



**Historic Preservation Commission and
Planning Commission Agenda
March 10, 2021**

MINUTES

Rancho Cucamonga, CA 91730
7:00 p.m.

The meeting of the Historic Presentation Commission and Planning Commission was held on March 10, 2021. The meeting was called to order by Chairman Guglielmo at 7:12 p.m.

A. Roll Call

Planning Commission present: Chairman Guglielmo, Vice Chair Oaxaca, Commissioner Dopp, Commissioner Morales, Commissioner Williams.

Staff Present: Nicholas Ghirelli, City Attorney; Anne McIntosh, Planning Director; Sean McPherson, Sr. Planner; Dat Tran, Assistant Planner; David Eoff, Sr. Planner; Elizabeth Thornhill, Executive Assistant; Mike Smith, Principal Planner; Brian Sandona, Senior Civil Engineer; Tabe van der Zwaag, Associate Planner.

B. Public Communications

Chairman Guglielmo opened for public communications and hearing no comment, closed communications.

C. Consent Calendar

C1. Consideration to adopt Regular Meeting Minutes of February 24, 2021.

Motion by Commissioner Dopp, second by Vice Chair Oaxaca. Motion carried 5-0 to adopt minutes as presented.

D. Public Hearings

D1. CONSIDERATION OF APPEAL DRC2021-00035 (LOCATED AT 8005 CAMINO PREDERA) – RENEE MASSEY – An appeal of a Planning Director approval of a request to construct a 3,300 square foot single-family residence with two separate attached 2-car garages totaling 1,063 square feet on a vacant property of 15,601 square feet (0.36-acre) within the Low (L) Residential District and the Hillside Overlay District located at 8005 Camino Predera – APN: 0207-631-06. The project qualifies as a Class 3 exemption under State CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures.

Tabé van der Zwaag, Associate Planner, presented Commissioners with a Staff Report and oral presentation (copy on file).

Chairman Guglielmo asked the Commission if there were any comments for staff on the Public Hearing item.

With no questions from the Commission, Chairman Guglielmo opened the public hearing.

Commissioner Dopp requested to have the last slide brought back up on the screen and asked him to zoom in on the picture to get the perception of the what we are looking at and to recognize the different between the property to the East vs. the property being proposed today.

Chuck Buquet, presented the Commissioners a presentation requested by Renee Massey, Appellant. He went over the Hillside development and highlighted and discussed grading of project site.

Rob Patel, Project Applicant, responded with saying the City Planning Director already approved the project. He said their main concern was to lower the street profile and to have it consistent. He mentioned he notably reduced his street profile to be sensitive to the community's view and did a significant amount of changes. He requests the Commissioners to uphold the Planning Directors approval for his single-family residence and deny this appeal.

The following residents of Camino Predera supports the appeal of the project: Renee Massey, Mr. Massey, Catherine Webber, Eric Webber, Suzanne Buquet, R. Element.

John Adams, resident, 8045 Camino Predera, request Commissioners to see this appeal as no merit.

Paul Bardos concurs with Mr. Adams.

Jay Adams, resident, stated he is in support of Rob Patel's project plan.

(909) 732-8009 - Sneda, support of the project site.

For the record, it is noted that the following correspondences were received after the preparation of the agenda packet and the following general concerns are noted: The actual correspondence should be referred to for details:

- Email received from Samiee (vacant lot owner) requesting to support the proposed development.
- Email received from Paul Bardos in support of the proposed development.

Rob Patel, Applicant, stated in his rebuttal it's the City's responsibility to decide on the final approval and they approved the project.

Chuck Buquet, Appellant, discussed in his rebuttal all they are looking for is doing what Commissioners have required of other developers that have come through is a reduced profile that can be there in the keeping of the tradition of Red Hill.

With no more comments from the Public, Chairman Guglielmo closed public hearing.

Commissioner Oaxaca stated the issues raised tonight, he can certainly understand the opinions and desires of the residents. He said the existing ordinances are guidelines when it comes to establishing a certain expectation of sensitivity from a property owner to surrounding owners when it comes to views. The applicant has gone as far as reasonably possible to submit a project that meets the existing ordinances of the Hillside Development Codes. He is confident we are not setting a precedent that would be detrimental to the Redhill neighborhood and property owners along Camino Predera.

