

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

MINUTES

December 22, 2015

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

MINUTES

December 22, 2015

REGULAR MEETING: Ontario Convention Center – Ball Room A
2000 E. Convention Center Way, Ontario, CA 91764
Called to order by Chairman Willoughby at 6:31 PM

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman Downs, Delman, Gage, Gregorek, and Mautz

Absent: Gage and Ricci

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Principal Planner Wahlstrom, Principal Planner Zeledon, Senior Planner Mercier, Senior Planner Ayala, Assistant Planner Antuna, Assistant City Engineer Lee, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Mautz.

ANNOUNCEMENTS

Staff is recommending that agenda item A-02 be continued to the next Planning Commission meeting to be held on January 26, 2016.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of November 24, 2015, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-020: A Development Plan to construct 149 single-family homes on 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the

policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. (APN's: 0218-402-03 & 26 and 0218-392-07, 09 & 15); **submitted by Brookfield Residential. Continued form 11-24-15.**

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Gregorek, to approve the Planning Commission Minutes of November 24, 2015, as written and to continue Item A-02 to the January 26, 2016 meeting. The motion was carried 5 to 0. Gage and Ricci were absent.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PGPA15-002 AND PZC15-003:** A City initiated request to: 1) Change the General Plan land use designation from Business Park to Industrial (Exhibit LU-01) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes (**File No. PGPA15-002**) and 2) Rezone from IL (Light Industrial) with Emergency Shelter Overlay to IG (General Industrial) with Emergency Shelter Overlay (**File No. PZC15-003**) on sixteen properties generally located 260 to 625 feet north of Mission Boulevard between Benson and Magnolia Avenues in order to make the zoning consistent with The Ontario Plan land use designations of the properties. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with **File No. PGPA06-001**. 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. (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20); **City initiated. City Council action is required.**

Planning Director Murphy, presented the staff report. Mr. Murphy started by stating that in November 2015, the City Council considered several zone changes which the Planning Commission moved forward and included about 1200 parcels. During the Planning Commission and City Council meetings, there were several concerns voiced by property owners within the area and are the first tier highlighted on the map. Mr. Murphy went on to say it was mostly property owners who expressed their concerns about their properties being changed from M3 (General Industrial) to a new zoning designation of IL (Light Industrial) given the fact that the uses were heavier in nature. The City Council concurred with their concerns and directed staff to make an application for a General Plan Amendment and Zone Change to include those heavier uses. Mr. Murphy said that there is a Business Park designation to act as a buffer to the south as well. He stated that staff is requesting the Planning Commission recommend City Council approve the Addendum of the previous EIR and File Nos. PGPA15-002 and PZC15-003.

No one responded.

PUBLIC TESTIMONY

Or no one responded.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to recommend adoption of an Addendum of the previous EIR, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

It was moved by Delman, seconded by Gregorek, to recommend adoption of a resolution to approve the General Plan Amendment and Zone Change, File Nos. PGPA15-002 & PZC15-003, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

- C. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN, TENTATIVE PARCEL MAP, AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NOS. PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009: A Development Plan (File No. PDEV15-031) to construct a 239,400-square foot industrial building on approximately 10.8 acres of land; a Tentative Parcel Map (File No. PMTT15-003; PM 19682) to subdivide the project site into 2 parcels; and a Certificate of Appropriateness (File No. PHP15-009) for a Tier II historic eligible structure (the existing Sunkist Water Tower) to facilitate the relocation of the structure to the northeasterly corner of the project site to accommodate the construction of the proposed industrial building, located on the west side of Campus Avenue, between Sunkist and California Streets, at 616 East Sunkist Street, within the M3, (General Industrial), zoning district (zone change to IL, Light Industrial, currently in process). Staff finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are recommended that will reduce identified effects to a level of nonsignificance; therefore, adoption of a Mitigated Negative Declaration of environmental effects is recommended. 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: 1049-221-01) **Submitted by Commerce Construction Co., LP.**

