

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

MINUTES

November 27, 2018

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

MINUTES

November 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, Downs, Gage, and Reyes

Absent: DeDiemar, Gregorek

OTHERS PRESENT: Planning Director Wahlstrom, City Attorney Duran, Assistant Planning Director Zeledon, Senior Planner Mejia, 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 Downs.

ANNOUNCEMENTS

Ms. Wahlstrom stated Items D and E are being continued, so staff can work out the terms of the Development Agreement.

Mr. Reyes asked that Item A-02 be pulled from the consent calendar.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of October 23, 2018, approved as written.

It was moved by Willoughby, seconded by Downs, to approve the Consent Calendar which includes the Planning Commission Minutes of October 23, 2018, as written. The motion was carried 4 to 0. Gage abstained.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV18-009: A Development Plan (File No. PDEV18-009) to construct 51 single-family dwellings on 9.26 acres of land located north of Chino Avenue and approximately 280 feet west of Archibald Avenue, within Neighborhood 4 (RD-5,000) of the Countryside Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Countryside Specific Plan (PSP04-001) Environmental Impact Report (SCH# 2004071001) certified by the City Council on April 18, 2006. This project introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. 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: 0218-111-54 and 0218-111-55) **submitted by KB Home.**

Attorney Duran stated that this isn't a normal public hearing item, as it wasn't noticed and that the procedure would be that the person who pulled the item can explain why he pulled it and then there can be Commissioner discussion and anyone wishing to comment on the item may, but not in the context of a formal hearing.

Mr. Reyes stated he wanted to pull the item so he could have the specifics of the item explained.

Assistant Planner Vaughn, presented the staff report. She explained the specifics of the proposed project like landscape, floor plans, paseo areas, and parking. She stated that staff is recommending the Planning Commission approve File No. PDEV18-009, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted site plan clarification regarding why there isn't a small park for the 51 dwelling units.

Ms. Vaughn stated this project has paid an in-lieu park development impact fee and that this project is part of the larger central park plan within the Countryside Specific Plan.

Mr. Reyes wanted clarification of the paseo area and its purpose.

Ms. Vaughn stated this paseo would be used as a pedestrian and bike connection to the larger park area, the trail along the channel and the surrounding neighborhoods.

Mr. Reyes wanted clarification as to what formula is used to determine if there is a park or not in areas, or if it's a paseo or tot lot.

Ms. Wahlstrom stated the master plan does talk about park land that is required either through development or fees. She stated they look at the context of the surrounding area and close proximity of parks that can be walked to.

Mr. Zeledon explained that in 2013 when the tract map was approved the park requirement was part of the development agreement, which included a 3-1 fee to go to the larger park, because they felt that it was only 52 units and a small park would be insufficient in this area, especially if they had the paseo.

Ms. Wahlstrom clarified that there are 52 lots and only 51 homes, as one lot is a well site, and will be built at a future time.

Mr. Willoughby wanted to clarify that the Countryside Specific Plan consists of 8 neighborhoods and they were looked at as a whole when they approved

Mr. Zeledon clarified the areas within the specific plan and indicated where parks would be as the areas are developed.

Ms. Wahlstrom stated that the larger lots within this project, allow for more private open space.

PUBLIC TESTIMONY

There was no one else wishing to speak on the item.

Mr. Reyes stated he wasn't here when the specific plan was approved and appreciated staff clarifying, so he can see the bigger picture.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Reyes, to adopt a resolution to approve the Development Plan, File No., PDEV18-009, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar and Gregorek. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR18-004 AND PDEV18-001:** A Variance (File No. PVAR18-004) to: [1] reduce the parking setbacks along an arterial street from 20 feet to 16 feet; [2] reduce the drive aisle setbacks along an arterial street from 20 feet to 11 feet; and [3] deviate from the number of required parking spaces, from 47 to 41 spaces; in conjunction with a Development Plan (File No. PDEV18-001) to reconstruct a 4,950 square-foot McDonald's drive-thru restaurant on 0.81 acres of land located at 1107 East Fourth Street, within the CN (Neighborhood Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) 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: 1047-461-20) **submitted by McDonald's USA, LLC.**

