

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

August 26, 2014

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

August 26, 2014

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

COMMISSIONERS

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

Absent: Gage

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Principal Planner Zeledon, Senior Planner Batres, Assistant City Engineer Lee, Sr. Management Analyst Melendrez, Housing Director Schultz, Housing Manager Rivera, and Planning Secretary Romero

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

SPECIAL CEREMONIES

Seating of new Planning Commissioner Nicola Ricci.

ANNOUNCEMENTS

Mr. Murphy introduced our new City Attorney, Thomas Rice.

Mr. Murphy stated item B is being requested for continuance and conditions of approval have been added for items C-H.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of July 22, 2014, approved as written.

It was moved by Mautz, seconded by Downs, to approve the Planning Commission Minutes of July 22, 2014, as written. The motion was carried 5 to

0 with Ricci abstaining.

- A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV14-024:** A Development Plan to construct 143 single-family dwellings and two pocket parks on 37.77 acres of land located at the northeast corner of Turner and Schaefer Avenues, within Planning Area 9 of the West Haven Specific Plan. The environmental impacts of this project were analyzed in the Environmental Impact Report prepared for the West Haven Specific Plan (File No. PSP03-006), which was certified by the City of Ontario City Council on January 16, 2007. 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 ONT Airport Land Use Compatibility Plan (APNs: APN: 0218-151-19 and 23); **submitted by Lennar Homes of California, Inc.**

PUBLIC TESTIMONY

No one responded.

As there was no one else wishing to speak, Vice-Chairman Willoughby closed the public testimony

No one responded.

PLANNING COMMISSION ACTION

File No. PDEV14-024. It was moved by Mautz, seconded by Gregorek, to adopt a resolution to approve the Development Plan, pursuant to facts and reasons contained in the staff report. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried with 6 to 0 votes.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV14-002 AND PCUP14-005:** A Development Plan (File No. PDEV14-002) for the construction of a 2,200 square-foot convenience store in conjunction with an existing vehicle fueling station and a Conditional Use Permit (File No. PCUP14-005) for the expansion of alcoholic beverage sales, located near the northwest corner of Haven Avenue and I-10 Freeway, at 3445 East Shelby Street, within the Garden Commercial land use designation of the Wagner 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. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). (APN: 0210-182-13); **submitted by Haven Mini Mart, Inc. This project was continued from July 22, 2014.**

Planning Director, Scott Murphy, stated that staff is recommending the Planning Commission continue File Nos. PDEV14-002 and PCUP14-005.

No one responded.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

The Commission unanimously voted to continue this item to the September 23, 2014 meeting.

- C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-013 (TT18991):** A Tentative Tract to subdivide 3.51 acres of land into 17 residential lots and 5 lettered lots, within Planning Area 10A of The Avenue Specific Plan, generally located north of Edison Avenue and west of Haven Avenue. 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 Plans (ALUCP) for ONT and Chino Airports. An addendum to The Avenue Specific Plan EIR (SCH# 2005071109) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. (APN: Portion of 0218-201-05, and 0218-201-42); **submitted by Brookfield Residential. This project was continued from July 22, 2014.**
- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-014 (TT18992):** A Tentative Tract Map to subdivide 30.26 acres of land into 227 residential lots and 23 lettered lots, within Planning Area 10A of The Avenue Specific Plan, generally located at the southwest corner of Haven Avenue and Schaefer Avenue. 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 Plans (ALUCP) for ONT and Chino Airports. An addendum to The Avenue Specific Plan EIR (SCH# 2005071109) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. (APN: 0218-201-30 and 0218-201-42); **submitted by Brookfield Residential. This project was continued from July 22, 2014.**
- E. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-015 (TT18993):** A Tentative Tract Map to subdivide 28.27 acres of land into 210 residential lots and 17 lettered lots, within Planning Area 9A and 10A of The Avenue Specific Plan, generally located at the southeast and southwest corners of Schaefer Avenue and Turner Avenue. 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 Plans (ALUCP) for ONT and Chino Airports. An addendum to The Avenue Specific Plan EIR (SCH# 2005071109) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. (APN: Portions 0218-201-05 and 0218-201-45); **submitted by Brookfield Residential. This project**

was continued from July 22, 2014.

- F. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-016 (TT18994)**: A Tentative Tract Map to subdivide 22.81 acres of land into 138 residential lots and 13 lettered lots, within Planning Area 10A of The Avenue Specific Plan, generally located at the southeast and southwest corners of Schaefer Avenue and Turner Avenue. 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 Plans (ALUCP) for ONT and Chino Airports. An addendum to The Avenue Specific Plan EIR (SCH# 2005071109) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. (APN: 0218-201-39, 0218-201-42 and 0218-201-43); **submitted by Brookfield Residential. This project was continued from July 22, 2014.**

Principal Planner, Rudy Zeledon, presented a combined staff report for items C-F. He stated that staff is recommending the Planning Commission approve File Nos. PMTT14-013, PMTT14-014, PMTT14-015, and PMTT14-016, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Derek Barbour, Brookfield Residential, appeared and spoke in favor of the project.

Mr. Downs asked for the grading timeline.

Mr. Barbour stated the tentative opening date is May 2015.

Mr. Willoughby stated this is an aggressive schedule. He also asked for the number of units.

Mr. Barbour answered 768 units.

As there was no one else wishing to speak, Vice-Chairman Willoughby closed the public testimony

Ms. Mautz commended the project.

