

Monthly Activity Report—Actions

Month of: September 2013

OCTOBER 1, 2013 CITY COUNCIL MEETING

DEVELOPMENT AGREEMENT BETWEEN SL ONTARIO DEVELOPMENT CORPORATION, LLC, AND THE CITY OF ONTARIO: An ordinance approving an amended Development Agreement between SL Ontario Development Corporation, LLC, and the City of Ontario to update certain provisions of the existing Development Agreement and to provide for phasing of the construction of public infrastructure as provided in the phased tract map.

Action: The City Council approved an ordinance approving the second amendment (File No. PDA13-003) to the Development Agreement between SL Ontario Development Corporation, LLC, and the City of Ontario to update certain provisions of the existing Development Agreement to conform with the Construction Agreement Amendment with NMC Builders, LLC, and to provide for phasing of the construction of public infrastructure as provided in the phased Tract Map No. 18913-1.

FILE NO. PDCA13-004: An ordinance approving a Development Code Amendment, amending various sections of Title 9 (Development Code) of the Ontario Municipal Code relative to medical marijuana dispensaries.

Action: The City Council approved an ordinance approving File No. PDCA13-004, amending various sections of Title 9 (Development Code) of the Ontario Municipal Code to expressly define and clarify the City's existing prohibition of medical marijuana dispensaries in all zoning districts, including mobile medical marijuana dispensaries.

File No. PZC13-002: Public hearing to consider an ordinance approving a zone change request amending the zoning designations on certain properties located throughout the City to provide zoning consistency with the land use designations of the Policy Plan (General Plan) component of The Ontario Plan.

Action: The City Council adopted a resolution approving an addendum to The Ontario Plan Environmental Impact Report analyzing the environmental effects of the Project, pursuant to State CEQA Guidelines section 15164; and introduced and waived further reading of an Ordinance approving Zone Change File No. PZC13-002, changing the zoning designations on certain properties located throughout the City to provide consistency with the land use designations of the Policy Plan (General Plan) of The Ontario Plan.

OCTOBER 7, 2013 DEVELOPMENT ADVISORY BOARD MEETING

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV13-019: A Development Plan to construct a 417,000 square-foot industrial building on 29.2 acres of land located near the northeast corner of Jurupa Street and Archibald Avenue, at 2925 East Jurupa Avenue, within the Planned Industrial district of the Airport Business Park (Hofer Ranch)

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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. This project is consistent with the previously approved amendment to a Mitigated Negative Declaration, adopted by the Ontario City Council on June 7, 2005, in conjunction with an amendment to the Airport Gateway (Hofer Ranch) Specific Plan (File No. PSPA04-001). This project introduces no new significant environmental impacts (APN: 0211-211-16). **Submitted by Hofer Vineyards, LLC.**

Action: The Development Advisory Board approved File No. PDEV13-019 subject to the departmental conditions of approval.

OCTOBER 7, 2013 ZONING ADMINISTRATOR MEETING

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-020: A Conditional Use Permit to establish an after-market vehicle exhaust and suspension fabrication shop, located near the northwest corner of South Lake Place and Cedar Street, at 1936 South Lake Place, within the M2 (Industrial Park) zoning district. 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: 0113-461-22). **Submitted by LP Racing.**

Action: The Zoning Administrator stated his inclination to approve File No. PCUP13-020 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-023: A modification to a previously approved Conditional Use Permit (File No. PCUP06-004) to change the hours of operation and establish live entertainment for La Isla Yokomo Sushi & Seafood Restaurant, located at the southeast corner of Grove Avenue and the 60-Freeway, at 2435 South Grove Avenue, within the C1 (Shopping Center District) zoning district. 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: 0216-341-61). **Submitted by La Isla Yokomo Corporation.**

Action: The Zoning Administrator stated his inclination to approve File No. PCUP13-023 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-024: A modification to a previously approved Conditional Use Permit (File No. PCUP10-

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026) to upgrade an existing ABC license (Type 20 ABC License- Off Sale Beer & Wine) to include distilled spirits (Type 21 ABC License-Off Sale General), within an existing Walgreens Pharmacy in the C1 (Shopping Center) zone, located at the northwest corner of Riverside Drive and Archibald Avenue, at 2950 South 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. The project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines (APN: 1083-061-04). **Submitted by Walgreens.**

Action: The Zoning Administrator continued File No. PCUP13-024 to the 10/21/2013 meeting.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-025: A Conditional Use Permit request to establish alcohol beverage sales (Type 41-On Sale Beer and Wine) ABC license for a new restaurant within the Urban Commercial land use designation of the Ontario Center Specific Plan, located at 765 N. Milliken 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: 210-211-43). **Submitted by Los Robles Village LLC.**

Action: The Zoning Administrator stated his inclination to approve File No. PCUP13-025 subject to the departmental conditions of approval.

OCTOBER 15, 2013 CITY COUNCIL MEETING

File No. PZC13-002: An ordinance approving a zone change request amending the zoning designations on certain properties located throughout the City to provide zoning consistency with the land use designations of the Policy Plan (General Plan) component of The Ontario Plan.

Action: The City Council adopted an Ordinance approving Zone Change File No. PZC13-002, changing the zoning designations on certain properties located throughout the City to provide consistency with the land use designations of the Policy Plan (General Plan) of The Ontario Plan.

File No. PGPA13-003: A public hearing to consider a resolution approving a General Plan Amendment updating the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan pursuant to State law.

