeDiemar stated that her dilemma is that she has listened and read the concerns regarding the noise from the community, who have come with logical reasons for having this fear and the applicant who gives the reassurance from the other locations, that they would mitigate it.

Mr. Gage stated he has sympathy and understands the concerns of the residents, but is swayed by the professionalism of the company, which seems to be a responsible organization that has tried to accommodate the concerns and run a clean facility and that they want to be good neighbors. He stated the site will look cleaner and better and maybe it will change the neighboring businesses.

Mr. Willoughby stated he has seen one of their other facilities and it is very clean and that it appears they take pride in their business and property, and want to be a good neighbor. He stated his appreciation for the landscaping on the street, the security with the 8 foot wall and the staff for putting in the extra conditions of approval to help with the noise concerns. He stated he concurs with Mr. Gage that a clean car wash could be a positive for a neighborhood.

Mr. Reyes stated he is okay with the use of the sight but still has his before-stated concerns. He has also seen the Monrovia sight which appeared to be clean and well

placed.

Mr. Gregorek stated this is a tough site and hates to see the restaurant go, because south Ontario is in need of sit down restaurants. He explained that with the awkward nature of the sight, the carwash isn't the best use but being it's a self service carwash, it won't be as impactful to the residents as they are thinking. He stated he is not totally in support but that it is appropriate.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gage, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP17-021, and the Development Plan, File No. PDEV17-046, 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.

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015:** A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. 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: 1008-431-21); **submitted by Raising Cane's Chicken Fingers.**

This Item is being continued to the April 24, 2018 meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Reyes, to continue File Nos. PCUP17-015 and PDEV17-033, to the April 24, 2018 Planning Commission meeting. The motion was carried 6 to 0.

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NO. PDEV17-061 AND FILE NO. PCUP18-007:** A Development Plan (File No. PDEV17-061) and Conditional Use Permit (File No. PCUP18-007) to construct and establish a non-stealth wireless telecommunications facility for T-Mobile (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land, located at 13434 South Ontario Avenue, within the SP/AG (Specific Plan/Agriculture Overlay)

zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. 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: 0218-122-06) **submitted by T-Mobile.**

Assistant Planner, Jeanie Aguilo, presented the staff report. She described the location and surrounding area. She stated that staff is recommending the Planning Commission approve File Nos. PCUP18-007 and PDEV17-061, 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

Damien Pichardo, a representative of Coastal Business Group, on behalf of T-mobile appeared and stated he was available to answer any questions.

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

Mr. Gage stated that these are submitted to us regularly and mostly the height and stealthness of the equipment are what are being looked at, and this is pretty straight forward.

Mr. Gregorek stated that with the location, it is appropriate.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Reyes, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP18-007, and the Development Plan, File No. PDEV17-033, 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.

F. ENVIRONMENTAL ASSESSMENT, SPECIFIC PLAN REVIEW FOR FILE NO. PSP16-003 AND WILLIAMSON ACT CANCELLATION FOR FILE NO. PWIL18-002:

A public hearing to consider certification of the Environmental Impact Report, (SCH#2017031048) including the adoption of a Statement of Overriding Considerations, for File No. PSP16-003 and a Specific Plan (Colony Commerce Center East) request (File No. PSP16-003) to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 94 acres of land, which includes the potential development of 2,362,215 square feet of industrial and business park development and a petition to cancel William Act Contract 70-159. The project site is bounded by Archibald Avenue to the east, the San Bernardino/Riverside County boundary to the south, the Cucamonga Creek Flood Control Channel to the west and Merrill Avenue to the north. The proposed project is

located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans (ALUCP). (APNs: 218-311-02, 218-311-03, 218-311-07, 218-311-08, 218-311-10 & 218-311-13); **submitted by CapRock Partners Land & Development Fund I, L.P. City Council action is required.**

Senior Planner, Luis Batres, presented the staff report describing the location of the project sight and what is in the surrounding area. He stated this is the 12th specific plan approved in the South Ontario area. He described the standards, land uses, planning areas, potential uses and infrastructure for the area. He also described why it is necessary to cancel the existing Williamsons Act for the project area. He described the process of the EIR notification and the three items air quality, transportation and traffic, and agricultural resources, which are not able to be mitigated. He stated that staff is recommending the Planning Commission recommend approval of the Certification of a EIR with a Statement of Overriding Considerations and File Nos. PSP16-003 and PWIL18-002, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding area PA1 wants to know what kind of uses would be allowed here.

