

CITY OF ONTARIO PLANNING COMMISSION

MINUTES

July 22, 2014

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CITY OF ONTARIO PLANNING COMMISSION

MINUTES

July 22, 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, and Mautz

Absent: Gage.

OTHERS PRESENT: Planning Director Murphy, City Attorney Gomer, Senior Planner Batres, Associate Planner Hildebrand, Associate Planner Burden, Senior Planner Noh, Principal Planner Zeledon, Senior Planner D. Ayala, Administrative Intern Antuna, 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 Commissioner Mautz.

ANNOUNCEMENTS

Mr. Murphy stated items J, M, N, O, and P will be requested to be continued.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning Commission Minutes of June 24, 2014, approved as written.

It was moved by Mautz, seconded by Gregorek, to approve the Planning Commission Minutes of June 24, 2014, as written. The motion was carried 5 to 0 with Chairman Gage absent.

PUBLIC HEARING ITEMS

- R. **LOCAL LANDMARK DESIGNATION FILE NO. PHP14-005:** A request for a Local Landmark designation for a 1,648 square foot California Bungalow style residential building, within the R1.5- Single Family Residential zone, located at 410 West E Street (APN: 1048-342-07); **submitted by Cynthia Anne Matranga. City Council action is required.**

Administrative Intern, Elly Antuna, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval of File No. PHP14-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

No one responded.

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

Mr. Gregorek commended staff on this project.

Mr. Murphy acknowledged Ms. Antuna for a job well done as this was her first presentation.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to recommend adoption of a resolution to approve a Local Landmark, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- 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.**

Senior Planner, Luis Batres, presented the staff report. He stated that staff is

recommending the Planning Commission approve File Nos. PVAR13-009, PCUP13-041, and PDEV13-031, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Mr. Gregorek asked about the number of parking spaces to be lost.

Mr. Batres answered two parking spaces will be lost.

Mr. Downs asked about a utility easement and/or water line under the property line.

Mr. Batres stated there is a water line easement along southern property line which is owned by the City of Chino. If the applicant is not able to re-route the easement, they will have to bring the building back a minimum of ten feet to allow for footings.

Raymond Lee, Assistant City Engineer, appeared and spoke. He stated the City of Chino is ok with the current design based on the ten-foot set-back requirement.

Mr. Willoughby asked if food sales would have to take place while alcohol is being served.

Mr. Batres stated that is correct.

Mr. Willoughby asked for the current number of parking spaces on the property.

Mr. Murphy answered there are 212 parking spaces in all.

Mr. Willoughby asked will there be a loss of parking spaces if the self-storage project goes forward.

Mr. Batres answered yes.

Mr. Murphy stated there are 123 parking spaces that would be provided east of the main building or the office area for the public storage facility not including additional parking spaces within the public storage area itself.

Luis Niebla, applicant, appeared and spoke in favor of the project.

Matthew Jones, representative of Maria Jones, appeared and spoke in opposition to the project until the parking issue could be resolved.

Larry Schultz, Senior Vice-President of City National Bank, appeared and spoke, expressing concerns about resolving the parking issue.

Greg Brown, co-tenant owner Del Taco, appeared and spoke in opposition to the project because of parking issues and the use being a nightclub.

Pat Patterson, Patterson Development, appeared and spoke. He hoped the parking could

be resolved to allow his public storage project to move forward.

Mr. Niebla, rebutted Mr. Jones' comments referencing pulling permits and addressed Mr. Brown's comments regarding a "night club."

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

Mr. Gregorek spoke about the conditions regarding parking and CC&R's stating he supports this item.

Ms. Mautz asked if the City is requesting a "right-turn only" out of the lot.

Mr. Murphy stated it will be full access.

Mr. Delman agreed with Mr. Gregorek's comment and commended the restaurant for a clean record.

Mr. Willoughby stated he hopes to see all parties involved succeed in their businesses.