Senior Planner, Chuck Mercier, presented the staff report. Mr. Mercier stated that the project is located at Sunkist Street and Campus Avenue and comprised of approximately 11 acres of land. In 2008, the City entered into an agreement with Sunkist to purchase the project site and worked with Sunkist to ensure the existing buildings would be raised. At the close of escrow in 2012, the only remaining structures on the project site were a 110-foot tall non-operational water tower and a small SCE substation on the southwest corner of the site. In July of this year, the City Council approved the sale of the site to Majestic Reality. Mr. Mercier continues by stating that Commerce Construction, the construction arm of Majestic Reality is now requesting tentative parcel map approval to subdivide the

property into two parcels and development plan approval to construct a 239,400-square foot industrial building on the 10.8-acre lot. Mr. Mercier says the remaining parcel will be retained by the City and will be sold to Majestic Reality once the removal of the SCE substation occurs, which may take 18 months to two years to occur. Mr. Mercier went over the landscaping requirements and how it exceeds the minimum requirements. He explains this will take place on the north, east and southern parts of the building. Parking will be on the southern part of the property and more will be added once the smaller parcel is added into the property. He described the building architecture structure and design. Mr. Mercier explained that in addition, Certificate of Appropriateness approval for facilitation the relocation of the water tower to the northeasterly corner is also being requested. This will accommodate the construction site for the proposed industrial building. The Sunkist Water Tower is a Tier II, local historic resource eligible for a local landmark designation. Mr. Mercier explained that while the water tower's setting, and association with the processing plant operation, are not intact, the water tower is a familiar symbol to the local community. The Historic Preservation Subcommittee (HPSC) reviewed and recommended approval to the Historic Preservation Commission with the conditions of approval. He stated that staff is recommending the Planning Commission adopt the Mitigated Negative Declaration and approve File Nos. PDEV15-031, PMTT15-003 and PHP15-009 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Kevin McCarthy of Majestic Reality from the City of Industry appeared on behalf of the Applicant.

Mr. Willoughby questioned if the entire 239,000+ square feet of the building was to be used by the same tenant.

Mr. McCarthy stated that is correct.

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

Ms. Mautz stated she was glad to see a business go in and taking such an effort to retain a historic resource in the City of Ontario and has her whole-hearted support.

Mr. Willoughby echoes her statements especially knowing how many jobs it will create and glad to see the water tower being looked after.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to approve the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

It was moved by Downs, seconded by Gregorek, to approve the Development Plan and Tentative Parcel Map, File Nos. PDEV15-031 and PMTT15-003, subject to

conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

Acting as the Historic Preservation Commission, it was moved by Mautz, seconded by Delman, to approve the Certificate of Appropriateness, File No. PHP15-009, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA15-003:** A revision to certain provisions of the comprehensive update to the City of Ontario Development Code (introduced by the City Council on 9/1/2015), as follows: [1] add Reference I - Public Art Program, to promote public art and art in public places; [2] add Reference G – Landscape Design and Construction Guidelines; [3] modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [4] modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and Mitigation Monitoring Program, certified by the City of Ontario City Council on January 27, 2010. This project 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.**

Planning Director, Scott Murphy, presented the staff report. Mr. Murphy first stated that there are four different components to this Development Code Amendment and the first one identified was the addition of a public art program. He shared that at this point the City is not ready to come forward with details and they’re still trying to work out the nuances, as dealing with public art can be a tricky business. So, at this point, Mr. Murphy stated the Planning Commission is not being asked to recommend anything to the City Council on that component and they’ll come back at a future date when they have those details are worked out. Mr. Murphy went on to state that in considering Reference G which includes landscape design and construction guidelines, these are items which are already in the code today or best practices used by our landscape team over the last several years. They also recognize that we are in an environment which deals with water shortages, water conservation and looking at more California friendly and native plant materials. The design guidelines provide developers materials on how to comply with those requirements, both in the design and construction stages of development. The third component deals with salvage facilities. Mr. Murphy explained that during that same City Council meeting in November 2015, there was a lot of discussion about salvage facilities and whether they would be appropriate in the General Industrial category. What staff has done is tightened up provisions for this type of use. One of the provisions states the separation needs to be 750 feet from residential zoned properties. There is no provision that states the amount can be less if the residents allow - staff thinks it should be 750 feet regardless. He continued by stating staff incorporated many of the provisions which were brought up from a previous

project, which included equipment that included dust and noise control elements. Mr. Murphy said staff believes that salvage facilities can be permitted within the General and Heavy Industrial categories with the incorporation of those provisions. He states that the fourth component was that previously the use was a conditionally permitted use in the Heavy Industrial category and, given the new provisions, it would be a permitted use. Mr. Murphy requests the Planning Commission recommend approval to the City Council for the Addendum to the previous EIR and File No. PDCA15-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughy questioned if the current facilities are in what would be the IG (General Industrial) zone?

