

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

MINUTES

August 27, 2024

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

MINUTES

August 27, 2024

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

COMMISSIONERS

Present: Chairperson Ricci, Vice-Chairman DeDiemar, Dean, Gage

Absent: Anderson, Del Turco

OTHERS PRESENT: Community Development Assistant Director Zeledon, Attorney Maldonado, Planning Director Noh, Sustainability Manager Ruddins, Principal Planner Eoff IV, Senior Planner Batres, Senior Planner Grahm, Senior Planner Hutter, Associate Planner Vaughn, Principal Engineer Tang, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENT

Mr. Noh stated there are no changes to the agenda.

Mr. Lampkin mentioned the fire at the Jay Littleton Ballpark and the residents that showed up and talked about their memories.

Mr. Ricci also commented regarding the Jay Littleton Ballpark.

Mr. Gage also commented regarding the Jay Littleton Ballpark.

Mr. Dean expressed his condolences to the Littleton family.

PUBLIC COMMENTS

No person from the public wished to speak at this time.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of July 23, 2024.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Gage, to approve the Consent Calendar as written.

Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Ricci; NOES, none; RECUSE, Lampkin; ABSENT, Anderson and Del Turco. The motion was carried 4-0.

PLANNING/HISTORIC COMMISSION PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-017:** A public hearing to consider certification of the Final Environmental Impact Report (State Clearinghouse No. 202209006), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with a Development Plan to construct a 270,337-square-foot industrial building on 13.08 acres of land (0.47 FAR) located at 5355 East Airport Drive, within the IH (Heavy Industrial) zoning district. 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; (APNs: 0238-052-29 and 0238-052-20) **submitted by Prologis. At the May 28, 2024 meeting, the Planning Commission voted to reconsider and continue this item.**

Senior Planner Grahn presented the staff report. He stated that the staff is recommending the Planning Commission approve the Certification of the EIR including a Mitigating Monitoring and Reporting Program and a Statement of Overriding Consideration, and the Development Plan, File No. PDEV22-017, pursuant to the facts and reasons contained in the staff report.

PUBLIC TESTIMONY

DJ Arellano with Prologis thanked the staff and expressed their strong community involvement and economic impact within the city. He expressed the unions, LIUNA & Southwestern Carpenters Union, that they will have working on the project. He stated he agreed with the conditions of approval.

Zach Stasters spoke in opposition of the project.

Josh Gustavo spoke in opposition of the project.

Raymond Jackson spoke in opposition of the project.

Robert Ramos with Local Ironworker Local 416 spoke in opposition of the project.

Amy Smith with CARE CA spoke in opposition of the project.

Louie Lopez with Ironworkers Local 433 spoke in opposition of the project.

David Hansen with VA Local 398 and the business council spoke in opposition of the project.

Aidan Marshall with CARE CA spoke in opposition of the project.

Jose Radillo with LIUNA spoke in favor of the project.

Rafael Legido with WSRCC spoke in opposition and requested the project be required to have labor standards.

Jose Garcia with LIUNA spoke in favor of the project.

Prologis rebuttal: Tracy Zin with T&G Planning, who prepared the EIR, spoke regarding responses to the comments, and recapped the project.

Mr. Lampkin wanted clarity on the questions regarding the energy analysis not being addressed.

Ms. Zinn explained the energy analysis questions and applicant's response.

Mr. Noh clarified some topics that were brought up during the comment period.

As there was no one else wishing to speak, Chairperson Ricci closed the public testimony.

Mr. Lampkin thanked Mr. Noh for the clarification and explained the comments he had made regarding the project at the May meeting and spoke in favor of the project.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by DeDiemar, to approve the certification of the EIR, including the Mitigating Monitoring and Reporting program and the Statement of Overriding Consideration, and the Development Plan, File No. PDEV22-017, subject to conditions of approval. Roll call vote: AYES, Dean, DeDiemar, Gage, Lampkin Ricci; NOES, none; RECUSE, none; ABSENT, Anderson, Del Turco. The motion was carried 5-0.

