

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

June 24, 2014

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

June 24, 2014

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, and Mautz

Absent: None.

OTHERS PRESENT: Planning Director Murphy, City Attorney Gomer, Senior Planner Batres, Associate Planner Burden, Senior Planner Noh, Principal Planner Zeledon, Assistant City Engineer Lee, Sr. Management Analyst Melendrez, Utilities Engineering Division Manager D. Mejia, and Planning Secretary Romero

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Delman.

ANNOUNCEMENTS

Mr. Murphy stated there are three printouts on the dais for each Commissioner regarding the request to continue items B, E, F, G, and. H. Item C is being requested for continuance via memo in the agenda packet.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of May 27, 2014, approved as written.

It was moved by Delman, seconded by Mautz, to approve the Planning Commission Minutes of May 27, 2014, as written. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE REVIEWS FOR FILE NOS.: PDEV13-031, PCUP13-041 & PVAR13-009:** A Development Plan (File No. PDEV13-031) to add 2,604 square feet to an existing 6,028 square foot restaurant (El Pescador), a Conditional Use Permit (File No. PCUP13-041) to allow live entertainment and to expand the floor area for the restaurant with an existing Type 47 (On-sale General) ABC license, and a Variance (File No. PVAR13-009) request to allow a reduced side yard setback from 20-feet to 7.5-feet, for property within the C1 (Shopping Center Commercial) zone, located at 2322 S. Mountain 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 has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to § 15301 (Class 1-Existing Facilities) of the California Environmental Quality Act Guidelines. (APN: 1015-181-09); **submitted by Victor Ortiz.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File Nos. PVAR13-009, PCUP13-041, and PDEV13-031.

PUBLIC TESTIMONY

Luis Niebla, Project Manager, El Pescador, appeared and spoke. He stated he wishes to move forward with this item.

Maria Jones, Representative of Del Taco, and Greg Brown of Brown and Company, both stated they will speak at the meeting in July.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Willoughby, to continue the item to the next Planning Commission meeting. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Willoughby, and Gage; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND VARIANCE REVIEW FOR FILE NOS. PDEV14-011 AND PVAR14-004:** A Development Plan (File No. PDEV14-011) to construct a 65-foot tall, stealth (monopine) telecommunication tower and a Variance (File No. PVAR14-004) to exceed the maximum allowable telecommunication tower height from 50-feet to 65-feet, located at the southeast corner of Vineyard Avenue and Locust Street, at 1650 South Vineyard Avenue, within the M2 (Industrial Park) zoning designation. 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: 0113-394-31); **submitted by AT&T Mobility.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File Nos. PDEV14-001 and PVAR14-004.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Mautz, to continue this item to the next Planning Commission meeting, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Willoughby, and Gage; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT14-002:** A Tentative Parcel Map (PM 19507) to subdivide 3.62 acres of developed land into two parcels for condominium purposes, located on the northeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. 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 categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15315 (Minor Land Divisions) of the State CEQA Guidelines. (APN: 0113-351-16 and 0113-351-17); **submitted by Anerky Inc.**

Associate Planner, Clarice Burden, presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PMTT14-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Eric Homme, Anerky Inc., 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 Mautz, seconded by Downs, to adopt a resolution to approve the Tentative Parcel Map, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Willoughby, and Gage; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- E. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT13-005:** A Tentative Tract Map (TT 18876) to subdivide 8.57 gross acres of land into 82 single-family lots and 10 lettered lots, within Planning Area 4 (RD-6) of the Esperanza Specific Plan, located on the northwest corner of Eucalyptus Avenue and Milliken 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 Esperanza Specific Plan EIR

(SCH#2002061047) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 0218-252-17); **submitted by Distinguished Homes.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File No. PMTT13-005.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Downs, to continue this item to the next Planning Commission meeting, Roll call vote: AYES, Delman, Downs, Mautz, Willoughby, and Gage; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

- F. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT13-006:** A Tentative Tract Map (TT 18878) to subdivide 18.66 gross acres of land into 135 single family lots and 25 lettered lots, within Planning Area 5 (RD-5) of the Esperanza Specific Plan, located on the southwest corner of Eucalyptus Avenue and Milliken 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 Esperanza Specific Plan EIR (SCH#2002061047) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 0218-252-17); **submitted by Distinguished Homes.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File No. PMTT13-006.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Willoughby, to continue this item to the next Planning Commission meeting, Roll call vote: AYES, Delman, Downs, Mautz, Willoughby, and Gage; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

- G. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA14-003:** A Development Agreement Amendment (First Amendment) between the City of Ontario and Genstar Development Corporation Investments 6, L.P., (Esperanza Specific Plan) (File PDA 14-003) to amend Development Agreement, File No. PDA06-002, to update certain provisions of the existing Development Agreement to

conform to the construction agreement with NMC Builders. The project is located on the northeast and southeast corners of Mill Creek Avenue and Eucalyptus Avenue, within Planning Areas 8, 9, and 10 of the Esperanza Specific Plan. 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 Esperanza Specific Plan EIR (SCH#2002061047) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 0218-332-12 and 16); **submitted by GDC Investments 6, L.P., a Delaware Limited partnership. City Council Action is required.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File No. PDA14-003.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to continue this item to the next Planning Commission meeting, Roll call vote: AYES, Delman, Downs, Mautz, Willoughby, and Gage; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

- H. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA14-004:** A Development Agreement Amendment (First Amendment) between the City of Ontario and Genstar Development Corporation – RCCD L.P., a Delaware limited partnership (Esperanza Specific Plan) (File PDA 14-004) to amend Development Agreement, File No. PDA 06-003 to update certain provisions of the existing Development Agreement to conform to the construction agreement with NMC Builders and include the additional development of up to 217 residential units on 27.23 acres of land. The project is located on the northwest and southwest corners of Milliken Avenue and Eucalyptus Avenue, within Planning Areas 4, 5, 6, and 7 of the Esperanza Specific Plan. 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 Esperanza Specific Plan EIR (SCH#2002061047) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 0218-332-11 and 17); **submitted by GDCI-RCCD L.P. a Delaware Limited partnership. City Council Action is required.**

Planning Director Scott Murphy, stated that staff is recommending the Planning Commission continue File No. PDA14-004.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Mautz, to continue this item to the next Planning Commission meeting, Roll call vote: AYES, Delman, Downs, Mautz, Willoughby, and Gage; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on June 12, 2014 where they designated a Tier 3 home on West E Street.

Development Code Review (Ad-hoc): This subcommittee did not meet.

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

New Business

Mr. Gregorek spoke about the green waste facilities.

Mr. Murphy stated staff is working to ensure they meet the conditions of approval and improvements required.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

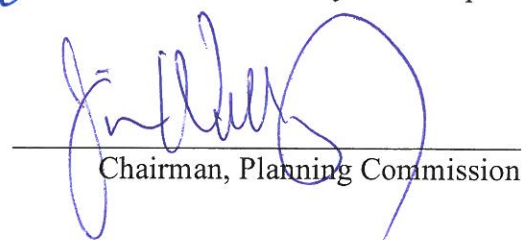
DIRECTOR'S REPORT

Alison Gomer stated she brought another associate from BB&K this evening who is interested in seeing what Planning Commission meetings entail.

ADJOURNMENT

The meeting was adjourned at 7:04 p.m. Mautz motioned to adjourn, seconded by Willoughby.


Secretary Pro Tempore


Chairman, Planning Commission