Mr. Batres stated appropriate uses would be educational facilities, public education, trade schools, industrial clinics, religious facilities, advertising agencies, copying, repairing services, to give a few from the list.

Mr. Murphy stated that industrial light uses or a combination of professional and light manufacturing or retail uses, not typical of noise or odors associated to them.

Mr. Reyes wanted to know if site plans were available for review.

Mr. Batres stated no, not at this time.

PUBLIC TESTIMONY

Patrick Daniels, CapRock Partners, appeared and stated he appreciates the opportunity to be here again. He stated that no site plans are available but that staff envision smaller buildings and mixed use, because of the residential and they working with staff to have more sensitivity and architectural enhancements, to have a product the city can be proud of.

Josh Bourgeois, of Golden State Environmental Justice Alliance, stated they provided a comment letter and that they stand by their letter and the items addressed in it and feel the EIR should be re-drafted and re-circulated, to address those issues.

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

Mr. Reyes stated he appreciated the applicant addressing the concerns of staff and that we need to be considerate of our neighbors. He stated that he sees this as an entrance to the

city and an important connection and we need to be mindful of the detail of architecture, and frontage as we move forward.

Mr. Willoughby also appreciated the applicant's comments regarding the frontage on Archibald, and that their thinking seems more in regards to the Goodman Center to the east, with huge buildings in the back and nice commercial business park buildings in the front.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Reyes, to recommend adoption of a resolution to approve the Certification of an EIR, with a Statement of Overriding Consideration. 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 DeDiemar, to recommend adoption of a resolution to approve the Specific Plan, File No. PSP16-003, and the cancellation of the Williamson Act, File No. PWIL18-002, 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.

G. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT CODE AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PDCA18-001 & PZC18-001:

A Development Code Amendment (File No. PDCA18-001) to allow used vehicle automobile dealers in the CR (Regional Commercial) zoning district, subject to the approval of a Conditional Use Permit, and a Zone Change (File No. PZC18-001) from OH (High Intensity Office) to CR (Regional Commercial) on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), certified by the City of Ontario 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, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-551-01) **submitted by Carvana, LLC. City Council action is required.**

H. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NO. PDEV18-003, PCUP18-001 & PVAR18-002:

A Development Plan (File No. PDEV18-003) and Conditional Use Permit to construct and operate a 5,781-square foot, 70-foot high automotive sales facility (Carvana), and a Variance to deviate from the maximum number of allowed wall signs on a commercial building, from 3 signs to 4 signs, on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill 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); (APNs: 0210-551-01) **submitted by Carvana, LLC.**

Senior Planner, Chuck Mercier, presented the staff report. He described the location and the project being proposed, and the changes that need to be made to accommodate the project. He described the process of the business from the purchasing, delivery, and the vending machine type building. He explained the difference between this dealership and other auto dealers. He described the variance for the signage. He stated that staff is recommending the Planning Commission recommend approval of the Addendum to an EIR, and File Nos. PZC18-001, and PDCA18-001, that the Planning Commission approve File Nos. PCUP18-001 & PDEV18-003, and the Planning Commission deny the Variance, File No. PVAR18-002, 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

Brett Sasaber, the applicant wanted to give a video presentation that describes the business. He stated Carvana is like the Amazon of car purchasing, as all of it is done online. He described purchasing process, delivery, and the vending machine looking building, and stated they are a low impact dealership with high impact sales. He stated they have 4.7 rating online, which they are very proud of. He described their position for the architectural reasons they want the signage on all four sides, because of the nature of the building.

Mr. Willoughby wanted to know if we have a California location now.

Mr. Sasaber stated the hubs are opened and they are working on a site in Westminster.

