

MINUTES  
ONTARIO PLANNING COMMISSION  
MAY 11, 2022

The Ontario Planning Commission met in regular session on May 11, 2022, at 5:00 p.m., in the Municipal Building with Chair Susan Hellinger presiding. Present during roll call were Commission members Jill Knight, Mick Motley, Susan Hellinger, Service-Safety Director Kris Knapp and Mayor Randy Hutchinson; Law Director Andrew Medwid, Engineer Mark Rufener, Zoning Inspector Michael Morton and Clerk of Council Cathy VanAuker.

The minutes of the regular Planning Commission meeting of April 12, 2022 were presented for approval. Prior to the meeting a correction was made to the minutes, and the minutes were approved as corrected.

The first item on the agenda was a request by Oxyrase, 3000 Park Avenue West, for a rear yard setback variance for future expansion. Gary Schroeder, an architect for Felty-Heinlen Architects, came forward to explain the proposed site plan drawing to expand the existing building to accommodate Mr. Copeland's growing business. On the north side of the building the 32' x 124' expansion would increase the processing area of the company with a couple of new offices, and a new loading dock on the west side. If the variance is approved the setback would be 5' 8" to - 8'.

- Mr. Morton said the building is non-conforming, setback for General Industry is 50', but the building does not currently meet code. Because this property is grandfathered in from current code requirements, the owner is allowed a one-time 10% increase for a non-conforming structure.
- This property was a spot zone for a previous manufacturing company.
- The addition will be a minimum two-hour fire rate concrete masonry painted block building, no windows. Fire code does not have a fire rating requirement when more than 10' from the next structure.
- The addition will be 10' – 12' from the neighboring structure.
- Delivery trucks will back-in to the graded loading dock. Semi-trucks back-in to the existing loading dock at the front of the building.
- Mr. Copeland contacted adjacent property owners and offered to purchase land but none of the neighboring property owners were interested in selling their land nor were they opposed to the addition.

Mr. Copeland responded to questions:

- If the variance isn't approved, Mr. Copeland would consider moving his business because the expansion is needed to manufacture their product.
- If the variance is approved, Mr. Copeland agreed to asphalt the compacted gravel parking lot.

Mr. Motley moved to approve the variance request submitted by Oxyrase, contingent upon the parking lot will comply with code within 12 months after completion of the addition to the building. Second by Mayor Hutchinson. Five members voted Aye, zero Nay, and the motion passed.

The next item on the agenda, sports court lighting, will be placed on next month's agenda because Mr. Ambrose is ordering dimmable switches for the lights because the lights did not meet current code.

The next topic to come before the Commission was Concession Stand Permitting.

- Mr. Morton said he is receiving a lot of push-back from vendors on the 30-day restriction. In a couple of weeks he will begin shutting down some concession businesses.
- Code for concession stands was discussed during several Planning Commission and Council meetings.
- Discussion will continue during next month's meeting.

Mayor Hutchinson said the county does not require a fence around a swimming pool if a retractable cover is used.

- Ontario code requires a 6' fence around a swimming pool.
- A resident has a deed restriction that doesn't allow fences higher than 4' in their neighborhood. The property owner doesn't want a fence around their swimming pool because they will have the retractable cover.
- Mr. Medwid suggested maintaining code requiring a fence around a swimming pool because people forget to put on the pool cover.
- The fence height would depend upon what was in effect first, the deed restriction or the city code requirement.

Mayor Hutchinson said a developer would like to create a Planned Unit Development, which is a variety of businesses/residential, on an 11-acre lot.

- A PUD needs created in our zoning code.
- Mr. Rufener said a PUD allows more flexibility for the community and developer to work together in creating a plan. His suggestion was to create one for both commercial and residential.

Mrs. Knight commented:

- The Sears Auto Center sign is still on the building.
  - The Zoning Inspector will send a letter to the company.
- There is a great deal of trash along the retention pond fence near 5 Guys Restaurant.
  - Lowe's owns the retention pond and will be notified of the trash.
  - Mr. Rufener said inspections of all the basins will begin next month, the process will take five years to complete. The basin property owners will be notified of any required maintenance. Inspections of all basins are an EPA requirement.

Mayor Hutchinson said, once again the house on Park Avenue has a lot of trash out front and the front door is standing open.

- Several vehicles are parked in the yard that will be checked to make sure they are operable and have tags.

The general manager of the mall property is looking into hiring a contractor for maintenance updates and repairs, such as painting the Chuck E. Cheese façade and roof maintenance.

At 5:34 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mrs. Knight and a second by Mayor Hutchinson.

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Susan Hellinger, Chair

Date