

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

MINUTES

May 24, 2016

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

MINUTES

May 24, 2016

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

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman Downs, DeDiemar,
Delman, and Ricci

Absent: Gage

Late: Gregorek

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, City Attorney
Wynder, Senior Planner Ayala, Senior Planner Batres, Senior
Planner Mercier, Senior Planner Mullis, Senior Planner Noh,
Planning Intern Schmitz, Assistant City Engineer Do, Corporal
Munoz, Officer Quinones and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner DeDiemar.

ANNOUNCEMENTS

No one responded from the audience.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of April 26, 2016, approved as written.

*It was moved by Downs, seconded by Delman, to approve the Planning
Commission Minutes of April 26, 2015, as written. The motion was carried 4 to
0. Commissioner Gage, was absent and Commissioners Gregorek and
Willoughby abstained.*

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR FILE NO. PCUP15-027:** An Appeal of the Zoning Administrator's decision to deny a Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). 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). (APN: 0238-014-10); **submitted by: Mix Champagne Bar Lounge. Continued from April 26, 2016.**

Mr. Willoughby and Mr. Gregorek excused themselves and stepped down from the dais since they were not at the April 26, 2016 meeting. At that time, Vice-Chairman Downs ran the meeting continuing forward for Item B.

Mr. Murphy gave a brief overview from the April 26, 2016 meeting stating that the Planning Commission had reviewed the application, listened to public testimony and then directed staff to come back with a resolution for approval with conditions. He stated what was before them was that resolution of approval along with conditions, reviewed by staff and which they feel are appropriate for this particular application. Mr. Murphy stated with that, the staff report was complete and staff was available for any questions. He stated they also have representatives available from the Police Department should the Commission have any questions regarding their conditions in particular. He also stated that the public hearing was still open and if anyone wished to speak on the item, they may do so at that time. After, they can close the public hearing and deliberate the matter.

Mr. Downs stated the public hearing was still open and no one responded.

PUBLIC TESTIMONY

As there was no one else wishing to speak, Vice-Chairman Downs closed the public testimony

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP15-027, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, and Ricci; NOES, none; RECUSE, Gregorek and Willoughby; ABSENT, Gage. The motion was carried 4 to 0.

Mr. Willoughby and Mr. Gregorek rejoined the Commission for the rest of the meeting.

C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-023:** A Development Plan for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the High Density Residential (HDR-45) zoning district. Pursuant to the California Environmental Quality Act (CEQA) a Mitigated Negative Declaration has been prepared for the project. 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: 1011-371-12, 1011-371-13 & 1011-371-14); **submitted by RC Hobbs Company.**

Senior Planner, Luis Batres, presented the staff report. He explained the project site is surround by an RV dealership to the north, a nursery to the south and multi-family residential to the east and west. Mr. Batres explained the proposed project is a Development Plan of apartment homes which would be four stories and have 75 units on approximately 2.5 acres of land. He shared the project will be composed of two buildings and gave various sizes and background on the apartments, along with the two points of access into the property, which are on Magnolia Avenue and Mission Boulevard. He also explained some of the proposed parking elements and landscape highlights. The amenities included on the site are a club house, dog-park and pool with cabanas. Mr. Batres also explained some of the street and lighting improvements and he stated the project is consistent with the high-density zoning, but it is not consistent with the current housing element of The General Plan. He explained the Housing Element of the General Plan Element requirement is 79 units and to provide a density of 30 units per acre. He stated a General Plan Amendment is being proposed to help with this project and will be presented following this project. He stated the permits for this development will not be given until the General Plan Amendment is approved by the City Council. Before he concluded, Mr. Batres stated he had received one piece of correspondence in objection of the project. Each of the Commissioners had received a copy and it was made available to the public for viewing. He stated that staff is recommending the Planning Commission approve File No. PDEV15-023, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Downs asked about the landscape setbacks along Mission and Magnolia.

Mr. Batres stated the landscape setbacks were 10 feet along Mission and Magnolia.

Mr. Downs asked if there were other four-story units similar to this in the city.

Mr. Batres stated there is another four-story project on Haven Avenue.

Mr. Murphy stated there is a project west of the project on Haven, south on Fourth Street. He said they have ground parking with three-stories above and it was built in the late 80s.

Mr. Willoughby asked about the large open drainage on Magnolia; he said Engineering might be the best to answer.

Mr. Do stated that was an existing bubbler that takes water from the north side of Mission to keep the intersection dry. He stated that part of the Engineering conditions of approval

is to modify that and to incorporate that opening by combining in into the widening and curb.

Mr. Willoughby asked if would be taken into the storm drain.

Mr. Do stated there is no storm drain in this system; it's in the master plan and when funding becomes available it will be addressed.

Mr. Willoughby asked how many entry doors there are off of Mission and off of Magnolia.

Mr. Batres stated that off of Magnolia there are three entrances; one on each building and off of Mission there is one primary entrance.

Mr. Willoughby asked if they [the doors] are to be locked and only accessible by residents. He stated that might be a question for the applicant.