Mr. Willoughby wanted clarification on the percentage that come to the vending machine.

Mr. Sasaber stated across the platform and in all the markets it is consistently 50 / 50 use of vending machine.

Mr. Gage wanted to know the number of centers nationwide and are you going to accommodate California emission certification.

Brett stated that most of them are older models and already have the California emissions Certification, and if they don't then the vehicle wouldn't be available for California purchase.

Mr. Reyes wanted clarification on the vending machine building and how it works and how many cars are stored there.

Mr. Brett described the mechanics of the building and auto-parking display and the efficiency. He stated that ideally they would like to have all 27 vehicles rotating out,

because that means they are generating sales.

Mr. Reyes wanted clarification on when does the reload of the vending machine happen.

Mr. Brett stated it is usually the night before the pickup of a vehicle.

Mr. Reyes wanted to know if tracking of your car was available.

Mr. Brett stated yes customers have come to expect that in online purchasing.

Mr. Willoughby wanted to know how long before a car ready for pickup.

Mr. Brett stated typically 48 hours, depending on where the car is located and how busy the market is.

Ms. DeDiemar wanted clarification regarding the signs if you can't have four signs would rather have two signs for architectural balance, and would that be a detouring factor for Carvana.

Mr. Brett stated we are not trying to disrupt the community, but better to balance the building.

Ms. DeDiemar wanted to know why they chose Ontario for their business.

Mr. Brett stated California is a very big market and Ontario was welcoming and staff has been great. He stated they are happy to be here.

Mr. Gage wanted clarification regarding financing for the cars, and if it is done online.

Mr. Brett stated it is all done online and how the process works.

Mr. Gage wanted to know if all the registration is taken care of.

Mr. Brett stated the headquarters in Phoenix handles all the registration, from state to state and we do all we can within the state guidelines, before the pickup, to make it a quick and easy pickup.

Mr. Gage wanted clarification on the number of employees at this site.

Mr. Brett stated there would be no more than 25, but they would start with 7 or so.

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

Mr. Reyes stated that he knows the location well, and the proximity to Guasti to the south and the historical stuff that is going on there was an initial concern. He stated that he thinks this will fit the site because of the visibility of the iconic tower and the location off the 10 freeway and it isn't your normal car dealership.

Ms. DeDiemar stated she finds the idea intriguing and this seems to be a sign of how we

can do things in the future. She stated this will draw people to Ontario from a larger area and this is good use of the project site.

Mr. Gage stated he couldn't imagine supporting a building like this years ago, but this is an iconic idea and is happy to see this in the 10 freeway corridor in Ontario.

Mr. Willoughby echoed the other commissioner's statements and stated shopping and buying will continue to change and thinks this is ahead of the curve and he likes the concept. He stated that the 50/50 percentage of using the vending machine is a plus for the revenue for the city and the people it will bring. He stated he is not enthusiastic about the variance because of the door it opens for other businesses in the area. He stated it looks like a good business model and a good business to have in Ontario.

Mr. Delman stated this is a marvelous idea and great for consumers and he expressed his thanks to them for picking Ontario.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gregorek, to recommend adoption of a resolution to approve the use 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 Willoughby, seconded by DeDiemar, to recommend adoption of a resolution to approve the Zone Change, File No., PZC18-001, and the Development Code Amendment, File No. PDCA18-001, 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 Gregorek, seconded by DeDiemar, to adopt a resolution to deny the Variance, File No. PVAR18-002. 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 Reyes, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP18-001, and Development Plan, File No. PDEV18-003, 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.

I. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW

FOR FILE NO. PMTT16-003/TT 20012: A Tentative Tract Map (File No. PMTT16-003/TT 20012) to subdivide 37.47 acres of land into 176 numbered lots and 47 lettered lots for public streets, landscape neighborhood edge areas and common open space purposes, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This

application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-201-20, 0218-201-26 and 0218-201-27); **submitted by Ontario Avenida Associates, LLC.**

- J. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA17-007:** A Development Agreement between the City of Ontario and Ontario Avenida Property OWNER LLC, for the potential development of up to 176 residential units (File No. PMTT16-003/TT 20012) on 37.47 acres of land, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-201-20, 0218-201-26 and 0218-201-27); **submitted by Ontario Avenida Property Owner LLC. City Council Action is required**

Mr. Gregorek recused himself, as his firm is working on the projects.

