

MINUTES
ONTARIO PLANNING COMMISSION
JULY 12, 2023

The Ontario Planning Commission met in regular session on July 12, 2023, at 4:00 p.m., in the Municipal Building with Chair Jill Knight presiding. Present during roll call were Commission members Jill Knight, Mayor Randy Hutchinson, Diane Wolfe, and Rick Pauley; Engineer Mark Rufener, Law Director Andrew Medwid, Zoning Inspector Michael Morton and Clerk of Council Cathy VanAuker.

The minutes of the regular Planning Commission meeting of June 14, 2023 were presented for approval. Hearing no corrections, the minutes were approved as presented.

First to come before the Commission was Craig Donley, representing CJ Donley Corporation, requesting a rezone of 19 acres from R-2 to R-3 for property located on Walker Lake Road. Current zoning allows doubles but he would like to build apartments, which would require the front parcel in Ontario to match the adjoining parcel in Mansfield that is zoned multi-family. Code would allow 200 apartments on the Ontario parcel. The plans aren't drawn for the up-scale apartments.

- Mr. Donley submitted a request to Mansfield to annex the back parcel into Ontario for the development opportunity to get sewer and water.
- The front parcel is 19 acres, the back parcel is 11 acres.
- Mr. Donley said they did the street improvements when Menards went in by expanding Walker Lake Road to handle more traffic, just for this purpose.
- Mr. Rufener said a traffic study is needed on a project this size. Also, the impact this development would have on the water and sewer system even with the upcoming project to increase the size of the lines.
- Development would begin as soon as they receive approval.
- Mr. Rufener suggested looking into a Planned Unit Development so a full review of the plan is done prior to granting approval. By rezoning to an R-3 the Commission doesn't know what they are getting before making the change. A PUD specifies what will be built. There is no assurance rezoning to an R-3 because anything allowed in an R-3 could go in.
- Information is needed on how the water and sewer systems would be affected by adding 200 units.

Mrs. Knight moved to table the rezone request submitted by CJ Donley Corporation for property on Walker Lake Road, parcel # 038605006100, until more information is received, second by Mrs. Wolfe. Four members voted Aye, zero Nay, and the motion passed.

Next to come before the Commission was Tracy Fleming, 1100 Lewis Road, to request a driveway variance for their new home. They purchased the lot next to them and put in an additional circular drive that attaches to the main driveway. They would like both driveways to remain gravel, most of the driveways near them are gravel.

- Inspector Morton said the additional driveway is on a buildable lot so the driveway is allowed. The variance is for the material used for the driveway.

At 4:24 p.m., the public hearing was opened for the variance request to allow a gravel driveway at 1100 Lewis Road. Hearing no one who received a letter notifying them of the request or anyone in the audience who wished to speak, the public hearing was closed at 4:25 p.m.

Mrs. Knight moved to approve the variance request submitted by Tracy and Patty Fleming, to allow a gravel driveway on each property at 1100 Lewis Road, second by Mrs. Wolfe. Four members cast their votes Aye, zero Nay, and the motion passed.

The next item brought forward Scott Them, Hatherton Enterprises and Kristen Gilbert, Mansfield YMCA, seeking a conditional zoning permit at 1745 Walker Lake Road, for a Day Care. Hatherton Enterprises is purchasing the previous Jehovah Witness Church property, then would rent to the YMCA to use as a Day Care facility.

- Inspector Morton said a conditional use request must meet the standards of that zoning district, plus additional criteria. A minimum of 150 sf per child of outdoor space, a minimum of 5,000 sf of outdoor space, and a greenbelt 15' wide or 6' high fence along a residential property.
- Based on square footage, the facility could be licensed for 75 children.
- The minimum fence setback requirement is 35' from the right-of-way.
- The Commission recommended the fence facing the street is solid, chain link can be used on the sides and back.

Mrs. Knight moved to approve the Conditional Zoning Permit requested by Scott Them for property located at 1745 Walker Lake Road, for a Day Care, with the condition of requiring a privacy fence facing the road instead of chain link, second by Mrs. Wolfe. Four members cast their votes Aye, zero Nay, and the motion passed.

The next topic presented for discussion was the hours allotted for construction. Inspector Morton said recent projects have resulted in complaints from residents due to bright spotlights shining in their windows during the night and loud excavation equipment, dump trucks and nail guns being used very early in the morning and very late at night. Some jurisdictions have regulations on when construction is allowed, days and times. The Commission was asked if this is something they want to address.

- The purpose isn't to prevent companies from working but to protect the residents.
- Public works projects would be exempt, such as road paving that is often done at night or a water main break.
- Samples from other communities were discussed.
- Inspector Morton will have a formal proposal prepared for the next meeting.

The next item to come before the Commission pertained to Zoning Code 1145.07 Driveways, Construction Standards.

- Proposed legislation was tabled at the last meeting.
- Gravel driveways are acceptable in certain areas, especially if there aren't curbs and gutters.
- Driveways could be handled on a case-by-case scenario.

Mrs. Knight moved to postpone indefinitely the proposed legislation for 1145.07 Driveways, second by Mr. Pauley. Four members cast their votes Aye, zero Nay, and the motion passed.

Inspector Morton said there is interest to purchase the old mini-golf course on Stumbo Road and convert it into an outdoor recreation facility. The current Business code does not permit outdoor recreation facilities unless it is publicly owned. The property returns to the original zoning district because it has been abandoned more than a year.

- The purchase is contingent upon being able to build a go-cart track for kids.
- A permitted use, or conditionally permitted use for outdoor recreation would need added to the Business District with standards specific for outdoor recreation use.
- There currently isn't code for an outdoor recreation facility if privately owned.
- This is not a residential area.
- Commission members agreed there should be code established for outdoor recreation facilities.
- Inspector Morton will get more information to present to the Commission.

At 4:57 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mrs. Wolfe and a second by Mrs. Knight.

Jill Knight, Chair

Date