Action: The City Council adopted a resolution approving an addendum to The Ontario Plan Environmental Impact Report analyzing the environmental effects of the Project, pursuant to

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State CEQA Guidelines section 15164; and adopted a resolution approving General Plan Amendment File No. PGPA13-003, updating the Housing Element of the Policy Plan (General Plan) of The Ontario Plan for the 5th Housing Element Cycle (covering the years 2014 – 2021).

OCTOBER 21, 2013 DEVELOPMENT ADVISORY BOARD MEETING

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT12-

013: A Tentative Tract Map (TT 18400) to subdivide 40.19 acres of land into 190 single-family lots and 10 lettered lots, within Planning Area 3 (Single-Family Conventional—4,500 SF Minimum Lots) of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue. The proposed project is located within the Airport Influence Area of the Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino. An addendum to the Subarea 29 Specific Plan EIR (SCH#200411009 has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 218-281-15 and 16). **Submitted by Richland Communities.** Planning Commission action is required.

Action: The Development Advisory Board recommended that the Planning Commission approve File No. PMTT12-013 subject to the departmental conditions of approval.

OCTOBER 21, 2013 ZONING ADMINISTRATOR MEETING

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-024: A modification to a previously approved Conditional Use Permit (File No. PCUP10-026) to upgrade an existing ABC license (Type 20 ABC License- Off Sale Beer & Wine) to include distilled spirits (Type 21 ABC License-Off Sale General), within an existing Walgreens Pharmacy in the C1 (Shopping Center) zone, located at the northwest corner of Riverside Drive and Archibald Avenue, at 2950 South 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. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to § 15301 (Existing Facilities) of the State CEQA Guidelines (APN: 1083-061-04). **Submitted by Walgreens.** Continued from the 10/7/2013 meeting.

Action: The Zoning Administrator stated his inclination to approve File No. PCUP13-024 subject to the departmental conditions of approval.

NOTICE OF CONDITIONAL USE PERMIT MODIFICATION PROCEEDINGS FOR FILE NO. PCUP12-

031: A public hearing to consider actions to further regulate, through modification of previously

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imposed conditions of approval, Conditional Use Permit File No. PCUP11-012, which allowed the establishment of a pawnshop, located at 1630 East Fourth Street, within the C3 (Commercial Service) zoning district. The project site is located within the Airport Influence Area of Ontario International Airport and has been evaluated and is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section § 15321 (Enforcement Actions by Regulatory Agencies) (APN: 0110-181-13). **City Initiated.**

Action: The Zoning Administrator stated his inclination to approve File No. PCUP12-031 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP13-027: A Conditional Use Permit request to establish alcohol beverage sales (Type 41-On Sale Beer and Wine) ABC license for a new restaurant within the Urban Commercial land use designation of the Ontario Center Specific Plan, located at 701 N. Milliken Avenue, Unit D. 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: 210-211-43). **Submitted by Minato Restaurant, Inc.**

Action: The Zoning Administrator stated his inclination to approve File No. PCUP13-027 subject to the departmental conditions of approval.

OCTOBER 22, 2013 PLANNING COMMISSION MEETING

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.

Action: The Planning Commission adopted a resolution recommending the City Council approve File No. PZC13-003.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA13-002: A Development Agreement Amendment (First Amendment) between the City of Ontario and CV

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Inland Investments 1, LLP, (West Haven SP) 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.

Action: The Planning Commission adopted a resolution recommending the City Council approve File No. PDA13-002.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA13-001: A Development Agreement between the City of Ontario and Warm Springs NMC, LLC, for the development of 190 units on 40 acres of land within the Subarea 29 Specific Plan, located at the southeast corner of Archibald and Eucalyptus Avenues; The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino Airport. An addendum to the Subarea 29 Specific Plan EIR (SCH#200411009) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APNs: 0218-281-15 and 16). **Submitted by Warm Springs NMC, LLC.** City Council action is required.

Action: The Planning Commission adopted a resolution recommending the City Council approve an addendum to the Subarea 29 Specific Plan EIR (SCH#200411009) and approve File No. PDA13-001.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT12-013: A Tentative Tract Map (TT18400) to subdivide 40.19 acres of land into 190 single family lots and 10 lettered lots, within Planning Area 3 (Single Family Conventional – 4,500 SF Minimum Lots) of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue. The proposed project is located within the Airport Influence Area of the Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino. An addendum to the Subarea 29 Specific Plan EIR (SCH#200411009) has been prepared for this project pursuant to the requirements of California Environmental Quality Act (APN: 218-281-15 and 16). **Submitted by Richland Communities.**

Action: The Planning Commission adopted a resolution approving an addendum to the Subarea 29 Specific Plan EIR (SCH#200411009) and approve File No. PZC13-003.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP13-022: A Conditional Use Permit to establish a manure composting facility on a 21.0-acre portion of a 36.5-acre former dairy cattle farm, located near the southwest corner of Edison Avenue and Bon View Avenue, at 7325 East Edison Avenue, within the SP(AG) zoning district. The proposed project is located within the Airport Influence Area of Ontario International

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Airport (ONT) and Chino airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project (APN: 1053-391-01). **Submitted by Ag Concepts, Inc.**

Action: The Planning Commission adopted a resolution adopting a Mitigated Negative Declaration for the establishment of a manure composting facility, and adopted a resolution approving File No. PCUP13-022 subject to the departmental conditions of approval.