PLANNING COMMISSION ACTION For File No. PMTT14-013

It was moved by Mautz, seconded by Delman, to adopt the use of an Addendum to a previous Environmental Impact Report, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

It was moved by Delman, seconded by Ricci, to adopt a resolution to approve the

Tentative Tract Map, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

PLANNING COMMISSION ACTION For File No. PMTT14-014

It was moved by Mautz, seconded by Delman, to adopt the use of an Addendum to a previous Environmental Impact Report, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

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

PLANNING COMMISSION ACTION For File No. PMTT14-015

It was moved by Mautz, seconded by Delman, to adopt the use of an Addendum to a previous Environmental Impact Report, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

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

PLANNING COMMISSION ACTION For File No. PMTT14-016

It was moved by Mautz, seconded by Delman, to adopt the use of an Addendum to a previous Environmental Impact Report, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

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

- G. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, TENTATIVE PARCEL MAP, AND VARIANCE REVIEWS FOR FILE NOS. PDEV13-039, PMTT13-018, PVAR14-005 & PVAR14-006:** A request for several entitlements that include: 1) a phased Development Plan to construct seven (7) industrial buildings totaling 250,157 square feet and a vehicle storage yard on approximately 15.74 acres of land; 2) a tentative Parcel Map to subdivide 15.74 acres into 7 industrial lots; 3) a variance to reduce the side yard building setback from 10-feet to zero; and 4) a variance to reduce the rear yard building setback from 10-feet to zero. The project site is generally located along the northeast corner of Grove Avenue and Belmont Street, within the M2 (Industrial

Park) and Business Park land use district of the Grove Avenue Specific Plan. The environmental impacts of this project were previously analyzed in a Mitigated Negative Declaration (MND) prepared for the Development Agreement between the City of Ontario & Mission Grove Partners, L.P. (No. 2013-128). All adopted mitigation measures of the related MND shall be a condition of project approval and are incorporated herein by reference. 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 ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0113-332-01 thru 0113-343-27); **submitted by MG Industrial, LLC.**

Senior Planner, Luis Batres, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV13-039, PMTT13-018, PVAR14-005, and PVAR14-006, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek questioned the aerial west of Peach Street.

Mr. Batres stated that particular resident is not a part of this project. This is why the project is proposing two phases.

Mr. Ricci asked for the type of surfacing the storage area will have.

Mr. Batres stated it will be gravel.

Mr. Ricci questioned the access points on Mission Avenue and Grove Avenue.

Raymond Lee, Assistant City Engineer, stated that due to the requirement of the large landscape median; only right-hand turns are permitted.

Mr. Downs asked about the zero lot line on Building D.

Mr. Batres stated there is a drive aisle along the east side of the building adjacent to Building D which will be constructed at the zero lot line.

Mr. Downs asked about the building behind Building D.

Mr. Batres stated it is a warehouse.

Mr. Downs asked about the landscaping that will be removed for access purposes for Arco gas station.

Mr. Murphy spoke about the various discussions for a potential future car wash at the Arco gas station in which case there would be a lot line adjustment along the east side of the Arco gas station property.

PUBLIC TESTIMONY

Brad Boatman, MG Industrial LLC, appeared and spoke in favor of the project.

Mr. Willoughby asked if Mr. Boatman and the owners of AMPM have reached an agreement on the amendment in possession this evening.

Mr. Boatman answered that is correct.

Dennis Nygren, AMPM, appeared and spoke in favor of the project.

As there was no one else wishing to speak, Vice-Chairman Willoughby closed the public testimony

Ms. Mautz stated this is the best use we will get for this property and staff and applicants did a job well-done on this project.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to adopt a resolution to approve a Development Plan, Variances, and Tentative Parcel Map. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

- H. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV13-030 & PCUP13-040: A Development Plan and Conditional Use Permit to substantially remodel an existing 3,620-square foot drive-thru restaurant (Carls Jr) on a 0.73-acre parcel of land located at 1445 North Mountain Avenue, within the Main Street land use district of the Mountain Village Specific Plan. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301 (Class 1-Existing Facilities) and Section 15332 (Infill Development Projects) of the California Environmental Quality Act Guidelines. 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 ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1008-431-17); **submitted by Carl Karcher Enterprises, Inc.**

Planning Director, Scott Murphy, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV13-030 and PCUP13-040, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Catherine Otis, Greenberg Farrow, appeared and spoke in favor of the project.

Mr. Downs questioned the term, "greater-stacking."

Ms. Otis stated it means that the drive-through will fit four cars in queue.

Mr. Murphy wanted to ensure the applicant has a copy of the revised conditions of approval from the Engineering Department.

Ms. Otis stated she does not have a copy but she understands the additional conditions of approval will be incorporated.

Mr. Willoughby stated she will receive a hard copy of the revisions.

Mr. Ricci asked about the timeline to re-open.

Ms. Otis stated it will take 30 to 60 days to re-open.

As there was no one else wishing to speak, Vice-Chairman Willoughby closed the public testimony

Ms. Mautz stated this will be a great improvement to Carl's Jr. Restaurant.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Ricci, to adopt a resolution to approve the Development Plan and Conditional Use Permit, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on August 14, 2014 and spoke about 111 W. J Street.

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

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. Murphy stated the Planning Commission has the Monthly Activity Report.

ADJOURNMENT

The meeting was adjourned at 7:52 p.m. Gregorek motioned to adjourn, seconded by Downs.


Secretary Pro Tempore


Chairman, Planning Commission