Commissioner Williams stated she is glad that Planning staff has been working on developing a specific criteria to eliminate some of the questions for the next 11 to 12 houses coming down the road, we will be able to be more clear and say here is what has been decided by City Council. They would need to build within these criteria. She said the property owner brought the height down compared to the house

on the East, looking at the picture Commissioner Dopp brought up earlier. She said we have nothing to stand on to deny this house.

Commissioner Morales asked the City Attorney to confirm if it is the Planning Commission and not the Planning Director as the approving authority in this case.

Nicholas Ghirelli, City Attorney, stated we adopted this standard for what triggers when a Hillside Development Review Permit has to go to the Planning Commission. He said the rule is the Planning Director is charged with making the decision on the Hillside Design Review Permit, it's only the exception that allows it to go to the Planning Commission. In this case, after reviewing the plans, City Staff determined it did not meet the threshold for going straight to the Planning Commission.

Commissioner Morales asked about the cut and fill/cubic yard issue that was brought up.

Anne McIntosh, Planning Director, responded that the State Law has less restrictive requirements for professional preparation of plans for single family homes. Explained we would frequently look at plans when submitted and look again when something is submitted for plan check to get building permits when we have construction drawings. She said at the time the applicant actually knows they are able to proceed and they are ready to spend money on construction drawings we can double check those.

Nicholas Ghirelli mentioned the City has an application checklist that lists everything that needs to go into an application for Hillside Design Review Permit before it's submitted.

Commissioner Morales commented there is a lot of good public comments tonight both for and against. He said the project does comply with the development code and the Planning Director is the approving authority in this case.

Vice Chair Oaxaca asked in the event that what is submitted for final plan check is not consistent with what the Commission may approve tonight, what is staff's recourse at that point with the applicant.

Anne McIntosh responded that we either require it conform or bring it back to the Commission for amendment.

Nicholas Ghirelli added the Building and Safety department would not issue a building permit for plans that do not comply with the approved plans.

Commissioner Dopp asked staff regarding the tress in right of way and in front of Rob Patel's property. The disparity between staff's requirements that there be trees and landscaping of a vertical nature vs. a generic back. He said there are no trees West of the property in the Red Hill area on the south side of the street.

Tabé van der Zwaag responded it is true there are no tress on the street west of applicant's house. He cannot say what happened to those trees over time.

Commissioner Dopp stated the appellant has a generic point in favor of standards across the board in keeping consistency, it's important as a Commission to deliberate conditions possibly removing that aspect should be up for consideration. He said the Patel's did what they could to meet the standards and the cherished viewpoints to the people to the North. He said the codes have been met, the standards have been met and this is a reasonable project.

Chairman Guglielmo stated the Patel's exhibited their best efforts to work with the neighbors and lowered the building height as much deemed necessary within the codes of the City.

Motion by Vice Chair Oaxaca, second by Commissioner Dopp. Motion carried 5-0 in favor to uphold the Planning Director's decision and deny the appeal and direct staff to prepare a draft resolution and return to the next PC meeting on March 24th for final decision on Item D1.

- D2. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT DRC2018-00533, ZONING MAP AMENDMENT DRC2018-00534, DESIGN REVIEW DRC2018-00535, CONDITIONAL USE PERMIT DRC2018-00536, & TREE REMOVAL PERMIT DRC2019-00218 (LOCATED APPROXIMATELY 200 FEET EAST OF ARCHIBALD AVENUE ON THE NORTH SIDE OF ARROW ROUTE) – ALAN SMITH FOR ARBOR EXPRESS CAR WASH** - A request for site plan and architectural review of a 5,078 square foot carwash and associated 1,296 square foot detailing center, General Plan and Zoning Map amendments to change the land use and zoning designation on one of two parcels that makes up the project site along with two off-site parcels of land, a Conditional Use Permit to operate a carwash, and a Tree Removal Permit for a 1.36-acre project site in the General Commercial (GC) District and Low Medium (LM) Residential District (4-8 dwelling units per acre) APN: 0209-291-01, -02, -03 and -06. A Mitigated Negative Declaration of environmental impacts has been prepared for consideration.

Tabé van der Zwaag, Associate Planner presented Commissioners with a Staff Report and oral presentation (copy on file).