Senior Planner, Henry Noh, presented the staff report. Mr. Noh described the location and the surrounding area. He described the proposed project to subdivide to 176 numbered lots, and four pocket parks. He stated they received a letter of opposition from the adjacent poultry farm, regarding the 100 foot separation. He described the development agreement and the financial commitment, the 10 year term with a 5 year option, infrastructure, parks and policies. He stated that staff is recommending the Planning Commission approve File No. PMTT16-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval. He stated that staff is recommending the Planning Commission recommend approval of File No. PDA17-007.

No one responded.

PUBLIC TESTIMONY

Jason Lee, with Ontario Avenida, appeared and thanked the staff for working with them to get the adequate setbacks from the existing poultry farm. He stated they have worked with Brookfield regarding connection points for the future, as well as did an overlay of the poultry farm in case that develops in the future.

Joyce Jong stated in November 2017 they came before the commission to express their

concerns with this project and since then they have met with staff and worked with them to give adequate setbacks. She wanted to thank the staff and commission for taking these concerns into consideration.

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

Mr. Gage thanked the family for staying all this time and making those comments. He stated he is glad that the city was able to work with them.

Ms. DeDiemar would like to comment that she was very impressed with their presentation in November and made it easy to grant the concerns of the family.

Mr. Reyes stated this is good example of city, developers and neighbors working together and he is glad that she came to share the concerns, because it helps us make a good decision.

Mr. Delman thanked everyone for working together.

Mr. Willoughby stated it is exciting to see what is happening in Ontario Ranch and as we move forward we are going to have these issues with existing usage. He stated that he appreciates Mr. Noh and the family working together to get a great project that works.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by DeDiemar, to adopt a resolution to approve the Tract Map, File No. PMTT16-003. Roll call vote: AYES, DeDiemar, Delman, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Downs. The motion was carried 5 to 0.

It was moved by Willoughby, seconded by Reyes, to recommend adoption of a resolution to approve the Development Agreement, File No., PDA17-007, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Downs. The motion was carried 5 to 0.

- K. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FILE NO. PDCA18-002:** A Development Code Amendment proposing various modifications, clarifications and updates to certain provisions of the Ontario Development Code, including Chapter 2.0, Table 2.02-1 (Review Matrix), Chapter 5.0 (Zoning and Land Use), Chapter 8.0 (Sign Regulations) as it relates to the ONT (Ontario International Airport) zoning designation, generally located north of Mission Boulevard, south of Airport Drive, east of Grove Avenue, and west of Haven Avenue; The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The 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 set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.**

Development Director, Scott Murphy, presented the staff report. He described the changes that have been going on in the Ontario Airport area. He stated the City of Ontario has Land Use Authority over projects, but the Joint Powers Authority (OIAA) is the lead agency under CEQA and NEPA, and the need for a quick response to projects coming in. He stated the Amendment allows for new development/construction would go through a plan check submittal process, routing through Building and Planning departments and as long as it coincides with the development standards and design guidelines, it would be processed, and environmental review would be under OIAA. He stated the revised table in front of them, is a narrowed down list of usages that are appropriate for the ONT zone. He stated signage for the airport and the amendment to allow for a uniform sign program and issue approvals based on those guidelines. He stated also included are 6 billboards being proposed. He stated that staff is recommending the Planning Commission recommend approval of File No. PDCA18-002, 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 if 6 billboards is the limitation.

Mr. Murphy stated the last page of the revised handout, shows what will be allowed and the specifics, and a total square footage for all billboards combined, and states that all billboards shall be located in close proximity to the terminal and/or car rental area within the airport area.

Mr. Reyes wanted clarification regarding the table and the changes being made.

Mr. Murphy stated those clouded areas are changes from the original report they received.

Mr. Gage wanted to know if this takes the oversight of the planning commission away from the airport.