- C. **ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR21-005 AND PDEV21-028:** A public hearing to consider a Variance (File No. PVAR21-005) to reduce the building setback along an arterial street, from 20 feet to 2 feet 8 inches in conjunction with a Development Plan (File No. PDEV21-028) to construct one industrial building totaling 32,165 square feet on 1.3 acres of land located at 1108 and 1120 East California Street, within the IL (Light Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5, Minor Alteration in Land Use Limitations) and 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; (APNs: 1049-382-01 and 1049-382-02) **submitted by Phelan Development Company. The Development Advisory Board recommended approval of this item at the August 15, 2022, hearing with a (6-0) vote.**

Associate Planner Vaughn presented the staff report. She stated that the staff is recommending the Planning Commission approve the Variance, File No. PVAR21-005 and the Development Plan, File No. PDEV21-028, pursuant to the facts and reasons contained in the staff report.

Mr. Gage wanted to clarify it there was a residential house on the site.

Ms. Vaughn stated the home was demolished in 2004.

PUBLIC TESTIMONY

Mr. Daniel Lee representing the developer was present.

Mr. Ricci asked if Mr. Lee agreed with the conditions of approval.

Mr. Lee stated yes.

Alex Zamora with LIUNA spoke in support of the project.

As there was no one else wishing to speak, Chairperson Ricci closed the public testimony.

PLANNING COMMISSION ACTION

There was no Planning Commission deliberation.

It was moved by DeDiemar, seconded by Dean, to approve the Variance, File No. PVAR21-005 and the Development Plan, File No. PDEV21-028, subject to conditions of approval. Roll call vote: AYES, Dean, DeDiemar, Gage, Lampkin, Ricci; NOES, none; RECUSE, none; ABSENT, Anderson, Del Turco. The motion was carried 5-0.

- D. ENVIRONMENTAL ASSESSMENT, VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR22-005 & PDEV23-025:** A public hearing to consider a Variance (File No. PVAR22-005) request to deviate from the required landscape setback along Grove Avenue from 15-feet to 9.5-feet in conjunction with a Development Plan (File No. PDEV23-025) to construct a 25,482 square foot industrial building on 1.34-acres of land located at 1194 E. Holt Boulevard, within the Industrial Park (IP) zoning district. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15183 of the CEQA Guidelines. This application 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; (APN: 1049-141-24) **submitted by Adel Batarseh. The Development Advisory Board recommended approval of this item at the August 5, 2024 meeting with a (6-0) vote.**

Senior Planner Batres presented the staff report. He stated that the staff is recommending the Planning Commission approve the Variance, File No. PVAR22-005 and the Development Plan, File No. PDEV23-025, pursuant to the facts and reasons contained in the staff report.

Mr. Ricci wanted to know if the landscaping along Grove Ave. will be maintained by the City.

Mr. Batres stated the parkway is the City's responsibility.

PUBLIC TESTIMONY

Richard Finkel the architect for the project was present.

Mr. Ricci asked Mr. Finkel if he agreed with the conditions of approval.

Mr. Finkel stated yes.

Mr. Lampkin wanted to know if there would be a sconce on the south elevation, which looks like it is missing.

Mr. Finkel stated yes.

Mr. Lampkin wanted to know if there would be a monument sign on the corner of the property.

Mr. Finkel responded that they are willing to consider that if the monument sign is appropriate.

Mr. Lampkin asked regarding the truck ingress and egress.

Mr. Finkel stated the trucks can only enter on Grove Ave. and vehicles at both ingress egress locations.

Mr. Lampkin wanted to clarify if it's impossible for trucks to enter on Holt Blvd.

Mr. Finkel stated trucks can come in, but they won't be able to enter the truck dock.

Mr. Lampkin wanted to know if there could be extra signing on Holt Blvd. to let trucks know to enter off Grove Ave.

Mr. Finkel stated it's not necessary they will just end up having to turn out and go to the Grove entrance and there won't be cars crossing with trucks, and that the truck drivers know ahead of time where they are supposed to enter and drop off.

Mr. Lampkin thanked the applicant for the clarification.

As there was no one else wishing to speak, Chairperson Ricci closed the public testimony.

Mr. Gage spoke in favor of the project.

