

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

MINUTES

April 25, 2017

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

MINUTES

April 25, 2017

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

COMMISSIONERS

Present: Chairman Delman, DeDiemar, Downs, Gage, Gregorek, and Reyes

Absent: Vice-Chairman Willoughby

OTHERS PRESENT: Planning Director Murphy, City Attorney Tran, Principal Planner Zeledon, Senior Planner Mercier, Senior Planner Noh, Assistant Planner Aguilo, Assistant City Engineer Do, Housing Director Bjork and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner DeDiemar.

ANNOUNCEMENTS

Mr. Murphy stated that there were revisions to multiple project resolutions and he would point them out to the Commission as they came up during the meeting.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of March 28, 2017, approved as written.

It was moved by DeDiemar, seconded by Gregorek, to approve the Planning Commission Minutes of March 28, 2017, as written. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT REVIEW FOR FILE NO. PUD17-001: A Planned Unit Development to establish development standards and guidelines to facilitate the future development of a high

density residential apartment project at a density of approximately 25.4 dwelling units per acre on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared in conjunction with File No. PGPA06-001, and certified by the City of Ontario City Council on January 27, 2010. 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: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10) **submitted by Related California. City Council action is required.**

Senior Planner, Charles Mercier, presented the staff report. Mr. Mercier stated the project is comprised of two city blocks and reiterated the location stated in the description. He said that the project is zoned MU-1 (Mixed Use Downtown) and according to The Ontario Plan (TOP), this type of development is required to be approved in conjunction with a Planned Unit Development (PUD). He said the PUD stated the standards, designs, goals and guidelines for the project which includes a 3-story, 75-unit family housing development. Mr. Mercier gave background on the project stating it was pedestrian friendly and higher in density, all consistent and meets the requirements by TOP. In his presentation, he discussed a storm drain easement is required, parking for residents is on-site to meet the demand for parking requirements and all guest parking will be provided off-site on adjoining streets to the project. He stated the parking ratio and model used for this project were the Town Square Apartments next to City Hall which are seen as sufficiently parked. Mr. Mercier explained that in 2007 a Certificate of Appropriateness was approved for demolition of the historic buildings on Vine Avenue. He said a Certificate of Appropriateness for the Development Plan which will come forth next month will need to be approved by the Historic Preservation Commission for properties within the PUD area. He stated that staff is recommending the Planning Commission recommend to City Council the adoption of the use of an Addendum to a previous EIR and approval of File No. PUD17-001, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Murphy stated item B had changes to the resolution which is before them. He said the changes are within the findings under Section 5 of the Resolution approving the project.

Mr. Gage asked if this was an affordable housing project.

Mr. Mercier stated it was.

Mr. Gage asked for further explanation, stating there are various types of housing.

Mr. Mercier stated the Applicant was prepared to speak to that issue.

Mr. Murphy stated there was a representative from the City of Ontario Housing Agency who could speak better to those details.

Ms. Julie Bjork, Housing Director for the City of Ontario came forward. She stated this was a 9% tax credit project. She said they are going to the State for an application for the affordability ranges for extremely low to low income. She explained they are looking for 30% up to 60% of AMI (area medium income).

Mr. Gage asked if she could repeat the information.

Ms. Bjork said they will have units at extremely low which is 30% of area medium income up to 60%, which is considered low income. That's 60% of area medium income.

Ms. DeDiemar asked for an explanation of the (AMI) or area medium income.

Ms. Bjork stated that basically the rents would range from \$300-\$1000. She said they have one, two, three and four bedroom units. She apologized, she didn't know the AMI for each size family.

Ms. DeDiemar asked if there was an age range for the project, was this a senior housing project.

Ms. Bjork said it was a family project.

Mr. Gage asked if there would be restrictions on who could apply for these units, or was anyone eligible?

Ms. Bjork stated per law, they are eligible to everyone, but they are working with the developer for preference to Ontario residents and during the initial marketability with the exception of if there is a stipulation on the funding source.

Mr. Gage asked staff why it would be beneficial to have very low housing in downtown. Specifically, when businesses come to evaluate [property] within a five mile radius, and what the income level was. He asked if staff could address why it's beneficial to have extremely low housing in downtown. What's the thinking behind it?