Mr. Murphy stated right now the way the process is now projects would go through the DAB hearing body and not go before the Planning Commission, but the way this is being crafted this wouldn't go to DAB and would go through a plan check process through the staff. He stated an appeal would go to the city council.

Mr. Gage wanted clarification if this includes historical aspects as well at the airport.

Mr. Murphy stated that because OIAA is the lead agency on environmental they would have to go through and review historic aspects of the project when they do their environmental work. He stated there was a recent study that identified the historic aspects, they will have to evaluate those.

Mr. Gage stated that planning commission has approved and reviewed many billboard signs in the past, so he wanted clarification that the commission would be approving 6 billboards with no design review.

Mr. Murphy described the difference between a billboard and freeway business signage, and stated there are only about three actual billboards that the planning commission has

approved.

Mr. Gage wanted clarification on the locations and that we don't have any input and are giving away our right to review it.

Mr. Willoughby wanted clarification if this was initiated by City Council.

Mr. Murphy stated that started with OIAA entering into a contract with Lamar Advertising to provide signage on Airport and part of the package included billboards, with our ordinance does not allow for that.

Mr. Gage wanted clarification that if we turn this down then it goes to the city council and they can vote any way they want.

Mr. Murphy stated that is correct.

PUBLIC TESTIMONY

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

Mr. Reyes stated he is in favor of airport growth and high quality project that allow for expansion and high quality signage for the airport. He stated by taking the commission out of the review process, he isn't sure how the city folks will look at it, either they will like it or say it's a bad idea. He stated one of the things was expediting projects and suggested if they could go to a subcommittee and be able to make a recommendation or comment. He stated those are the things he is struggling with to make a decision.

Ms. DeDiemar stated she shares the concerns of Mr. Gage and Mr. Reyes and it is a dangerous president and wanted to know if we can make another way to expedite approval rather than giving up our authority to OIAA.

Mr. Willoughby stated that he agrees with the commissioners, but we aren't really giving up anything because they would go to DAB anyway. He stated he trust the planning staff with design quality and elements and he will give the power to the city council and let them decide.

Mr. Gregorek stated he was disappointed from the historic aspect, but it seems similar to the arena and library, which they had no say in, so he just has to trust the process.

Mr. Delman stated he agrees with Mr. Willoughby and he trust the planning staff and the DAB to make those decisions.

Mr. Reyes stated his comments previously were not meant to diminish the planning staffs abilities, but more of how will people within the city perceive it. He wanted to know if OIAA could create an advisory board, so that they could comment.

Mr. Gage stated he is for growth of the airport and fast growth and he isn't against billboard signs, but he is against the Planning Commission being taken out of the process because they are the people living in the city. He stated the city council can still overturn

things and he has faith in the planning department but the city council hires and fires those people.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Willoughby, to recommend adoption of a resolution to approve the Development Code Amendment, File No. PDCA18-002, subject to conditions of approval. Roll call vote: AYES, Delman, Gregorek, Reyes, and Willoughby; NOES, DeDiemar and Gage; RECUSE, none; ABSENT, Downs. The motion was carried 4 to 2.

Mr. Murphy thanked the commissioners for their comments, especially the faith they put in the staff and he stated he understands the difficulty in coming to a decision.

Mr. Delman stated he also appreciated and understands the process with airports.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on March 8, 2018 and approved the Model Colony Award nominations.

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

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

New Business

Mr. Willoughby asked about the storage containers on Haven at the Holiday Express.

Mr. Murphy stated that this has been sent to code.

Ms. DeDiemar wanted to know if there was any news on semi-trucks parking in the downtown area.

Mr. Murphy stated that at the last meeting City Council did adopt a resolution requesting that Caltrans allows posting of no parking signs.

Mr. Gregorek wanted clarification as to what kind of parking.

Mr. Murphy stated semi-truck parking only.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

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

ADJOURNMENT

Willoughby motioned to adjourn, seconded by Gregorek. The meeting was adjourned at 10:01 PM.


Secretary Pro Tempore


Chairman, Planning Commission