Mr. Noh clarified the additions to the conditions regarding the monument sign and the truck signage on Holt Blvd.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Lampkin, to approve the Variance, File No. PVAR22-005 and the Development Plan, File No. PDEV23-025, subject to the revised conditions of approval. Roll call vote: AYES, Dean, DeDietmar, Gage, Lampkin, Ricci; NOES, none; RECUSE, none; ABSENT, Anderson, Del Turco. The motion was carried 5-0.

- E. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILES NO. PMTT23-008 AND PDEV23-037:** A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) 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 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; (APN: 1008-551-12) **submitted by Warmington Residential, LLC. The Development Advisory Board recommended approval of this item on July 15, 2024 with an 8-0 vote.**

Senior Planner Grahn presented the staff report. He stated that the staff is recommending the Planning Commission approve the Tentative Tract Map, File No. PMTT23-008 and the Development Plan, File No. PDEV23-037, pursuant to the facts and reasons contained in the staff report.

Mr. Gage wanted clarity on the setbacks for the project.

Mr. Grahn explained the setbacks.

Mr. Gage wanted to clarify that the project are three-story units.

Mr. Grahn stated yes and explained.

Mr. Gage wanted clarity regarding the three-story units and what the south elevation would look like.

Mr. Grahn explained the south elevations and mitigation measures taken to help with privacy to the south residential properties.

Mr. Gage wanted to know which elevations face south.

Mr. Grahn explained the south elevations.

Mr. Gage wanted to clarify that they are small windows on the south elevation.

Mr. Grahn stated yes.

Mr. Lampkin wanted to know if there was a diagram showing sightlines to neighboring residents.

Mr. Grahn stated no.

Mr. Lampkin wanted to clarify what year the density change went through.

Mr. Grahn responded either 20 or 21.

Mr. Lampkin wanted to clarify that this project can move forward only because of SB330.

Mr. Grahn stated that is correct.

Mr. Noh clarified the process.

Mr. Lampkin clarified that the owners of the three churches wanted this.

Mr. Grahn stated that is correct.

Mr. Gage wanted clarity regarding the 3 stories being allowed in medium density residential, but if there was low density residential, what would that look like.

Mr. Grahn explained.

Mr. Gage wanted to clarify that in low-density residential they would be single family residents and not condos or apartments.

Mr. Grahn stated that is correct.

Mr. Noh explained the rezoning to medium density residential was requested by the Sunrise Church and because they didn't want to spot zone they changed all three properties.

Mr. Ricci wanted to clarify that the TOP recommendation to City Council was low density.

Mr. Noh explained the TOP was medium density.

Mr. Ricci wanted to clarify that all three properties were all changed as part of the TOP from low-density to medium-density residential.

Mr. Noh stated yes.

Mr. Ricci wanted to clarify that because of consistency all the properties were changed.

Mr. Noh stated that is correct.

Mr. Lampkin wanted to clarify that the general plan change was to medium-density residential.

Mr. Noh explained the City Council and Planning Commission wanting to change back to low-density residential.

Mr. Ricci wanted to clarify that the plans were submitted while it was zoned the medium-density residential.

Ms. DeDiemar wanted to clarify that the change would apply to all three parcels.

Mr. Noh explained the current zoning is low-density residential.

Ms. DeDiemar wanted to clarify that the parcel in the middle will have different zoning.

Mr. Noh stated yes.

Ms. DeDiemar wanted to know if this is the development or are they working with staff and will it come back.

Mr. Noh stated this is what is being proposed and explained the concessions that the applicant requested and how the staff has worked with them. He explained about the objective design standards.

Ms. DeDiemar wanted to clarify that the project will remain as is.

Mr. Grahn stated yes.

Mr. Gage wanted to clarify that the density bonus allows for incentives, concessions and unlimited waivers to the applicant and there is a penalty of \$10,000.00 per unit penalty to city for denial.

Mr. Noh stated that would be correct.

Mr. Gage wanted to clarify it would be a \$700,000.00 penalty to the city.

Mr. Noh stated that is correct.

PUBLIC TESTIMONY

Joe Oftelie with Warmington Residential was present.