Mr. Murphy spoke about Mr. Jones' comments and suggested a revision to the CC&R's wording. He also spoke about various city parking ratios.

Mr. Willoughby clarified that it is not the responsibility of the Planning Commission to interpret CC&R's. Those are between the parties involved.

Mr. Murphy agreed with Mr. Willoughby and added that the purpose of a Conditional Use Permit is to ensure that a "use" is a good neighbor.

Mr. Downs spoke about the traffic on Mountain Avenue and stated he supports this item.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Downs, to adopt a resolution to approve the Variance, Conditional Use Permit, and Development Plan, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NOS. PDEV14-011, PCUP14-011, AND PVAR14-004:** A Development Plan (File No. PDEV14-011) to construct a 65-foot tall, stealth (monopine) telecommunication tower, a Conditional Use Permit (File No. PCUP14-011) to establish a wireless telecommunication use, 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.**

Associate Planner, John Hildebrand III, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV14-011, PCUP14-011, and PVAR14-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Mr. Gregorek asked if the elevation will have more of a “tapered” look.

Mr. Hildebrand answered yes.

Mr. Gregorek asked what is needed to begin the operation of business.

Mr. Hildebrand answered a final inspection will be required.

Shannon Nichols, AT&T, appeared and spoke.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to adopt the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

It was moved by Delman, seconded by Mautz, to adopt a resolution to approve the Variance, Conditional Use Permit, and Development, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- D. **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.**

Senior Planner, Henry Noh, presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PMTT13-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Jason Lee, Distinguished Homes, appeared and spoke.

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

Mr. Downs

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Downs, to adopt the CEQA Determination, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

It was moved by Downs, seconded by Mautz, to adopt a resolution to approve a Tentative Tract Map, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

- E. **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.**

Senior Planner, Henry Noh, presented the staff report. He stated that staff is recommending the Planning Commission approve File No. PMTT13-006, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Jason Lee, Distinguished Homes, appeared and spoke. He noted his objection to the requirement for the recycled water line construction.

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

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Delman, to adopt the CEQA Determination, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

It was moved by Delman, seconded by Downs, to adopt a resolution to approve a Tentative Tract Map, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

Vice-Chairman Willoughby called for a five-minute recess.

- F. **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.**

Principal Planner, Rudy Zeledon, presented the staff report. He stated that staff is recommending the Planning Commission recommend approval of File No. PDA14-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Jason Lee, Distinguished Homes, appeared and spoke. He noted his objection to the requirement for the recycled water line construction.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to recommend adoption of the CEQA Determination, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

It was moved by Downs, seconded by Mautz, to recommend adoption of a resolution to

approve a Development Agreement, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

- G. 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.**

Principal Planner, Rudy Zeledon, presented the staff report. He stated that staff is recommending the Planning Commission recommend approval of File No. PDA14-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

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

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Mautz, to recommend adoption of the CEQA Determination, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

It was moved by Delman, seconded by Downs, to recommend adoption of a resolution to approve a Development Agreement, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

- H. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, VARIANCE REVIEW, AND DEVELOPMENT AGREEMENT FOR FILE NOS. PDEV13-009, PCUP13-003, PVAR13-004 & PDA14-005:** A Development Plan to continue use of a 65-foot tall AT&T non-stealth monopole telecommunication facility (File No. PDEV13-009), a Conditional Use Permit to operate the facility (File No. PCUP13-003), and a Variance to allow a telecommunication facility to exceed the 35 foot height limit (PVAR13-004), within a 1,010 square foot lease area

on 9.5 acres of land within the SP(AG) zone, located at 13524 S. Grove Avenue, in conjunction with a Development Agreement (File No PDA14-005) between the City of Ontario, John J. Anker, and AT&T Mobility for the future relocation/removal of telecommunication equipment from the current/future right-of-way of Grove 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 is recommending the adoption of a Mitigated Negative Declaration of environmental impacts for consideration. (APN: 1052-481-02); **submitted by AT&T Mobility. City Council action is required on the Development Agreement.**