Assistant Planner Vaughn, presented the staff report. She described the location and the surrounding area. She described the current footprint and the proposed project footprint and circulation. She explained why the variance is needed to allow for a safer site circulation, compliance with ADA accessibility, building setback, landscaping and trash enclosure requirements and to minimize impacts to the adjacent residential area. She stated that staff is recommending the Planning Commission approve File Nos. PVAR18-004 and PDEV18-001,

pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gage wanted clarification regarding the reduced setbacks along the arterial street.

Ms. Vaughn stated the front parking setback on Fourth Street would be from 20 to 16 feet, so that they can get additional parking spaces and the drive-isle setback reduction along Fourth Street to allow for the new circulation exiting.

PUBLIC TESTIMONY

Mr. Carlos Madrigal representing McDonald's appeared and stated he was available to answer any questions.

Mr. Downs wanted clarification regarding how long the McDonald's will be closed.

Mr. Madrigal stated about 5 months from demo to completion, depending on final inspections.

Mr. Delman stated he went by a few days ago and the drive-thru was packed.

Mr. Madrigal stated that the new circulation will be much better and safer for exiting.

Mr. Gage wanted to know if the construction will lessen the number of seats inside.

Mr. Madrigal stated yes it will with kiosk to order and the ADA and fire requirements will reduce the seating to 75 – 80 and the play area around 15-20, depending on the size of the play structure.

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

Mr. Gage stated he likes the construction and new configuration, and even with the fewer parking spaces it will enhance the site overall.

Mr. Reyes congratulated the team that put this project together as it looks very modern and clean. He stated that with the screening to north and east and the landscaping, it is a much better site, even with the variances.

Mr. Willoughby stated he agreed with his fellow Commissioners and appreciates the staff working well with the applicant and is a lot safer and will be a nice addition.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gage, to adopt a resolution to approve the Variance, File No. PVAR18-004, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar, and Gregorek. The motion was carried 5 to 0.

It was moved by Downs, seconded by Reyes, to adopt a resolution to approve the the Development Plan, File No. PDEV18-001, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar, and Gregorek. The motion was carried 5 to 0.

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-024 AND PCUP18-003**: A Development Plan (File No. PDEV18-024) to construct a 23,952 square foot office/industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-003) to establish a contractor's storage yard on 2.4 acres, located at 901 South Sultana Avenue, within the (IL) Light Industrial zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) 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 ONT Airport Land Use Compatibility Plan (ALUCP); (APN: 1049-353-14) **submitted by Ferreira Construction, Co, Inc.**

Senior Planner Mejia, presented the staff report. She described the location and the surrounding area and the current zoning. She explained the history of the property and the existing site configuration and the proposed aspects and phasing of the project. She described the access, parking and landscaping to be provided. She stated the CUP is needed to establish a storage yard and the phasing plan. A community meeting was held and one person attended and spoke in favor of the project. She stated that staff is recommending the Planning Commission approve File Nos. PCUP18-003 and PDEV18-024, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Downs wanted to know how active the railroad to the east is and what impacts will the construction have on it.

Ms. Mejia stated it is seldom used, only by Patton maybe.

Mr. Reyes wanted clarification regarding the two existing buildings that would remain and will they be getting any improvements.

Ms. Mejia stated that is correct and they wouldn't as they will be behind the screen wall.

Mr. Reyes wanted to know if these were auxiliary buildings for storage, repairs and equipment.

Ms. Mejia stated that is correct.

PUBLIC TESTIMONY

Mr. Brandon Pensick representing Ferreira Construction, Co., appeared and stated he was available to answer any questions.

Mr. Reyes wanted clarification on the timeline for the phases and the overall company's goals.

Mr. Pensick stated yes that is correct, they want to occupy the yard space and get it built as soon as possible. He stated they want to bring everything together as one.