Mr. Murphy stated that there were a couple of thoughts that go behind it. He said first of all, the City is under obligation by the State to provide for a certain number of affordable units that encompasses all ranges of income, [including] very low, low, moderate, and above moderate. He said the City is trying to provide an opportunity to hit those different categories. He said number one, they have a State mandate to do that. He explained in this case, they have this property which is owned by the City and has been identified for at least five years that he's aware of, for this project to go into this area. Mr. Murphy said secondly, some of the retailers do look at the demographics and look at the income when identifying locations. However, when they look at a five-mile radius, they generally look at it, as a whole and not block-by-block. He explained they [retailers] likely look at the number of units and how many individuals would they serve. It's not just a figure in income, it goes above that and it becomes a question of if there are enough individuals to sustain a restaurant or retail user.

Mr. Gage stated he knows this project came before them five years ago and wasn't approved. He said he remembers there were negative feelings regarding the project and

he questioned if it was the same project or if it was different. If so, how was it different?

Mr. Murphy said the project brought before them five years ago was much larger. He stated the previous project from five years ago would have been developed in two phases and would extend farther to the east one additional block. He said there were concerns by those property owners about what would happen to their properties and that is not included with this project. He shared it is simply the two blocks which were presented to them and some of the [negative] issues have been put aside because the other property owners are not impacted.

Mr. Gage said that one of the [previous] issues was that this was a family project and near the railroad and Holt Boulevard. He asked if there were any concerns about children and what were the amenities for families.

Mr. Murphy said there were amenities for families within the complex itself and open space elements. He said he knows the issue with the proximity to the rail line that came up. He said when they worked on the lofts the vibration factor came up because they were immediately adjacent to the rail line. He said that with this project, they are far enough removed that vibration is not an issue due to the rail line. He said also, the noise factor from both the railroad and Holt Boulevard, have been addressed through a noise assessment which is a requirement. Mr. Murphy explained that with the apartments fronting onto Holt Boulevard, the building itself acts as a buffer to the open space elements on the south and provides a level of noise mitigation from just its placement.

Mr. Reyes asked if the proposed project takes into consideration the comment about the 20-foot widening along Holt Boulevard.

Mr. Mercier stated it does take the 20-foot widening into consideration.

Mr. Reyes asked about a rendering provided in the staff report which was not included in the power point presentation. He wanted to know which way proposed building was facing in that graphic.

Mr. Mercier said the image was from the previous proposed project five years ago.

Mr. Murphy stated that he believes the rendering shows the project as if an individual was standing on the northeast corner of Vine. It would be the west elevation fronting onto Holt Boulevard. Mr. Murphy said the elements are consistent with the plans which are moving forward.

Mr. Reyes said the rendering showed really good architecture with towers, multiple levels and projections off the buildings. He said it looks quite different than what was in the presentation and he wants to confirm the proposed design for the project.

Mr. Mercier said next month with the development plan coming forward the architecture and design will be presented.

Mr. Murphy stated that the presentation rendering on the slide is a more 2-D image rather than the 3-D image in the staff report. He also stated they look forward to

presenting better elevations and architectural images in May when the development plan is presented.

PUBLIC TESTIMONY

Stan Smith from Related California, the Applicant appeared and spoke. He said this was their second project in Ontario, their first project were the senior apartments just outside the parking lot of City Hall.

Mr. Gage asked if Mr. Smith could address the affordable housing portion and the fact it's a family project.

