

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

October 22, 2013

CONTENTS	PAGE
PLEDGE OF ALLEGIANCE	2
ANNOUNCEMENTS.....	2
PUBLIC COMMENTS.....	2
CONSENT CALENDAR	
A-01. Minutes of August 27, 2013 and September 24, 2013	2
A-02. Status Report on the Kaiser Permanente HEAL Zone	2
A-03. Consider policy regarding buffering of Composting Facilities	2
PUBLIC HEARINGS	
B. File No. PZC13-003	5
C. File No. PDA13-002	6
D. File No. PDA13-001	7
E. File No. PMTT12-013.....	7
F. File No. PCUP13-022.....	7
MATTERS FROM THE PLANNING COMMISSION.....	8
DIRECTOR'S REPORT.....	8
ADJOURNMENT	9

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

October 22, 2013

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

COMMISSIONERS

Present: Chairman Gage, Delman, Downs, Gregorek, Mautz, and Ricci

Absent: Willoughby.

OTHERS PRESENT: Planning Director Blum, Assistant Planning Director Murphy, City Attorney Gomer, Deputy Fire Chief Andres, Senior Planner Zeledon, Associate Planner Hildebrand, 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. Gregorek.

SPECIAL CEREMONIES

Presentation of Special Recognition Award to the Mercedes Benz Auto Dealership of Ontario.

ANNOUNCEMENTS

Mr. Murphy stated items A-03 and C are being requested for continuance to the November 18, 2013, Special Planning Commission meeting.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of August 27, 2013 and September 24, 2013, approved as written.

A-02. STATUS REPORT ON THE KAISER PERMANENTE HEAL ZONE

A-03. CONSIDER POLICY REGARDING BUFFERING OF COMPOSTING FACILITIES WITHIN THE AGRICULTURE OVERLAY

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to approve the Consent Calendar items as presented. The motion carried 6 to 0 with item A-03 continued and Willoughby absent.

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.**

Associate Planner John Hildebrand presented the staff report and asked the Planning Commission to recommend approval of File No. PZC13-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PUBLIC TESTIMONY

Susana Castellanos, 1222 S. Palmetto Avenue, Ontario, CA 91762, appeared and spoke in opposition of the item.

Jose Gallardo, 1209 S. Palmetto Avenue Apt. G, Ontario, CA 91762, appeared and spoke. He inquired about the impacts of the zone change to his property and stated he is concerned with any environmental issues.

Mr. Murphy asked Mr. Gallardo if he lives to the north or south of the area.

Mr. Gallardo answered he lives to the north of the area.

Mr. Murphy stated from an environmental standpoint the zoning of the property is currently AR. He stated the existing conditions are not going to change significantly.

Mr. Gage asked if the current zoning of AR is for single family residential only.

Mr. Murphy answered yes.

Ms. Castellanos (daughter of Susana Castellanos), appeared and spoke in opposition of the item.

Mr. Blum stated the applicant is not present. There being opposition to this item in order to offer the applicant testimony it would be reasonable to continue this item to the next meeting.

Mr. Gregorek agreed with Mr. Blum.

Mr. Ricci asked if the applicant intends to demolish the front property.

Mr. Hildebrand stated the initial step was to complete the zone change so that internal improvements could be made and general site improvements. Secondly, it would have to go before the Historic Preservation subcommittee for approval.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Mautz, to continue File No. PZC13-003 to November 18, 2013. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 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) 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.**

Assistant Planning Director Scott Murphy presented the staff report and asked the Planning Commission to continue File No. PDA13-002 to the next Planning Commission meeting of November 18, 2013.

PUBLIC TESTIMONY

No one responded from the audience.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Gregorek, to continue File No. PDA13-002 to November 18, 2013, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- D. **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.**

Assistant Planning Director Scott Murphy presented the staff report and asked the Planning Commission to recommend approval of File No. PDA13-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

PUBLIC TESTIMONY

John Schaefer, representative, Richland Communities, appeared and spoke.

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

Ms. Mautz stated she is pleased to see action in the New Model Colony.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Gregorek , to recommend adoption of the CEQA, Determination, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

It was moved by Mautz, seconded by Gregorek, to recommend adoption of the Development Agreement, File No. PDA13-001, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- E. **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.**

Senior Planner Rudy Zeledon presented the staff report and asked the Planning Commission to approve of File No. PMTT12-013, pursuant to the facts and reasons contained in the staff report and attached resolutions.