The applicant nodded [yes] from the audience.

Mr. Willoughby asked how guest parking was determined; if there was a formula.

Mr. Batres stated that based on Code requirements, they have 15 guest parking spaces.

PUBLIC TESTIMONY

Jeff Moore, the Applicant from RC Hobbs, came up to speak. He stated they have been working with Mr. Batres for over a year and they were pleased to work with the Planning staff and City. He stated he felt they have worked with Planning and had some challenges which worked to their advantage. He stated they were excited to get back into the multi-family projects. He said he would answer any questions.

Mr. Ricci asked if property management would be within city boundaries.

Mr. Moore stated a third party would be hired and would be on-site. He stated that because of the in-fill nature of this site, a third party with expertise in medium size properties would be hired and have offices on site.

Mr. Ricci questioned about public facilities or telecommunication which will be offered.

Mr. Moore stated that are still in development stages but there were conditions for fiber optic which will need installed to be followed as part of their project. He stated they will work closely with local cable providers. He stated most apartment complexes today offer a base package as part of the rent and then there are upgrades available to each individual tenant. He said they are favorable to looking at that, but it hasn't been fully determined yet.

Mr. Ricci asked if they plan to bring in fiber [optics].

Mr. Moore stated yes, the Engineering department had told them to do that and have

already given them an outline and they have the backbone ready.

Ms. DeDiemar asked where RC Hobbs was located and if they have any other projects in Ontario.

Mr. Moore stated they were located in Orange County and they currently don't have any other projects in Ontario, but are always looking.

Mr. Willoughby questioned how the garages will be allocated with 75 units and 41 garages.

Mr. Moore stated that is part of the conditions of approval and they are still working with Luis on that part; which they will actively dictate which units are assigned those garages as well as the carports. That way, all 75 units are ensured their covered space.

Mr. Willoughby stated that he has seen some complexes have rented garage space and he wondered if that would happen here.

Mr. Moore stated that Planning really pushed them to give dedicated garages to specific units, although it would be added income for them. They are willing to comply; it's better for the community.

Mr. Willoughby questioned if on-site security would be 24-hour or during business hours or, if it's too early.

Mr. Moore stated they have looked at both scenarios, but have not yet budgeted both scenarios so he's not yet at a place where he can answer.

Mr. Downs asked why the project wasn't fenced.

Mr. Moore stated that in order to get the units and parking, they couldn't get the gates. It is not yet eliminated. He stated as it stands right now, it is not yet gated.

Mr. Willoughby clarified the second entrance is gated and locked with Knox box which means it will not be used for public access.

Mr. Moore stated that was correct; it's truly just a secondary access for the Fire Department or trash pick-up. It's not for public circulation on the site.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Gregorek, to adopt of the CEQA Determination and Mitigated Negative Declaration, File No. PDEV15-023. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby;

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

It was moved by Ricci, seconded by Delman, to adopt a resolution to approve the Development Plan, File No. PDEV15-023, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-003:** Amend the Housing Element Available Land Inventory (Appendix A) by updating the available sites inventory that meet HCD's siting criteria, providing the current status of the sites and allowing periodic updating of the Land Inventory administratively as long as the number of units allocated to each income category does not fall below the City's Regional Housing Needs Assessment (RHNA) allocation. The environmental impacts of this project were previously analyzed in an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on October 15, 2013, in conjunction with File No. PGPA13-003. 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: Not Applicable); **submitted by City of Ontario. City Council action is required.**

Senior Planner, Melanie Mullis, presented the staff report. Ms. Mullis gave an explanation of the Housing Elements and how they are part of the General Plan pursuant of State law which was adopted in 2013. She stated that the Housing Element included a list of properties to help achieve the reallocation per income needs for the City of Ontario. By showing a table she explained the underutilized sites that can meet the City's Regional Housing Needs Assessment (RHNA) obligation. She stated with the proposed revision they would be able to modify the list on an ongoing basis, monitor it, and change it as needed as long as they are meeting the minimum criteria noted on the slide. Staff is asking Planning Commission to modify the inventory list so staff can keep the list up to date and show the changes. She stated that staff is recommending the Planning Commission recommend to City Council the approval of File No. PGPA16-003, pursuant to the facts and reasons contained in the staff report and attached resolution.

No one responded.