Mr. Smith gave an explanation of "Housing Tax Credit 101". He began by stating there is a segment of people in the United States that don't make an income that qualify for Section 8 Housing. He said there's another side of the income that's called Market Rate Housing. He said the Market Rate Housing is whatever the market will bear, in your home you pay whatever the market will bear (the asking price). He said this is the same with rents. He said there is a little group in between that do not make enough money to live in the Market Rate Housing, but they make too much money to live in the Section 8 Housing. He said that's the 30-60% and called the AMI which they are providing for. Mr. Smith gave an example of a family of five, where both parents work in the service sector. He said they must be employed (they must have an income to move in) and they may make \$22,000 to \$28,000 a year and they are a family of five and their rent might be \$400-\$500 per month depending on what level they qualify at. He said those are the individuals they provide for. Again, giving an example, he said sometimes, those are first year teachers. He said where individuals are confused, is this is not a Section 8 Housing project. He stated they are an AMI project and he believed the AMI for San Bernardino County was approximately \$54,000. He said 10% of the individuals will qualify at the very low for the housing project, the rest are spread throughout the various categories. He said the last time they did a project like this they had a several hundred person waiting list at the senior project. He said Ontario will be providing 75 family units which will be filled up overnight and you can expect that all those units will have a waiting list of 1,000 within 30 days. He said they will have a preference list for Ontario residents, where they can offer preference but can't exclude. They will offer community outreaches and provide it on the sources of funding for Ontario residents.

Mr. Gage asked if the affordable housing has to include extremely low or if there are different kinds of affordability.

Mr. Smith stated that on the 9% Program, they [developer] will get 50% or more in tax credits which will allow them in return the funds working with the City to build affordable housing, like these types of family projects.

Mr. Gage asked for clarification about the 10% of very low income qualifiers. He asked if that was something they control.

Mr. Smith stated that within a project like this, there must be 10% of the units. So on 75 units there would be 8 units because you have to round up that are required for the very low income. He said 8 units would be required for families who qualify for 30% of the

AMI. He continued by saying 20% or 15-16 units will be at 40% of the AMI and then another 20% or 15-16 units will be at 50% of the AMI.

Mr. Gage asked if they are required on the 30% of the income levels and how many units go into each level.

Mr. Smith stated that was correct and to help everyone understand he further explained that they do background checks, criminal checks, housing checks and because of all of these reasons, they don't have problems on their projects. He said they have good families which will move in and they will support the downtown. Mr. Smith stated that the 9% Program must have certain amenities which are required for them to qualify for the application. He stated some include being within 500-feet from a bus stop, being within a half-mile from a school, be within a mile from a medical facility, be within a half-mile from a library and each of these are worth points. He explained this site scores them full points for a tax application. He shared that if he doesn't score full points for an application, he doesn't apply. He stated this site scored 23 out of 15 possible points for amenities on the tax application.

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

Mr. Gregorek stated that it was bittersweet with this project because it was the site of the old Casa Blanca Hotel, and they lost that. But, he said they have something to replace it and it has good character and it should be a good fit downtown. He stated if they could revitalize that portion of downtown it would be great and was in full support of the project.

Mr. Reyes brought up the previously discussed rendering and elevation and stated that he hoped as they moved forward with more detailed plans, they would be closer to the older rendering and details. He said that version had archways, overhead structures on the upper floors and tower elements which were not seen in the images presented tonight. He said he hoped some of the key elements previously presented come back. He stated he thought the location was great for this type of project.

Mr. Gage said his first reservation came in 1998 when the Casa Blanca Hotel which was owned by the City was demolished. He stated that was when he became active in the City, when he, along with Councilwoman Dorst-Porada, protested the demolition of the hotel and got their photos in the paper sitting on the front porch. He shared he still has a brick from the hotel and would bring it to the next meeting if anyone wanted to see it. Mr. Gage said he had reservations bringing affordable housing to downtown and bringing so much of it downtown. He shared he hoped there would be some kind of limit to it and knows it's in The Ontario Plan to have it in the downtown rather than in the new Ontario Ranch area. He said he's always had reservations about that. He said he was glad to hear from the Applicant and got a little education on affordable housing and what that it seems like there's screening of people and the management of it. He said he does like the senior housing project and the architecture of it. He said he's going to go along with reservations. He said he hoped there won't be affordable housing on every block of downtown but thinks this one particular will be okay.

Mr. Downs asked about the other little buildings on the plans and if they would be the

same type of architecture.

Mr. Delman stated the development plans will come next month.

Mr. Downs said he liked the idea of low and moderate income project. He gave a personal story about his sister and how he put his sister on the waiting list for the senior apartments across the street five years ago and he still hasn't heard. He said it's good that they are building more apartments like this in the City for others in need.

