

CITY OF ONTARIO PLANNING COMMISSION MEETING AGENDA

November 23, 2010

Ontario Senior Center
225 East "B" Street, Ontario, California 91764

6:30 P.M.

WELCOME to a meeting of the Ontario Planning Commission.

All documents for public review are on file in the Planning Department located at 200 North Cherry Street, Ontario, CA 91764.

- *Anyone wishing to speak during public comment or on a particular item should fill out a blue slip and submit it to the Secretary.*
 - *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.*
 - *In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
 - *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
 - *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
 - *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*
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ROLL CALL

Delman ___ Gage ___ Gregorek ___ Hartley ___ Reyes ___

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning Commission Minutes of October 26, 2010, approved as written.

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Planning Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NOS. PDEV10-002, PCUP10-005, AND PVAR10-003:** A Development Plan (File No. PDEV10-002) and a Conditional Use Permit (File No. PCUP10-005) to construct and operate a wireless communication facility and a Variance (File No. PVAR10-003) to exceed the maximum allowable wireless communication tower height, from 40-feet to 52-feet located, at the southeast corner of California Street and Vine Avenue at 429 West California Street, within the C3 (General Commercial) zoning district. Staff is recommending the adoption of a Negative Declaration of environmental impacts for consideration. **Submitted by T-Mobile USA.** (APN: 1049-331-01).

1. **File No. PDEV10-002** (Development Plan)

Motion to Approve/Deny

2. **File No. PCUP10-005** (Conditional Use Permit)

Motion to Approve/Deny

3. **File No. PVAR10-003** (Variance)

Motion to Approve/Deny

C. **NOTICE OF MODIFICATION/REVOCAION PROCEEDINGS FOR CONDITIONAL USE PERMIT FILE NO. PCUP10-049, PURSUANT TO ONTARIO MUNICIPAL CODE SECTION 9-1.0955:**

A review of previously approved Conditional Use Permits, (File Nos. PCUP05-026 & PCUP07-046) for the sale and on-premise consumption of alcoholic beverages in conjunction with a restaurant (Zendejas), live entertainment and banquet facilities, to consider possible actions to further regulate the CUPs through modification of conditions of approval or revocation; located at 2440 S. Vineyard Avenue within the C1 (Shopping Center Commercial) zoning district. Conditional Use Permit PCUP05-026 was approved by the Planning Commission on December 19, 2005 (PC Decision No. 2005-122). Conditional Use Permit PCUP07-046 was approved by the Zoning Administrator on June 3, 2008 (ZA Decision No. 2008-009). The action to further regulate or revoke Conditional Use Permits File Nos. PCUP05-26 and PCUP07-046 has been initiated at the request of the Ontario Police Department due to certain nuisance activities/violations of the Zendejas Restaurant at 2440 S. Vineyard Avenue.

The project is exempt from environmental review pursuant to State CEQA Guidelines Section 15321 (Enforcement Actions by Regulatory Agencies). **City Initiated.** (APN: 0216-401-63).

1. **File No. PCUP10-049** (Conditional Use Permit)

Motion to Approve/Deny

MATTERS FROM THE PLANNING COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation
 - ALUCP
 - Development Code Review
- 2) New Business
 - Discussion: Recognition Award for Senior Housing Project

DIRECTOR'S REPORT

- 1) Monthly Activity Report
- 2) Quarterly Report

If you wish to appeal any decision of the Planning Commission, you must do so within ten (10) days of the Planning Commission action. Please contact the Planning Department for information regarding the appeal process.

If you challenge any action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



I, Jeanina Govea, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on (date – Thursday prior to meeting), at least 72 hours prior to the meeting per Government Code Section 54964.2 at 225 East “B” Street, Ontario.