Chairman Guglielmo asked the Commission if there were any comments for staff on the Public Hearing Item.

Vice Chair Oaxaca stated this is the first item that has come before them where part of the application involves a General Plan Amendment and a Zoning change request that effects adjacent properties. He asked is this a situation where the adjacent properties that will be affected by the zoning change are also owned by the applicant.

Tabé van der Zwaag responded no they are not owned by the applicant.

Anne McIntosh mentioned the original application was different on how it was dealing with those parcels. She asked if the applicant could address that relationship when they give their presentation and explain the owners of the parcels.

Commissioner Dopp asked whether or not staff feels this is the best use of land given the nature of the land and the area to put in a car wash on that specific part of land.

Anne McIntosh responded we have had a number of conversations as to whether or not it's the best use of the site. She said it's a reasonable question for the Commissioners to discuss. Particularly, since we are giving a General Plan Amendment as a way to approve the project.

Commissioner Dopp asked about the density, planning practices regarding car washes in the area.

Tabé van der Zwaag mentioned there was a moratorium put in place for car washes. He said it happened at the same time this application was submitted. The City put new regulations in for future car washes. This project skated right in underneath that moratorium and deemed complete prior to those regulations put in place. He said it did not need to comply with current standards.

With no other questions from the Commission, Chairman Guglielmo opened the public hearing.

Paige Gosney, Land Use Counsel for Alan Smith, stated this car wash fills the need for what the city is lacking for a particular type of car wash, it will be like no other. Available to answer questions.

Nick Nazari, Owner of Car Wash on Haven/Jersey, stated he is opposed to car wash due to competition, stating too many in the city. He will fight it.

Rick Gomez, Resident, in full support of project.

Ryan Cauffman, Resident, great idea for city and added it is environmentally friendly.

Karla and Adam Elkebir, Resident, in support of car wash.

Rebuttal - Paige Gosney stated competition is not a reason to deny a project. This car wash will provide something special to the community.

Allan Smith, Applicant, stated he does not want to create an issue for anybody. Explained this type of car wash is an express wash. He said it's affordable when people cannot afford a full-service. Upgrading the lights/signals at Arrow and Archibald and adding a third lane to reduce congestion.

For the record, it is noted that the following correspondence was received after the preparation of the agenda packet and the following general concerns are noted: The actual correspondence should be referred to for details:

- Email received from Dan and Sheree Griffith in support of the project development.

With no more comments from the Public, Chairman Guglielmo closed public hearing.

Commissioner Dopp stated a concern for him is saturation with car washes in the area. He said maybe it is the best use of the land. As a Commission we need to start to have a conversation to do better for that part of town. He is open to deliberation and discussion but at the end of day the project and concept is good, he just wishes it was in another part of town.

Commissioner Morales stated with the 17 trees being removed and replaced by 42 trees is a net positive. Expressed the design of car wash is very nice, and it is affordable and fast. He said Rancho Cucamonga residents will remain in the city rather than driving to Upland and Fontana. He believes it will bring in extra net positive car wash business, provide jobs to the community, plus this site needs to be developed.

Commissioner Williams stated we do not want people leaving town to get their services. She said putting higher density on the property is a good idea. This area is a kind of a service location and it will actually improve this particular piece of town. She is in favor and does not have a problem with competition and explained there are people who want full service but there are a lot of other people who cannot afford it and do not want full service and may not have the time, so this service is for them.

Vice Chair Oaxaca stated the discussions have been very interesting and the points Commissioner Dopp brought up is something to consider. He said what has been intriguing is the zoning change that is requested on the adjacent properties and it actually brings those properties into closer alignment for what we are looking to do in the city and that is to create opportunities. A transition from what we have seen in Rancho Cucamonga over the years seem to be more in line for the future of the city. He sees this as being overall positive.

Commissioner Dopp stated he stands by his position and wishes them the best. He said he sees the positive but at the end of the day he will vote no out of sheer fact we need to have this conversation.

Vice Chair Oaxaca mentioned the Conditional Use Permit and has a concern of the operating hours. He said the car wash will be up against residential uses and with vacuum stations and machines generating noise tends to create issues. Inquired if staff has any comments on those hours of operation.

Commissioner Williams has the same concerns recommending shutting down at 6:00 PM or 6:30 PM rather than 9:00 PM.