Mr. Gage asked if this item complies with the General Plan for the New Model Colony.

Mr. Murphy spoke about the General Plan identifiers and stated it is in compliance with both the General Plan and Specific Plan.

PUBLIC TESTIMONY

John Schaefer, representative, Richland Communities, appeared and spoke.

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

Mr. Gregorek stated he is pleased with the project and commented on the street layout.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to adopt the CEQA Determination, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

It was moved by Delman, seconded by Gregorek, to adopt the Development Agreement, File No. PMTT12-013, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

F. 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 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.**

Associate Planner John Hildebrand presented the staff report and asked the Planning Commission to approve of File No. PCUP13-022, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Gregorek asked about the detention basin.

Mr. Hildebrand stated there is a large detention basin along the south side of the site.

Mr. Gregorek asked about the slope grading.

Mr. Murphy stated Building and Safety does not require a grading permit.

Mr. Gregorek asked about the right of way.

Mr. Murphy stated currently there is approximately a 60 foot right of way.

PUBLIC TESTIMONY

Bob Feenstra, President Ag Concepts, appeared and spoke. He provided letters of correspondence (on file with Secretary) in support of this item.

Allen Shelby, 13130 S. Cucamonga Avenue, Ontario, CA 91761, appeared and spoke in favor of the item.

Randy Bekendam, 7698 Eucalyptus Avenue, Ontario, CA 91762, appeared and spoke in

opposition of the item and provided two letters of correspondence in opposition of the item (on file with Secretary) from Amy's Farm and Dr. Thomas J. Worthington.

Mr. Feenstra stated in rebuttal that everyone is entitled to their concerns and thoughts. He stated this facility will be well operated and contained.

Mr. Murphy spoke about a mitigation measure that was included in the Environmental Impact Report required the city to provide a right to farm ordinance which is referred to as the Agriculture Overlay.

Mr. Blum spoke about information in the letters of correspondence that need to be addressed as a portion of the information presented in opposition was incorrect.

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

Mr. Downs asked about the process of the composting.

Mr. Hildebrand gave an explanation of the processing of compost.

Mr. Ricci asked if there is a standard set by the Fire Department or South Coast Air Quality Management District to monitor the wind flow of the area.

Mr. Murphy stated South Coast Air Quality Management District conducts periodic inspections.

Mr. Gregorek asked if the property owner is responsible for the maintenance of the hydro seed.

Mr. Hildebrand stated it is the responsibility of the owner to ensure the material is live-functioning.

Mr. Blum stated the function of the conditional use permit is to establish the operating procedures in the conditions of approval. If they are not met, they can be revoked or reconditioned before the Planning Commission.

Mr. Gage asked if this use is one of the interim uses that were envisioned in the early stages of the transition.

Mr. Murphy stated the Agriculture Overlay identifies the considerations of the agriculture support types of services and waste management and fertilizer facilities are specifically identified as a conditionally permitted use.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Delman, to adopt the CEQA Determination, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 to 0.

It was moved by Gregorek, seconded by Ricci, to adopt the Development Agreement,

File No. PCUP13-022 with a condition to require that perimeter berms maintain a minimum of 5-foot set backs from property lines, along with the deletion of the Engineering Department condition per memo dated October 22, 2013 from Engineering, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Gage; NOES, none; ABSENT, Willoughby. The motion was carried 6 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): Mr. Murphy stated they discussed the section pertaining to subdivisions consistent with State Law and the Historic Preservation section. They also had a discussion on urban farming.

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Blum spoke about the WalMart project and the 3-story building on Holt and Euclid. We have accepted an application from Staybridge Suites for the corner of Haven Avenue and Concourses. The New Model Colony is moving forward.

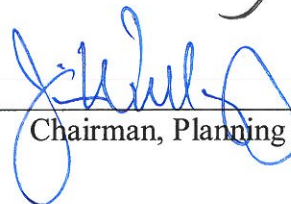
ADJOURNMENT

The meeting was adjourned at 8:35 p.m. Ms. Mautz motioned to adjourn, seconded by Mr. Ricci.





Secretary Pro Tempore



Chairman, Planning Commission