PUBLIC TESTIMONY

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by DeDiemar, to recommend adoption of a resolution to approve the General Plan Amendment, File No. PGPA16-003. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and

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

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-003:

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

[1] Amend Table 5.02-1 (Land Use Matrix), as follows: [i] prohibit “Used Car Sales” (NAICS441120) within the CC (Community Commercial) zoning district and ICC (Interim Community Commercial) Overlay district; [ii] allow “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zoning district, and [iii] allow “Wireless Telecommunications Facilities” as a conditionally permitted land use in the AG (Agriculture) Overlay district;

[2] Amend Section 5.03.150 (Drive-Thru Facilities), Subsection A (Location Standards), to prohibit drive-thru facilities within the MU-1 (Downtown Mixed-Use) zoning district;

[3] Amend Section 5.03.420 (Wireless Telecommunications Facilities), amending Paragraph E.6 to allow a maximum height of 75 feet for collocated antennas in the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts;

[4] Amend Section 6.01.035 (Overlay Zoning Districts), clarifying that medical offices shall be allowed on the first floor of buildings located within the EA (Euclid Avenue) Overlay district, except within the MU-1 (Downtown Mixed-Use) zoning district;

[5] Amend Table 2.02-1 (Review Matrix), clarifying that public hearing notification is not required for a Development Advisory Board action, when made as a recommendation to the Planning Commission;

[6] Amend Section 8.01.020 (Sign Standards), Subsection C (Freestanding Signs), adding Subparagraph 1.g, to clarify that freestanding signs cannot encroach within the public right-of-way, and must be wholly located behind the right-of-way line;

[7] Amend Section 8.1.025 (Design Guidelines), Subsection D (Freestanding Signs), adding Paragraph 6, to clarify that monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face;

[8] Revise Section 9.01.010 (Terms and Phrases), adding a definition for “Density,” including rules for rounding density calculations; and

[9] Amend Municipal Code Section 5-29.04 (Exterior Noise Standards), Subsection (a), revising the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to read the same as Noise Zone II (Multi-Family Residential and Mobile Home Parks (65 DBA for 7:00AM to 10:00PM, and 50 DBA for 10:00PM to 7:00AM).

The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). **City Initiated. City Council action is required.**

Senior Planner, Chuck Mercier, presented the staff report. He stated that the nine changes have been initiated by staff to clarify certain provisions of the comprehensive update to

the Development Code. He said staff is recommending the Planning Commission recommend approval to City Council for File No. PDCA16-003, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Willoughby questioned the boundaries of the MU-1 zone.

Mr. Mercier stated they are generally Sultana to Vine going east to west and to the south are the railroad tracks just south of Holt Blvd. and just past G Street on the north.

Mr. Willoughby asked for clarification of “no medical office on the first floor” or if that was on of any building.

Mr. Mercier stated that was correct; it would not be allowed in the MU-1 district, but it would be allowed anywhere else on the Euclid corridor.

Mr. Willoughby asked for clarification that there could not be any located between Holt and G street.

Mr. Mercier stated that was correct.

Mr. Ricci questioned what the purpose of not having medical offices on the first floor in the MU-1 zone were.

Mr. Murphy stated that several years ago there was concern expressed by the City Council in the downtown area, in particular, and it spilled over into the entire Euclid Ave. Corridor about the ratio or percentage to retail space and office use and in particular to medical use. He stated the concern with the downtown area was that there was influx of office space which was taking that retail space that the Council felt should be dedicated to retail use, restaurants, what have you. He explained that several years ago there was a policy that explained, block by block, how much ground floor could be office and retail space. He said that after some time they stated that no office space was allowed on the ground floor and now they’re loosening it up some and stating no medical offices are allowed within the downtown area; but they are allowed outside of the downtown area.

Mr. Ricci stated that clarifies his inquiry.

Mr. Willoughby asked that it would not affect any existing business.

Mr. Murphy stated that was correct.

PUBLIC TESTIMONY

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to recommend adoption of a resolution to approve the Development Code Amendment, File No. PDCA16-003. Roll call vote: AYES, DeDiemar, Delman, Downs, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

HISTORIC PRESERVATION COMMITTEE ITEMS

- F. A presentation on 3 case studies entitled “How do historic districts add value to Ontario?” which examines the economic benefits of Ontario’s historic districts; **submitted by City of Ontario.**

Planning Intern, Sandra Schmitz, gave the presentation. She began with explaining the methodology of their research. She presented three case studies and gave examples of one home in an historic district, one home which was built during the same historic time (not within a historic district) and one home which was built during a more contemporary time; all within the Ontario Ranch. She presented images and shared various amenities of each home and compared their current values using square footage for comparison as well. She explained that amenities such as the Mills Act, Model Colony Awards and living near a historic district all played roles in giving historic homes greater value in the current housing market.

Mr. Willoughby questioned if there was a certain historic district within the city which had a greater value out of the seven in Ontario.

Ms. Schmitz stated since staff didn’t go into enough detail to look at that; only two historic districts were researched, Armsley Square and LaDeney for this project. She stated it that was a great question and really interesting to look into further.

Mr. Willoughby stated it’s fantastic the City has seven historic districts; there are phenomenal homes within Ontario and it’s great to see how homeowners keep them up and are purchasing them. He said this was just observed at the Model Colony Awards.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee was cancelled for the month of May.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.


DIRECTOR'S REPORT

Mr. Murphy stated there were no Monthly Activity Reports this month; Chuck was too busy writing the description for the Development Code.

ADJOURNMENT

Gregorek motioned to adjourn, seconded by Ricci. The meeting was adjourned at 7:56 PM.


Secretary Pro Tempore


Chairman, Planning Commission