Nicholas Ghirelli explained whatever conditions you applied to a Conditional Use Permit need to be tied to an impact to a project. He said the MND looked at the city's code requirements for noise and the noise standards apply from hours of 7 AM to 10 PM, and obviously it will not go up to 10 PM. There is going to be some noise generated from this project and if you believe the noise is going to have an impact to the neighbors, you could adopt a reasonable condition on the hours of operation.

Chairman Guglielmo re-opened the public hearing.

Paige Gosney stated they understand the future of the area and multi-family to be East of the project site and they propose operating from 7:00 AM – 8:00 PM.

Cameron Hilo, MIG, Environmental Consultant, explained the car wash itself will be enclosed within the car wash building. The equipment will also be within the building. In addition, there will be an 8ft cinderblock wall and over the process of the application they moved the car wash building further west away from the eastern property lines to provide further distance. In terms environmental threshold of noise, any future residents will not be impacted from the noise limit set out by the City.

Commissioner Williams stated she would be okay with 8:00 PM. She asked if it comes up in the future from residents they are being impacted by the noise, can the CUP be modified.

Tabé van der Zwaag mentioned the Conditions of Approval already include a condition if it breaks any of our regulations or cause any undue concerns with the neighbors, it can be brought back to the Commission.

Mike Smith added if the applicant ever requested modification in their operating hours or any other characteristics of the project, they would have to approach the City first with that request for the Director's consideration and follow up review by the Planning Commission prior to any changes being implemented.

Anne McIntosh mentioned the most likely scenario in the future if there is residential development being built to the East and they find it's a nuisance, that would be the time to revisit those hours.

Commissioner Morales asked if the operating hours could remain at 9:00 PM and when the housing is developed and gets built and needs to be revisited, we can do at that time. He said right now we should give them every opportunity to succeed and leave it at 9:00 PM.

Nicholas Ghirelli mentioned another option is to add language to the condition on the operating hours that says if residential use ever developed on the adjacent property, the operating hours should shut down at 8:00 PM. (7 AM to 8 PM)

Vice Chair Oaxaca, Chairman Guglielmo and Commissioner Williams agree it would be a reasonable approach.

Chairman Guglielmo stated he is in support of modifying operating hours 7 AM to 8 PM.

Motion by Commissioner Williams, second by Vice Chair Oaxaca. Motion carried 4-1-0 (opposed Dopp) modify CUP operating hours 7 AM – 8 PM. Adding a sentence to Planning Condition # 3 stating the operating hours will become 7 AM – 8 PM.

E. General Business

E1. A Resolution of the Planning Commission of the City of Rancho Cucamonga Denying a Conditional Use Permit for Alcoholic Beverage Sales Under DRC2020-00087 and Recommending that the City Council Deny a Request for Public Convenience or Necessity DRC2020-00459.

Sean McPherson, Sr. Planner presented Commissioners with a Staff Report and mentioned after staff presentation at the PC meeting of February 24th, Commission voted unanimously to deny the CUP relative to the off sales alcohol beverage sales as well as recommend the City Council deny the PCN. Commission directed staff and applicant to work together on the balance of the development application. As an update, the project is on-going with the applicant and staff still intends to return to the Commission at a later date.

Grant Ross, Owner and Applicant, mentioned they removed the beer and wine from the project. They are eager to bring project back at a future hearing.

Commissioner Dopp encourages Mr. Ross and 7/11 to devote as much space as possible to options that are not junk food, caffeine, typical convenient store items that are usually at their stores.

Motion by Commissioner Williams, second by Commissioner Dopp. Motion carried 5-0 to continue with resolution.

F. Director Announcements - None

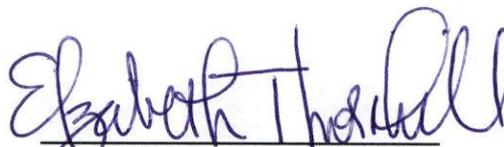
G. Commission Announcements - None

H. Workshop - None

I. Adjournment

Motion by Commissioner Morales, second by Vice Chair Oaxaca to adjourn the meeting, motion carried 5-0. Meeting was adjourned at 10:49pm.

Respectfully submitted,



Elizabeth Thornhill

Executive Assistant, Planning Department

Approved: HPC/PC Meeting on March 24, 2021.