PLANNING COMMISSION ACTION

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

It was moved by Downs, seconded by Reyes, to recommend adoption of a resolution to approve the Planned Unit Development, File No., PUD17-001. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- C. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA17-001:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001, and adopted by City Council on January 27, 2010. 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. (APN: 0210-212-57); **submitted by Architecture Design Collaborative. City Council action is required.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh gave background on the project's location and presented slides of various views of the surrounding areas. He stated in 2007 when the Specific Plan was approved there were two possible scenarios for planned development. The first scenario was a potential 200-bed hospital and medical office facility and the second scenario was an office/commercial mixed-use development. He said currently, the property owner is getting a lot of interest from a national retail user and quick drive-thru restaurants. He shared because of the demand for one particular quick drive-thru restaurant's interest they would be catalyst for this location's continued mixed-use and commercial development. Thus, the applicant is requesting an Amendment to the land use table to the specific plan with drive-thru. Mr. Noh explained the market detail letter that was provided and the rendering was based on conception for mixed-use to give the Commission of what future development could look like should the Specific Plan Amendment be approved. He stated that staff is recommending the

Planning Commission recommend to City Council the adoption of the use of an Addendum to a previous EIR and approval of File No. PSPA17-001, pursuant to the facts and reasons contained in the staff report and attached resolutions and conditions of approval.

Mr. Downs asked if the traffic department is okay with egress onto Guasti Road from Haven Avenue.

Mr. Noh stated nothing was formalized, as the amendment hasn't been approved. Once it was approved, a development plan would be submitted. All departments would review the plans at that time, traffic included.

Mr. Murphy stated the short answer would be yes. It's a signal-lighted intersection and currently it's just a T-intersection feeding into Embassy Suites, but with this project or any project coming in from the south side, that would be the identified location for an access point.

PUBLIC TESTIMONY

Sean Asmus, the Vice-President with Reddy Development appeared and spoke. He said the application was submitted by their architect and for personal reasons they could not attend. He stated Mr. Murphy and Mr. Noh gave a great overview of the project and they were very excited to work on the project and absolutely a need for that type of project in the area for the lack of those type of services. He said they have a possible 80,000 square foot office building to the west coming in the summer. He'll answer any questions.

Mr. Reyes asked how important is the drive-thru at the corner and is it a consideration to swap it with one of the other buildings.

Mr. Asmus stated it's a great question. He said it was absolutely imperative with these types of uses and for the anchor tenant for a daily-user retailer to be at the hard-corner. He said he didn't think that if the drive-thru is not on the end, it would not be successful with these key tenants who would be the keystone of their development who would bring their entire project to fruition. He stated that everyone who they have had look at the project has gravitated to the corner. He shared while working with staff preliminary; they plan to incorporate screening through hardscape or landscape so we can meet the demand to have the drive-thru on that particular corner.

Mr. Reyes said he [Mr. Asmus] read his mind. He stated that the portion for the drive-thru would need to be designed with landscape, screening and be thoughtful in working with staff on the grade. He said it's the gateway to the airport and it's not appealing to see cars stacked up. He said his last comment would be that it would be great to see towers on Haven Avenue on both sides.

Mr. Asmus stated those were good points.

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

Mr. Gage said he was glad to hear there was an anchor tenant who would draw people

into that development and it was a drive-thru. He said he didn't think the name of the anchor tenant could be shared, but thought it must be a good one, since a bad one wouldn't draw people there. He said he was voting yes for the project and if there were no other comments he would make a motion.

PLANNING COMMISSION ACTION

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

Mr. Reyes asked the Chairman to make a comment about an article he read discussing the design of a recent Taco Bell which was approved but didn't look like a Taco Bell. He said he wanted to reiterate his point about wanting more detail in the design of this project and made the motion for approval.

