

CITY OF ONTARIO PLANNING COMMISSION

SPECIAL MINUTES

November 18, 2013

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CITY OF ONTARIO PLANNING COMMISSION

SPECIAL MINUTES

November 18, 2013

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Gage at 6:30 p.m.

COMMISSIONERS

Present: Chairman Gage, Vice-Chairman Willoughby, Delman, Downs, Gregorek, Mautz, and Ricci

Absent: None.

OTHERS PRESENT: Planning Director Blum, Assistant Planning Director Murphy, City Attorney Gomer, Senior Planner Batres, Senior Planner Mercier, Senior Planner Zeledon, Associate Planner Hildebrand, Deputy Fire Chief Andres, Assistant City Engineer Lee, Sr. Management Analyst Melendrez, and Planning Secretary Romero

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. Willoughby.

SPECIAL CEREMONIES

Special Recognition plaque and cake ceremony in honor of Planning Director Jerry Blum's retirement.

ANNOUNCEMENTS

Mr. Blum stated item A-01 will be continued for the December 16, 2013 meeting. There is a change in the motion for Item E 3 and 4 which to is approve/deny. Item E 1 and 2 remain to recommend approval/denial. Items F and G are related so there will be one staff report, one discussion, and one action. Likewise for items H and I, however there will be separate action for CEQA.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of October 22, 2013, to be continued to the next meeting.

A-02. CONSIDER POLICY REGARDING BUFFERING OF COMPOSTING FACILITIES WITHIN THE AGRICULTURE OVERLAY

A-03. A REQUEST TO AMEND AND/OR DELETE CERTAIN CONDITIONS OF APPROVAL RELATIVE TO THE REQUIREMENT FOR CONSTRUCTION OF A RAISED MEDIAN ON ETIWANDA AVENUE, THE CREATION OF A CFD FOR MAINTENANCE OF THE RAISED MEDIAN, AND SIGNAL MODIFICATION, FOR DEVELOPMENT PLAN FILE NO. PDEV12-009, LOCATED AT THE SOUTHWEST CORNER OF FRANCIS STREET AND ETIWANDA AVENUE (5750 EAST FRANCIS STREET), WITHIN THE GENERAL INDUSTRIAL/VINTAGE INDUSTRIAL OVERLAY (M3/VI) ZONING DISTRICT. THE PROJECT WOULD CONSTRUCT AN 811,470 SQUARE FOOT INDUSTRIAL BUILDING – APPLICANT: ALERE PROPERTY GROUP LLC.

It was moved by Gregorek, seconded by Willoughby, to pull item A-02 as a separate discussion. Gregorek added further conditions to the Conditional Use Permit application process which he handed to staff. The motion was carried 7 to 0.

It was moved by Downs, seconded by Delman, to approve the balance of the Consent Calendar items. The motion was carried 7 to 0.

Mr. Blum and Mr. Gregorek spoke further about the additional conditions of approval.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE FOR FILE NO. PZC13-003:** A request to change zoning of a single 0.57-acre parcel from AR (Agricultural Residential) to R2 (Multi-family Residential), located near the northeast corner of Palmetto Avenue and Phillips Street, at 1229 South Palmetto Avenue. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project is exempt from environmental review pursuant to State CEQA Guidelines Section § 15301 (Existing Facilities); (APN: 1011-551-01); **submitted by West Ridge Rentals. City Council action is required. (Continued from the meeting of October 22, 2013).**

Planning Director Jerry Blum re-introduced the item.

PUBLIC TESTIMONY

Nathan Reeves, applicant, 1229 S. Palmetto Avenue, appeared and spoke.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Ms. Mautz stated she believes the plans for this project are forthcoming.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Gregorek, to recommend adoption of the CEQA Determination and Zone Change File No. PZC13-003, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA13-002:** A Development Agreement Amendment (First Amendment) between the City of Ontario and CV Inland Investments 1, LLP, (West Haven SP) (File No. PDA13-002) to update certain provisions of the existing Development Agreement to conform with the Construction Agreement Amendment with NMC Builders. The environmental impacts of this project were previously considered in the West Haven Specific Plan EIR (SCH # 2004071095), certified by the City Council on January 16, 2007. This Application introduces no new significant environmental impacts. (APN: 0218-151-19 and 23); **submitted by CV Inland Investments 1, LLP., City Council action is required. (Continued from the meeting of October 22, 2013).**

Assistant Planning Director Scott Murphy presented the staff report and asked the Planning Commission to recommend approval of File No. PDA13-002, pursuant to the facts and reasons contained in the staff report and attached resolution.