Mr. Murphy stated yes. They are currently in the M3, what would change to the IG zone, which would be effective January 1, 2016.

PUBLIC TESTIMONY

Or no one responded.

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 Mautz, to recommend adoption of an Addendum of the previous EIR, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

It was moved by Mautz, seconded by Downs, to recommend adoption of a resolution to approve the Development Code Amendment, File No. PDCA15-003, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

PLANNING COMMISSION/HISTORIC PRESERVATION COMMITTEE ACTION

- E. **LOCAL LANDMARK DESIGNATION FOR FILE NO. PHP15-008:** A request for a Local Landmark designation for a 1,371 square foot, one story, Mediterranean Revival Bungalow style residential building, within the R1 (Single Family Residential) Zoning District located at 428 East Plaza Serena Street (APN: 1048-072-21); **submitted by Lori Ayala. City Council action is required.**

Assistant Planner, Elly Antuna, presented the staff report. Ms. Antuna stated the City's first Local Landmark Designation was the William Barton Fallis House in 1993. Since that time, the City has designated over 90 properties as Local Landmarks. She went on to explain that

a historic resource can be designated as Local Landmark if it meets certain criteria. Ms. Antuna explains some of the criteria that is established in the Development Code to designate a property, including reflecting local history, importance of a person in the City's history and architecture. The property nominated is located at 428 East Plaza Serena Street and named the John J. Voss House and was constructed in 1928. Mr. Voss was a factory worker for General Electric and the first resident of the home. It is an example of a Mediterranean Revival Bungalow architectural style home. She went over many of the home's interior and exterior features. Ms. Antuna explained the Historic Perseveration Subcommittee reviewed this item at their meeting on November 12, 2015, and recommended approval to the Historic Preservation Commission as a Local Landmark No. 96. With that, she stated that staff is requesting the Planning Commission recommend approval to the City Council for File No. PHP15-008.

No one responded.

PUBLIC TESTIMONY

Lori Ayala, the property owner appeared and spoke. Ms. Ayala stated she has lived in the home with her husband for 11 years and they are proud to live there and preserve this historic home. She hopes it becomes a landmark.

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

Mr. Gregorek stated this is another good example of the Historic Preservation program.

PLANNING COMMISSION ACTION

Acting as the Historic Preservation Commission, it was moved by Gregorek, seconded by Mautz, to recommend approval of the Local Landmark Designation File No. PHP15-008. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage and Ricci. The motion was carried 5 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): met on Thursday, December 17, 2015 for a Special Meeting

- *The Subcommittee recommended approval for a Certificate of Appropriateness to relocate the 110 foot Sunkist Water Tower*

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 that the Monthly Activity Report and a copy of the CLG (Certified Local Government) report is in their Agenda Packet. He also stated it would be appropriate for the Chairman to refer the report to City Council for their review. Chairman Willoughby asked the Director to see the CLG report be sent to the City Council.

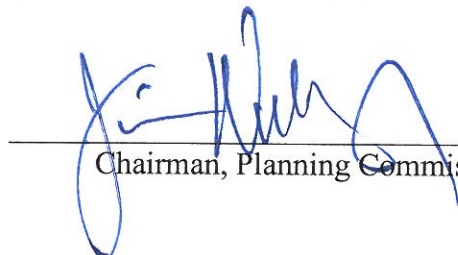
Ms. Mautz wished everyone a very Merry Christmas and Happy New Year.

Mr. Willoughby thanked staff for a great 2015 and for working on the Sares Regis project. He also commended everyone for the work going on in Ontario Ranch.

ADJOURNMENT

Gregorek motioned to adjourn, seconded by Mautz. The meeting was adjourned at 7:13 PM.


Secretary Pro Tempore


Chairman, Planning Commission