It was moved by Reyes, seconded by Downs, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No., PSPA17-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV16-050 AND PCUP16-023:** A Development Plan (File No. PDEV16-050) and Conditional Use Permit (File No. PCUP16-023) to construct and establish a 4-story, 131-room hotel (The Element Hotel by Westin) totaling 93,177 square feet on approximately 4.5 acres of land, located at 900 North Via Piemonte, within the Piemonte Overlay of The Ontario Center Specific Plan. The environmental impacts of this project were previously analyzed in conjunction with an Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. 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 Airport Land Use Compatibility Plan (ALUCP) for ONT (APN: 0210-204-18); **submitted by Glacier House Hotels. City Council action is required.**

Assistant Planner, Jeanie Irene Aguilo, presented the staff report. Ms. Aguilo shared the background location through the presented slides of the project site. She explained some of the amenities of the hotel which included a pool, attached restaurant and the walking proximity to the Citizen Business Bank Arena. She shared architectural and design features of the hotel. Ms. Aguilo stated that staff is recommending the Planning Commission recommend approval to City Council for File No. PCUP16-023 and approve File No. PDEV16-050, 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

Jordan Scott from Glacier House Hotels appeared and spoke. He said it was a long coming for a hotel to come to that site and they were excited to give them a product and would answer any questions.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Development Plan, File No., PDEV16-050, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

It was moved by Gregorek, seconded by Downs, to recommend adoption of a resolution to approve the Conditional Use Permit, File No., PCUP16-023, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- E. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA16-003:** A Specific Plan Amendment to revise the provisions of the Piemonte Overlay of the Ontario Center Specific Plan, including changes to the development concept and regulations, and allowed land uses within the Commercial, Entertainment/Retail Commercial, Office, Special Use, and Residential sub-areas, affecting properties within an irregular-shaped area comprised of approximately 84 acres of land, generally located south of Fourth Street, west of Milliken Avenue, north of Concours Street, and east of Haven Avenue. Staff has prepared a Mitigated Negative Declaration of environmental effects for the proposed project. 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; (APNs: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, and 0210-204-10); **submitted by Lewis Piemonte Land, LLC, and Pendulum Property Partners. City Council action is required.**

Senior Planner, Charles Mercier, presented the staff report. Mr. Mercier gave background of the project stating in 2006 the City Council approved the Piemonte Overlay District.

He stated as development continued in 2008 with the recession at hand, it ceased and much of the area has remained undeveloped. As he continued, he showed where the - overlay areas are planned to be amended with slightly fewer multi-family units being proposed, in total 15 units less than previously proposed. Mr. Mercier said other proposed changes are the removal of a hotel, outdoor plaza and the addition of residential dwelling units in place of commercial areas which were pointed out on the provided slides. He said at the applicants requested to replace residential for commercial use in Subareas 1, 2 and 3. He stated staff supports these requests for residential in place of commercial in all these places but Subarea 1. He stated that the recommendation for this subarea to have commercial is due to the high desire for a community commercial retailer to fill that space. Mr. Mercier also stated that the widening of Fourth Street would also require the City Engineer's approval and City of Rancho Cucamonga was stated in the memo provided by Engineering attached to the resolution. He said all these changes would be made prior to the City Council approval for the project. He stated that staff is recommending the Planning Commission recommend to City Council the adoption of a Mitigated Negative Declaration and approval of File No. PSPA16-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Murphy stated that item E had a revised resolution which included additional language into the findings for this project and had provided for them.

Mr. Gage asked if any affordable housing was being proposed for this project.

Mr. Murphy said not at this time.

Mr. Reyes asked for Subarea 1 to be pointed out on one of the maps.

Mr. Mercier pointed it out on one of the images.

Mr. Reyes asked what staff was supporting and where it was on the image.

Mr. Mercier pointed to the areas on the presented map and stated staff is supporting residential in Subareas 2 and 3 but not Subarea 1.

Mr. Reyes asked if the map being presented showed those areas with the support and non-support.

Mr. Mercier stated that was correct.

PUBLIC TESTIMONY

David Robbins appeared and spoke. He said he was there on behalf of the Lewis applicant and there was a second applicant Pendulum. He said he would be happy to answer any questions the Commission might have and they had several consultants with them that evening. He said with regards to staff's lack support for the residential overlay on Subarea 1, he said they don't agree with staff's demur on that point. He said they want to preserve their opportunity to present to City Council their point. He stated otherwise, they would be happy to answer any other questions the Commission might have.

Mr. Gage asked how the project interfaces with the Arena.

Mr. Robbins stated that it provides easy pedestrian access to the Arena through the sidewalks which will be enhanced and improved through the project. He said with the advent of retail and particularly restaurants, that Pendulum will introduce to the project people who are attending those restaurants prior to attending an event. He said so in actuality, there should be a lot of interplay between the project and the Arena.