Mr. Ricci asked if he agreed with the conditions of approval.

Mr. Oftelie stated staff did a great job presenting the project and he agreed with the conditions of approval.

Ms. DeDiemar asked if he would volunteer to upgrade the project to our higher city standards.

Mr. Oftelie asked in what way.

Ms. DeDiemar clarified regarding the articulation and visible appearance upgrades.

Mr. Oftelie stated he would be willing to work with staff.

Mr. Gage asked if the applicant would build less units to the south.

Mr. Oftelie stated that building less units would not be affordable.

Mr. Lampkin wanted to know what kind of rooms are on the south elevations.

Mr. Oftelie explained that there would be no views from those smaller frosted windows.

Mr. Lampkin wanted clarification on how many waivers and concessions were taken.

Mr. Oftelie stated zero concessions and not sure of the number of waivers.

Mr. Noh stated 6 waivers per page Item B – 5 of 392 of the staff report and explained those waivers.

Mr. Lampkin wanted to know if there would be a HOA for the project.

Mr. Oftelie stated yes.

Mr. Lampkin wanted to know if there would be a property management company on site.

Mr. Oftelie stated no they will be sold, and HOA would manage the property.

Mr. Lampkin wanted clarity regarding the parking.

Mr. Oftelie explained there would be CC&Rs for the project and it would be enforced by the HOA.

Mr. Lampkin wanted to know if residents have issues with parking would they contact the HOA.

Mr. Oftelie stated yes, the HOA will enforce the parking management.

Steve Ho spoke regarding parking, the windows privacy glass on the south side and the Nazarene Church adult daycare.

Mr. Noh explained regarding the church adult daycare and the development code amendment they would need to ask for as it's not an allowed use.

Mr. Ricci explained.

Mr. Ho wanted to know what it can be.

Mr. Ricci explained it is currently low-density residential.

Mr. Ho asked if the applicant could change it to medium-density residential

Attorney Maldonado stated items need to be addressed to the Commission regarding this project.

Mr. Gage asked for clarifications regarding windows on the south side.

Mr. Noh explained the mitigation measures of frosted windows and more mature trees being planted.

Mr. Ho wanted to know when they sell the properties how will the parking be monitored.

Mr. Noh explained the parking management plan and the HOA will enforce that parking.

Mr. Ricci clarified it would be monitored by the HOA.

Mr. Noh explained the project site plan and parking access.

Gustavo Valdeza with Safe Routes to School spoke in opposition of the project.

Mr. Noh provided clarification regarding traffic, and accidents in this area, per Engineering and PD.

As there was no one else wishing to speak, Chairperson Ricci closed the public testimony.

Mr. Ricci re-opened the public hearing.

Junior Sandoval spoke in opposition of the project.

Mr. Ricci closed the public testimony.

Mr. Lampkin wanted to know whose decision it was to no longer have a church.

Mr. Noh explained it was the church that decided and explained about the State Senate Bill 330. He expressed that he understands the community concerns.

PLANNING COMMISSION ACTION

Mr. Lampkin spoke regarding SB 330 and the state saying we must approve it. He thanked residents for speaking out and encouraged Mr. Gustavo to keep speaking up for his community.

Mr. Ricci spoke to Mr. Gustavo and thanked him for speaking up.

Mr. Gage spoke regarding the law and the spirit of the law.

It was moved by Lampkin, seconded by DeDiemar, to approve the Tentative Tract Map, File No. PMTT23-008 and the Development Plan, File No. PDEV23-037, subject to conditions of approval. Roll call vote: AYES, Dean, DeDiemar, Gage, Lampkin, Ricci; NOES, none; RECUSE, none; ABSENT, Anderson, Del Turco. The motion was carried 5-0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): Met on August 14

Mr. Gage recapped the meeting.

New Business

Nominations for Special Recognition

Mr. Gage mentioned the renovation at Chaffey High School.

DIRECTOR'S REPORT


Mr. Noh stated the Monthly Activity Reports were available.

ADJOURNMENT

Ricci adjourned the meeting at 9:09 PM, to the next meeting on September 24, 2024.



Secretary Pro Tempore



Vice-Chairman, Planning Commission