PUBLIC TESTIMONY

Adam Smith, representative, appeared and spoke.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Downs, to recommend adoption of the CEQA Determination and Development Agreement File No. PDA13-002, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FOR FILE NO. PDCA13-005:** A request to amend the Development Code to Conditionally Permit hookah establishments within the C2 (Central Business District) and C3 (Commercial Service) land use designations. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. Staff has determined that the project is exempt from the requirements of the California Environmental Quality Act pursuant to § 15061(b)(3) of the California Environmental Quality Act Guidelines. **City Initiated. City Council action is required.**

Senior Planner Luis Batres presented the staff report and asked the Planning Commission to recommend approval of File No. PDCA13-005, pursuant to the facts and reasons contained in the staff report and attached resolution.

PUBLIC TESTIMONY

No one responded from the audience.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to recommend adoption of the CEQA Determination and Development Code Amendment File No. PDCA13-005, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

- E. ENVIRONMENTAL ASSESSMENT, ZONE CHANGE, PLANNED RESIDENTIAL DEVELOPMENT, DEVELOPMENT PLAN, AND TENTATIVE TRACT MAP FOR FILE NOS. PZC13-001, PRD13-001, PDEV13-014, AND PMTT13-008 (TM 18909): A request to change the zoning designation (File No. PZC13-001) from R1 (1 to 5.0 du/ac) to R3 (16.1 to 25.0 du/ac), a Planned Residential Development (File No. PRD13-001) to establish development and design criteria, a Development Plan (File No. PDEV13-014) to construct 139 multi-family dwelling units, and a Tentative Tract Map (File No. PMTT13-008, TM 18909) to subdivide the project for condominium purposes for a 5.4-acre parcel, located at the southwest corner of Philadelphia Street and Cucamonga Avenue, at 1056 East Philadelphia Avenue. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. (APN: 1051-141-03) **Submitted by: SC Colony Limited Partnership. City Council action is required.**

Associate Planner John Hildebrand presented the staff report and asked the Planning Commission to recommend approval of File Nos. PZC13-001, PRD13-001, PDEV13-014, and PMTT13-008, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Downs asked for the amount of covered parking spaces.

Mr. Hildebrand stated there are 154 covered parking spaces.

Mr. Gage asked about the distance from parking spaces to the residences.

Mr. Hildebrand stated the site design has pushed the building forward. Not every parking space meets the 150-foot walking distance.

PUBLIC TESTIMONY

Jeff Evans, applicant, Stratham Homes, appeared and spoke.

Mr. Willoughby asked about the mailbox locations.

Mr. Evans stated they are located near the entry.

Mr. Willoughby asked if they will have one garage per unit.

Mr. Evans stated yes, however the three bedroom units have two-car garages.

Mr. Gage asked if there will be any elevators.

Mr. Evans answered no.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Willoughby, to recommend adoption of the CEQA Determination of the Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Gregorek, seconded by Mautz, to recommend adoption of File No. PZC13-001, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Willoughby, seconded by Ricci, to approve File Nos. PRD13-001, PDEV13-014, and PMTT13-008, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE

NO. PDA13-004: A Development Agreement between the City of Ontario and Warm Springs NMC, LLC, for the development of 52 units on 9.43 acres of land within the Countryside Specific Plan, located on the north side of Chino Avenue, west of Archibald Avenue. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. An addendum to the Countryside Specific Plan EIR (SCH#2004071001) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. (APNs: 0218-111-54 and 55); **submitted by Warm Springs NMC, LLC. City Council action is required.**

G. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT13-003:

A Tentative Tract Map (TT18810) to subdivide 9.43 acres of land into 52 single family lots and 2 lettered lots, within Neighborhood 4 (RD 5,000) of the Countryside Specific Plan, located on the north side of Chino Avenue, approximately 995 feet west of Archibald Avenue. The proposed project is located within the Airport Influence Area of the Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. An addendum to the Countryside Specific Plan EIR (SCH#2004071001) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 218-111-54 and 55); **submitted by Richland Communities, Inc.**

Senior Planner Rudy Zeledon presented the staff reports and asked the Planning Commission to recommend approval of File Nos. PDA13-004 and PMTT13-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PUBLIC TESTIMONY

Craig Cristina, applicant, Richland Communities, appeared and spoke.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Blum spoke about the New Model Colony General Plan.