Associate Planner, Clarice Burden, presented the staff report. She stated that staff is recommending the Planning Commission approve File Nos. PDEV13-009, PCUP13-003, and PVAR13-004; and that the Planning Commission recommend approval of PDA14-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Terri Grisenti, AT&T Mobility, appeared and spoke.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to recommend adoption of the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

It was moved by Mautz, seconded by Downs, to adopt a resolution to approve a Variance, Conditional Use Permit, and Development Plan, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

It was moved by Delman, seconded by Gregorek, to recommend adoption of a resolution to approve a Development Agreement, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- I. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NOS. PDEV13-032, PCUP13-042, AND PVAR13-010:** A Development Plan (File No. PDEV13-032) to construct a 65-foot tall, stealth (monopine) telecommunication tower, a Conditional Use Permit (File No. PCUP13-042) to operate a telecommunication tower within 500-feet of property zoned for residential use, and a Variance (File No. PVAR13-010) to exceed the maximum allowable telecommunication tower height from 40-feet to 65-feet, located at the southwest corner of Euclid Avenue and Francis Street, at 1868 South Euclid Avenue,

within the C1 (Shopping Center Commercial) 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. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. (APN: 1050-371-16); **submitted by Verizon Wireless.**

Associate Planner, John Hildebrand III, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV13-032, PCUP13-042, and PVAR13-010, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek asked if there will be a “co-location” for this project.

Mr. Hildebrand stated Verizon submitted plans showing a potential co-location.

PUBLIC TESTIMONY

Veronica Arvizu, Smart Link, LLC (Verizon Wireless), appeared and spoke.

Tim Kwan, A-1 Capital Investments, appeared and spoke in opposition to the project.

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

Mr. Gregorek remarked that the aerial view on the map shows Philadelphia Street where Francis Avenue should be located.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to adopt the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

It was moved by Mautz, seconded by Downs, to adopt a resolution to approve a Variance, Conditional Use Permit, and Development Plan, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- J. 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.**

Planning Director, Scott Murphy, presented the staff report. He stated that staff is recommending the Planning Commission continue this item to the next Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

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

- K. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PDEV14-003 AND PMTT14-003 (TT 18949):** A Development Plan (File No. PDEV14-003) to construct 9 single-family homes and a Tentative Tract Map (File No. PMTT14-003) to subdivide approximately 6.8 acres into 9 lots for property located at 915 South Oaks Avenue, within the AR (Agricultural Residential) 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. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. (APN: 1011-421-25, 26); **submitted by Crestwood Communities.**

Senior Planner, Luis Batres, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV14-003 and PMTT14-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Patrick Diaz, Crestwood Communities, appeared and spoke.

Mr. Downs asked if the property owner to the east of the property had been contacted regarding the extension into the property.

Mr. Diaz stated there is an existing Dedication that continues to Elderberry Avenue on the east side of the property.

Fernando Lares, property owner east of lot 6, appeared and spoke about a drainage

and traffic concern.

Floyd Hathurst, property owner, appeared and spoke about same concern as Mr. Lares. Monica Rodewald, property owner, appeared and spoke about a traffic concern.

Mr. Diaz addressed the concerns of drainage and traffic.

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

Mr. Willoughby asked if storm drains will exist on Oaks Avenue.

Raymond Lee, Assistant City Engineer, appeared and spoke. He stated we are requiring the project to detain on site. He also stated the current plan is to complete the cul-de-sac and connect to Elderberry Avenue to provide secondary access to improve circulation.

Mr. Downs and Mr. Willoughby spoke about the curb line.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Downs, to adopt the CEQA Determination and Mitigated Negative Declaration, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

It was moved by Downs, seconded by Delman, to adopt a resolution to approve a Development Plan and Tentative Tract Map, Roll call vote: AYES, Delman, Downs, Mautz, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Gage. The motion was carried 4 to 0.

L. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND TENTATIVE TRACT MAP REVIEW FOR FILE NO'S. PDEV13-042 AND PMTT13-019 (TT18945):

A Development Plan (File No. PDEV13-042) to construct 75 single family homes and Tentative Tract Map (File No. PMTT13-019) to subdivide 7.33 acres of land into 75 residential lots and 18 lettered lots, within Planning Area 13 of the Subarea 29 Specific Plan, generally located at the northeast corner of McCleve Way East and Discovery Street. 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. The environmental impacts of this project were analyzed in the EIR (SCH#2004011009) prepared the Subarea 29 Specific Plan (File No. PSP03-003). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. (APN No. 0218-052-12 and 0218-052-13); **submitted by Woodside Homes.**

Principal Planner, Rudy Zeledon, presented the staff report. He stated that staff is recommending the Planning Commission approve File Nos. PDEV13-042 and PMTT13-019, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

PUBLIC TESTIMONY

Michael Jagels, Woodside Homes, appeared and spoke.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to adopt a resolution to approve a Development Plan and Tentative Tract Map, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

- M. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-013 (TT18991):** A Tentative Tract Map (File No. PMTT14-013) 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.**

Principal Planner, Rudy Zeledon stated that staff is recommending the Planning Commission continue this item to the next Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

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

- N. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-014 (TT18992):** A Tentative Tract Map (File No. PMTT14-014) 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.**

Principal Planner, Rudy Zeledon stated that staff is recommending the Planning Commission continue this item to the next Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

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

- O. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-015 (TT18993):** A Tentative Tract Map (File No. PMTT14-015) to subdivide 28.27 acres of land into 210 residential lots and 17 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: Portions 0218-201-05 and 0218-201-45); **submitted by Brookfield Residential.**

Principal Planner, Rudy Zeledon stated that staff is recommending the Planning Commission continue this item to the next Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

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

- P. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-016 (TT18994):** A Tentative Tract Map (File No. PMTT14-016) 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.**

Principal Planner, Rudy Zeledon stated that staff is recommending the Planning Commission continue this item to the next Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

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

Q. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT

FILE NO. PGPA14-003: A public hearing to consider a General Plan Amendment to revise the Mobility Element of The Ontario Plan (Figure M-2) to change the Functional Street Classifications of State Street between Benson and Bon View Avenues from a four lane collector to a two lane collector and Hamner (Milliken) Avenue from 750 feet south of Edison Avenue to Bellgrave Avenue from an eight lane principal arterial to a six lane principal arterial. An Addendum to The Ontario Plan FEIR (SCH# 2008101140) has been prepared for this project pursuant to the requirements of the California Environmental Quality Act (APNs: None); **submitted by City of Ontario. City Council action is required.**

Planning Director, Scott Murphy, presented the staff report. He stated that staff is recommending the Planning Commission recommend approval of File No. PGPA14-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

General discussion took place by the Planning Commission regarding airport traffic.

PUBLIC TESTIMONY

No one responded.

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

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Downs, to recommend adoption of the CEQA Determination, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 5 to 0.

It was moved by Delman, seconded by Gregorek, to recommend adoption of a resolution to approve a General Plan Amendment, Roll call vote: AYES, Delman, Downs, Gregorek, Mautz, and Willoughby; NOES, none; RECUSE, none; ABSENT,

Gage. The motion was carried 5 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): 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.

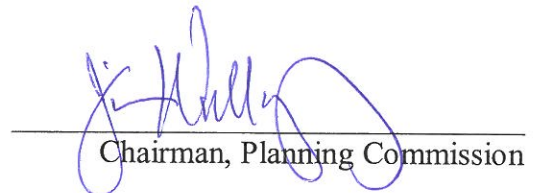
DIRECTOR'S REPORT

None at this time.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m. Mr. Willoughby motioned to adjourn, seconded by Gregorek.


Secretary Pro Tempore


Chairman, Planning Commission