

MINUTES
ONTARIO PLANNING COMMISSION
MAY 10, 2023

The Ontario Planning Commission met in regular session on May 10, 2023, at 4:00 p.m., in the Municipal Building with Chair Jill Knight presiding. Present during roll call were Commission members Jill Knight, Service-Safety Director Kris Knapp, Diane Wolfe, and Rick Pauley; Law Director Andrew Medwid, Zoning Inspector Michael Morton and Clerk of Council Cathy VanAuker.

The minutes of the regular Planning Commission meeting of April 12, 2023 were presented for approval. Hearing no corrections, the minutes were approved as presented.

The first item on the agenda brought forward Austin Vehrs, 1987 Willowood Drive S., seeking a 15' front yard setback variance for a 6' privacy fence. He will mow the 4' between his fence and the neighbor's fence. Inspector Morton said the front fence would be a couple of feet from the sidewalk. Fences are permitted in the front yard. Code requires residential fences are: (1) on your property, (2) less than 6' high, and (3) meet the minimum front yard required setback of 35'.

- Mr. Pauley was not in favor of a 6' privacy fence in the front yard.
- The fence does not interfere with any underground utilities.
- Inspector Morton didn't have any concerns due to the location of the fence and said he drove both directions past this lot and found no sight restrictions. He would have concerns if the request was on the other side of the property.
- The front door of the house will not be enclosed by the fence.

At 4:08 p.m., the public hearing was opened for the front yard fence variance request filed by Austin Vehrs, 1987 Willowood Drive South.

Inspector Morton received two phone calls pertaining to this request. Jim Cushing, 1996 S. Willowood Drive said he didn't have any issues with the fence. Rita Cushing, of the same address, didn't want the fence because she wouldn't be able to see her grandchildren playing down the street.

Mr. Vehrs said, when he spoke to the Cushing's they didn't have any problems with the fence. He also spoke to neighbors to the east and south of his house and they didn't have any concerns with the location of the fence.

Inspector Morton said Mr. Vehrs wouldn't need a variance if the fence had an opening. Because he wants the fence enclosed for his dog, he must meet the setback requirement.

At 4:12 p.m., seeing no one in the audience who received letters on the variance request, the public hearing was closed.

Mrs. Wolfe moved to approve the front yard setback variance request submitted by Austin Vehrs, to place a fence in the front yard, second by Mr. Knapp. Three members cast their votes Aye, one Nay by Mr. Pauley, and the motion passed.

The next item on the agenda for Ultimate Shine Car Wash was tabled until the results of the sewer study are completed.

Next to come before the Commission was Kris Knapton, Moment Development, to provide an update on the Walker Lake Road Planned Unit Development. The hotel is the primary focus and the requested traffic study changed the direction of the entrance to the development. Originally, a full access drive was aligned with the existing drive to the north, but the growth rates that were provided are requiring the extension of a turn-only access lane heading west and the need to utilize property across the road, adding 600 yards of asphalt. Engineers were asked to look at utilizing the existing cinema entrance with turn-only lane access. Those results determined this would not impact the entire development and an extension of the turn lane wasn't necessary.

- Access to the road is available through one of their deeds along this drive. There is a shared maintenance agreement, but he is proposing they asphalt the whole street due to using heavy equipment on the drive during construction. Because they want everyone to have good access to the drive they will mill and pave the entire area. Based on the existing agreement there will be a shared cost for using the drive. Snow removal depends on what was written when the parcel was sold.
- The traffic study determines if a traffic light is required but nothing was in the preliminary paperwork supporting a traffic signal.
- Moment Development is 90% complete with the construction documents, then he will ask for design approval and related items. They are working with Hilton on the design aspect but want to go above the standard concept by putting a stone/brick material around the entire first floor area and above that is EFIS stucco. Hilton requested taking a 20' section by the large patio/fire pit/seating area on the eastern/southern side, and remove the EIFS from the top to the bottom of the hotel to break up the stone material. Mr. Knapton would like to continue with the stone material because it is more durable than the stucco foam material and asked the city for a request that would document stone on the development of the hotel.
 - Mr. Morton explained all exterior building material must be approved for all of the construction on this site through the Planning Commission.
 - This would be a high traffic area and the brick requires less maintenance.
- A letter will be sent to Moment Development stating that per the Planning Commission design, a full stone base or material of that capacity is required on the entirety of the first floor. The text is not specific, it states exterior material could be stone, brick, or EFIS, but not that it has to be that on the first floor. Hilton will change their brand prototypical design if the local community requires specific material.
 - The Commission could make the conditions of approving the exterior design based on what they want to see done.
 - Mr. Knapton said the plans could be presented at the next meeting.

The next item on the agenda pertaining to the hours companies may work outside at construction sites using heavy equipment will be discussed at the June meeting. Complaints are that contractors are using bright lights to work very early in the morning and late into the night. Exterior construction will be defined so it doesn't interfere with jobs taking one or two days, versus longer projects.

Inspector Morton clarified by definition (Section 1133.02) Accessory Building: Is a structure located on a lot under common ownership with the principal building, and which is secondary in importance to the main building. The garage variance request at the last meeting is allowed on a separate lot because the owner of that lot also owns three continuous lots. Therefore, the property owner is not required to join the lots into one parcel.

Inspector Morton researched how other communities are accommodating the zoning for technology/biotechnology/bio-manufacturing. This is very light industry and activity is not visible from the street. He will design a Conditional Use for the Business District for Oxyrase to maintain their facility without rezoning the lots to General Industry. This type of industry is also in Business and Office Service Districts due to the low impact of the manufacturing. Most have a very small footprint.

- Commission members were asked to consider the type of requirements they would like because a business would need to receive Conditional Use approval from the Commission before allowed to operate that type of facility in a business district.
- A traffic study will be required if the site plan shows changes to the ingress/egress.
- Conditional Use requests automatically come before the Commission.
- Discussion will continue at the next meeting.

Mrs. Knight referred to a previous conversation on residents leaving grass clippings in the road and suggested implementing legislation. The grass clippings become a safety issue for those riding bicycles and motorcycles, and the clippings get washed into the storm drains when it rains.

- Director Knapp would like to contact other municipalities to see how they handle this situation.

At 4:48 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 Mr. Pauley.

Jill Knight, Chair

Date