Ms. Mautz stated this is a welcomed change to the area.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to recommend adoption the CEQA Determination and the Addendum to the previous EIR, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Willoughby, seconded by Mautz, to recommend adoption of File No. PDA13-004, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Delman, seconded by Willoughby, to adopt the CEQA Determination and the Addendum to the previous EIR, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Downs, seconded by Ricci, to approve File No. PMTT13-003, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

H. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NOS. PGPA13-002 & PSPA13-001:

A request for approval of certain entitlements to facilitate the development of 130 small lot, single-family dwellings on 17.44 gross acres of land generally located at the northeast corner of Riverside Drive and Fern Avenue, including: [1] a General Plan Amendment revising the Land Use Plan contained within the Policy Plan component of The Ontario Plan, amending the land use designation on the project site from Medium Density Residential (11.1 to 25.0 du/ac) to Low-Medium Density Residential (5.1 to 11.0 du/ac); and [2] a Specific Plan Amendment revising the Borba Village Specific Plan to accommodate the development of small lot, single-family dwellings at a maximum density of 11.0 dwellings per acre, not to exceed 130 dwelling units. Staff is recommending the adoption of an addendum to a previous Mitigated Negative Declaration adopted by the Ontario City Council on February 10, 2004, in conjunction with File No. PGPA03-002. This application introduces no new significant environmental

impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. (APN: 1051-511-17). **Submitted by FHII, LLC. City Council action is required.**

Senior Planner Chuck Mercier presented the staff report and asked the Planning Commission to recommend approval of File Nos. PGPA13-002 and PSPA13-001, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Ms. Mautz asked for specifics on enhanced paving.

Mr. Mercier stated it has not been fully defined at this time. There will be a decorative type of concrete.

Raymond Lee, Assistant City Engineer, appeared and spoke. He showed the Planning Commission a copy of the traffic map.

PUBLIC TESTIMONY

Adam Collier, Frontier Communities, appeared and spoke.

Mr. Willoughby questioned the layout of the units on the site map. He asked if construction will begin on the south end by Riverside Drive.

Mr. Collier stated that is correct.

Mr. Blum asked for the number of phases that will take place.

Mr. Collier answered ten phases.

General discussion took place amongst the Planning Commissioners, staff, and Mr. Collier regarding concrete, asphalt, and decorative paving and where it will be placed on the site.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Gregorek requested clarification of the pavers, concrete and asphalt.

Mr. Delman suggested adding the design of the pavement material standard to be consistent with the Specific Plan.

- I. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN FOR FILE NOS. PMTT13-009 (TT 18911), & PDEV13-017:** A request for approval of certain entitlements to facilitate the development of 130 small lot, single-family dwellings on 17.44 gross acres of land generally located at the northeast corner of Riverside Drive and Fern Avenue, including: [1] a Tentative Tract Map to subdivide the project site into 130 numbered lots for development with single-family dwellings at a density of 8.86 dwellings per acre, and 3 lettered lots to accommodate private streets and common recreation amenities; and [2] a Development

Plan to construct 130 small lot, single-family dwellings and common recreation amenities on the project site. Staff is recommending the adoption of an addendum to a previous Mitigated Negative Declaration adopted by the Ontario City Council on February 10, 2004, in conjunction with File No. PGPA03-002. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. (APN: 1051-511-17). **Submitted by FHII, LLC.**

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to recommend adoption of the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Mautz, seconded by Downs, to recommend approval of File No. PGPA13-002, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Delman, seconded by Mautz, to recommend approval of File No. PSPA13-001, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Mautz, seconded by Downs, to recommend approval of File No. PMTT13-009, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

It was moved by Mautz, seconded by Downs, to recommend approval of File No. PDEV13-017, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, Willoughby, and Gage; NOES, none; ABSENT, none. The motion was carried 7 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

Development Code Review (Ad-hoc): This subcommittee met on November 12, 2013, and discussed signage.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

Mr. Gregorek asked about the clean-up operation on Vineyard Avenue.

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Blum read aloud a letter from the Department of Housing and Community Development.

Mr. Blum announced the open positions in the Planning Department.

Mr. Blum thanked everyone for the plaque he received tonight and spoke about his career path.

Rita Nelsen, appeared and spoke. She stated she is here tonight to honor Jerry Blum's last Planning Commission meeting.

ADJOURNMENT

The meeting was adjourned at 9:43 p.m. in honor of Jerry L. Blum. Mr. Ricci motioned to adjourn, seconded by Ms. Mautz.


Secretary Pro Tempore


Chairman, Planning Commission