Mr. Delman asked if Subarea 1 at Haven [Avenue] and Fourth Street is a Lewis project.

Mr. Robbins stated yes, with a brethren Lewis Retail Company.

Mr. Delman asked if the applicant from Pendulum Properties wanted to speak.

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

Mr. Gage stated it had been a long time coming and that the economic down turn in 2008 had put a stop to the project. He said unfortunately they put Target in first and then everything else didn't get done. He said he's glad the economy is back and it's time to develop this place again. He said he's for it and he's for the staff recommendation and for a market in that area nearby.

Mr. Reyes said he likes the new plan. He said they need to think about when the Arena is not operating and on weekends. He said he wants to think about the feeling of what it would be like after work for drinks and it needs to work when the Arena's not operating. He pointed out the two parking lots which had little landscaping said he doesn't feel the connection at the one block, besides sidewalks and trees. He said he hoped there could be some "stuff" squeezed in there besides trees.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Reyes, to recommend adoption of the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

Mr. Gage stated with the historic significance of the project being that of Ontario Motor Speedway (OMS), he wanted to share one more story. He stated that he had VIP tickets to the OMS Inaugural Race and he got to sit in a restaurant with Raquel Welch. He said he didn't know how he got the tickets and he was just 19 years old, but it was a lot of fun. He said there's Chevron Land and he has high expectations for that area and made the motion for approval.

It was moved by Gage, seconded by Downs, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No., File No. PSPA16-003. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA17-001: A Development Code Amendment proposing various clarifications to the Ontario Development Code, modifying certain provisions of Division 1.02 (Development Code Interpretation and Enforcement), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards For Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions). 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.**

Senior Planner, Charles Mercier, presented the staff report. Mr. Mercier stated there were twelve revisions being made to the Development Code. He briefly went over each of the twelve revisions explaining what each currently stated in the Development Code and what the proposed changes would be with their revisions within the amendment. Mr. Mercier stated that staff is recommending the Planning Commission recommend to City Council the approval of File No. PDCA17-001, pursuant to the facts and reasons contained in the staff report.

Mr. Murphy stated that item F had a revised resolution incorporating recitals on the bottom of page 1 and the beginning of page 2 at the suggestion of the City Attorney before them.

Mr. Delman confirmed these were regarding the hookah.

Mr. Murphy stated the additions were regarding the hookah and fencing.

PUBLIC TESTIMONY

No one responded.

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

Mr. Reyes had a comment on item 6 [6.01 (District Standards and Guidelines)], he said he was glad to see that item in there regarding hookah establishments and vaping retailers; he said specifically section F. Mr. Reyes stated he remembered being at a Planning Commission meeting about a year ago when he wasn't a Commissioner and came to present with Ontario Christian High School at the time when a family member was still attending the school. He said when a hookah store went up next to Ontario Christian High School about 25-feet from their property line was a real discouragement he said actually two establishments within the same shopping center. He felt section G was a little weak and they could have gone stronger; maybe gone for half-mile for section G and not 1,000-feet. He felt they could have gone farther and moving forward maybe that's something that can be addressed.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Downs, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA17-001. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on April 13, 2017.

- *Recommended approval of File No. PHP17-017, for a Certificate of Appropriateness to allow for construction of a 75-unit, 3-story apartment complex on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed-Use Downtown) zoning district.*

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

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

New Business

Subcommittee Appointments

- *Only one change was Commissioner Reyes added to Airport Committee.*

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

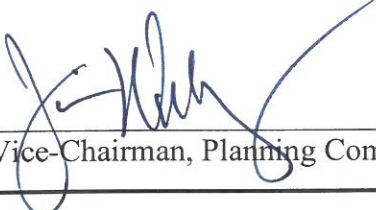
DIRECTOR'S REPORT

Mr. Murphy stated their Monthly Activity Report was in their packet for review.

ADJOURNMENT

Gregorek motioned to adjourn, seconded by Reyes. The meeting was adjourned at 8:10 PM.


Secretary Pro Tempore


Vice-Chairman, Planning Commission