

CITY OF ONTARIO PLANNING COMMISSION MEETING AGENDA

June 24, 2014

Ontario City Hall
303 East "B" Street, Ontario, California 91764

6:30 P.M.

WELCOME to a meeting of the Ontario Planning Commission.

All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.*
- *In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

Delman __ Downs __ Gage __ Gregorek __ Mautz __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

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

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Planning Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

- 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.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. **File No. PVAR13-009** (Variance)

Motion to Approve/Deny

3. **File No. PCUP13-041** (Conditional Use Permit)

Motion to Approve/Deny

4. **File No. PDEV13-031** (Development Plan)

Motion to Approve/Deny

- 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.**

1. **CEQA Determination**

Motion to Approve/Deny Mitigated Negative Declaration

2. **File No. PVAR14-004** (Variance)

Motion to Approve/Deny

3. **File No. PDEV14-011** (Development Plan)

Motion to Approve/Deny

- 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.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. File No. PMTT14-002 (Tentative Parcel Map)

Motion to Approve/Deny

- 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.**

1. CEQA Determination

Motion to Approve/Deny use of an Addendum to a previous EIR

2. File No. PMTT13-005 (Tentative Tract Map)

Motion to Approve/Deny

- 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.**

1. **CEQA Determination**

Motion to Approve/Deny use of an Addendum to a previous EIR

2. **File No. PMTT13-006** (Tentative Tract Map)

Motion to Approve/Deny

- 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.**

1. **CEQA Determination**

Motion to recommend Approval/Denial of the use of an Addendum to a previous EIR

2. **File No. PDA14-003** (Development Agreement)

Motion to recommend Approval/Denial

- 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.**

1. CEQA Determination

Motion to recommend Approval/Denial of the use of an Addendum to a previous EIR

2. File No. PDA14-004 (Development Agreement)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing):
 -
 - Development Code Review (Ad-hoc):
 -
 - Zoning General Plan Consistency (Ad-hoc):
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT


- 1) Monthly Activity Report

If you wish to appeal any decision of the Planning Commission, you must do so within ten (10) days of the Planning Commission action. Please contact the Planning Department for information regarding the appeal process.


If you challenge any action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



I, Jeanina M. Romero, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on June 19, 2014, at least 72 hours prior to the meeting per Government Code Section 54964.2 at 303 East "B" Street, Ontario.



Jeanina M. Romero, Secretary Pro Tempore



Scott Murphy, Planning Director /
Planning Commission Secretary