Mr. Reyes wanted to know the reasoning behind bringing the field and office together.

Mr. Pensick stated it's just easier to manage when everything is all together, especially as they are growing.

Mr. Downs wanted to know if the current employees that are in Rancho and Chino, would be moving over to Ontario.

Mr. Pensick stated the office staff are in Rancho and the field staff report to Chino and yes they would all will eventually be working out of this site.

Mr. Delman stated he likes this project and it will be great for the community.

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

Mr. Gage stated he appreciates working with staff and lessening the impact of the use to the residents and the landscape and walls. He stated the previous idea for this site didn't work out and this shows the contrast and how two kinds of uses can work together.

Mr. Reyes thanked staff and the applicant for working with the city departments, and that it is challenging site and it is always important to take care of the neighbors. He stated he really likes the layout.

Mr. Willoughby thanked applicant for patience with working with the city and the staff, and stated he looks forward to their business coming to Ontario.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Downs, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP18-003, and the Development Plan, File No. PDEV18-024, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar, and Gregorek. The motion was carried 5 to 0.

- D. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS., PMTT18-006 AND PDEV18-014:** A Tentative Parcel Map No. 19904 (**File No. PMTT18-006**) to subdivide approximately 85 acres of land into nine (9) parcels and six (6) letter lots, and a Development Plan (**File No. PDEV18-014**) to construct nine (9) industrial buildings totaling 1,685,420 square feet, for property located along the southwest corner of Merrill Avenue and Archibald Avenue within the Business Park (Planning Area 1) and Industrial (Planning Area 2) land use designations of the Colony Commerce Center East Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Colony Commerce Center East Specific Plan (File No. PSP16-003) Environmental Impact Report (SCH# 2017031048) certified by City Council on May 1,

2018. This project introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with both policies and criteria of the Ontario International Airport Land Use Compatibility Plans (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-311-02, 0218-311-03, 0218-311-08, 0218-311-10) **submitted by Colony Commerce Ontario East LP, a Delaware Limited Partnership.** This item was continued from the October 23, 2018 Planning Commission meeting.

- E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA18-002:** A Development Agreement (**File No. PDA18-002**) between the City of Ontario and Colony Commerce Ontario East LP, a Delaware Limited Partnership, to establish the terms and conditions for the development of a Tentative Parcel Map No. 19904 (**File No. PMTT18-006**), for property located along the southwest corner of Merrill Avenue and Archibald Avenue within the Business Park (Planning Area 1) and Industrial (Planning Area 2) land use designations of the Colony Commerce Center East Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Colony Commerce Center East Specific Plan (File No. PSP16-003) Environmental Impact Report (SCH# 2017031048) certified by City Council on May 1, 2018. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with both policies and criteria of the Ontario International Airport Land Use Compatibility Plans (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-311-02, 0218-311-03, 0218-311-08, 0218-311-10) **submitted by Colony Commerce Ontario East LP, a Delaware Limited Partnership.** This item was continued from the October 23, 2018 Planning Commission meeting. **City Council Action is required.**

Ms. Wahlstrom stated item D and E are being recommended to be continued to the December 17, 2018 special Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gage, to continue the Tentative Parcel Map, File No. PMTT18-006, the Development Plan, File No. PDEV18-014, and the Development Agreement, File No., PDA18-002 to the December

17, 2018 special Planning Commission meeting. The motion was carried 5 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet this month.

New Business

Mr. Reyes stated that the shopping center at the SE corner of Mountain and Philadelphia is looking shabby and unmaintained and wanted to know if we can let code enforcement know.

Ms. Wahlstrom stated staff will drive by and put a call into code regarding deferred maintenance.

Mr. Reyes wanted clarification if there is a specific distance between smoke shops.

Mr. Zeledon stated this was updated in the development code and that smoke shop was existing.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated the Monthly Activity Reports are in their packets.

ADJOURNMENT

Willoughby motioned to adjourn, seconded by Gage. The meeting was adjourned at 7:28 PM.


Secretary Pro Tempore


Chairman, Planning Commission