

MONTHLY ACTIVITY REPORT—ACTIONS

Month of: April 2008

APRIL 1, 2008 CITY COUNCIL MEETING

No Planning Department Items on the Agenda

APRIL 7, 2008 DEVELOPMENT ADVISORY BOARD MEETING

Meeting Cancelled

APRIL 7, 2008 ZONING ADMINISTRATOR MEETING

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP08-008: A Conditional Use Permit to allow for the wholesale and retail sales of flooring and related products, with greater than 20 percent of the floor area devoted to showroom, at 1640 S. Grove Avenue, Unit A, in the Business Park land use designation of the Grove Avenue Specific Plan. Staff has determined that this project is categorically exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA); **submitted by Sen-Yan Meng** (APN: 1050-171-25).

Action: Withdrawn, Public hearing not needed.

APRIL 15, 2008 CITY COUNCIL MEETING

A PUBLIC HEARING TO CONSIDER FILE NOS. PDEV07-033 & PCUP07-028, A DEVELOPMENT PLAN TO CONSTRUCT A 175-ROOM, 8-STORY, FULL SERVICE EMBASSY SUITES HOTEL / TGA DEVELOPMENT & ENGINEERING INC.: A public hearing to consider adoption of resolutions approving File Nos. PDEV07-033 & PCUP07-028, a Development Plan to construct a 175-room, 8-story, full service Embassy Suites Hotel on 3.46 acres, in conjunction with a conditional use permit to establish the hotel use, located along the southeast corner of Haven Avenue and the I-10 Freeway within the entertainment district of the Ontario Gateway Specific Plan. **Submitted by TGA Development & Engineering Inc.**

Action: Approved, subject to conditions

APRIL 21, 2008 DEVELOPMENT ADVISORY BOARD MEETING

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV07-052: A Development Plan for the construction of a 425,678 square foot industrial building on 19.28 acres of land within the Industrial Park (M2) district, located at the southeast corner of Francis Street and Carlos Avenue. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects. Submitted by AMB Corporation (APNS: 0113-491-18). Planning Commission action is required.

Action: Recommended approval, subject to conditions

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REQUEST FOR FILE NOS. PDEV07-047 & PVAR07-010: A Development Plan (File No. PDEV07-047) to construct a 70,000 square foot industrial building in conjunction with a Variance (File No. PVAR07-010) request to increase the maximum allowable building height within the Airport Protection Zone from 25 feet to 35 feet, on 6.8 acres of land within the M2 (Industrial Park) District, located at the northeast corner of Belmont Street and Cucamonga Avenue. Staff is recommending the Planning Commission adopt a Mitigated Negative Declaration. Submitted by Dedeaux Properties, LLC (APNs: 1049-384-01 & 1049-392-13). Planning Commission action is required.

Action: Recommended approval, subject to conditions

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REQUEST FOR FILE NO. PDEV08-007: A Development Plan Review for minor modifications to the City of Ontario Public Works facility within the M2 (Industrial Park) and PF (Public Facilities) Districts, located at 1333 and 1425 South Bon View Avenue. Staff has determined that the proposed project is categorically exempt from environmental review in accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines. Submitted by City of Ontario (APN: 1049-421-02, 1049-421-01, 1050-141-02, 1050-141-01, 1050-141-07, 1050-131-02 & 1050-131-03).

Action: Approved, subject to conditions

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV07-039: A Development Plan Review for a proposed 11,000 square foot fire station to be located on 1.38 acres of land, within the Parkside Specific Plan (PA 20) of the New Model Colony located on the southwest corner of Archibald and Edison Avenues. The environmental impacts of this project were analyzed in the EIR (SCH NO. 2004011008) prepared for the Parkside Specific Plan (File No. PSP03-002). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. **Submitted by the City of Ontario Development Agency** (APN: 218-231-02).

Action: Approved, subject to conditions

ENVIRONMENTAL ASSESSMENT AND TENTATIVE MAP REVIEW FOR FILE NO. PMTT07-025: A Tentative Parcel Map (PM 18799) to subdivide 53.4 acres of land into 24 parcels within the Office/Commercial and Office Park land use districts of the Guasti Plaza Specific Plan, bounded by Turner Avenue on the east, Archibald Avenue on the west, Old Brookside Drive on the north, and the Southern Pacific Railroad on the south. The environmental impacts of this project were previously analyzed in the Environmental Impact Report prepared for the Guasti Plaza Specific Plan (EIR No. 90-4). **Submitted by OM Guasti, LLC** (APNs: 210-192-11 & 211-201-15). Planning Commission action is required.

Action: Recommended approval, subject to conditions

APRIL 21, 2008 ZONING ADMINISTRATOR MEETING

ENVIRONMENT ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP07-046: A modification to an approved Conditional Use Permit (File No. PCUP05-026) to allow on-site general alcohol sales (Type 47 ABC license), live entertainment and banquet facilities in conjunction with a proposed Zendejas Restaurant under construction in the C1 (Shopping Center) zone located at the north west corner of Walnut Street and Vineyard Avenue. The modification includes enclosing a 320 sq. ft. patio and adding 516 square feet of additional office space. Staff has determined that this project is categorically exempt from environment review pursuant to Section 15332 (In-fill Development) of the California Environmental Quality Act (CEQA); **submitted by Concord Design Group** (APN: 0216-401-63).

Action: Continued to 5/5/2008 meeting due to legal notice publication error

APRIL 21, 2008 SPECIAL CITY COUNCIL MEETING

PRESENTATION BY CITY STAFF AND THE PLANNING CENTER ON THE PREFERRED LAND USE PLAN FOR THE GENERAL PLAN UPDATE

Action: None required

APRIL 22, 2008 PLANNING COMMISSION MEETING

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV07-052: A Development Plan for the construction of a 425,678 square foot industrial building on 19.28 acres of land within the M2 (Industrial Park) zoning district, located at the southeast corner of Francis Street and Carlos Avenue. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects. **Submitted by AMB Corporation** (APN: 0113-491-18).

Action: Approved, Subject to conditions

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC07-003: A Zone Change (**File No. PZC07-003**) request to amend the zoning designation from P1 (Off-Street Parking) to M3 (General Industrial) for 0.61 acres of land generally located south of Holt Boulevard, north of the terminus of Brooks Street, at 863 West Holt Boulevard. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. **Submitted by Albert & Florence Silverton** (APNs: 1011-141-32 & 33). (Continued from the March 25, 2008, Planning Commission meeting) (City Council action is required).

Action: Continued to the 5/27/2008 meeting

ENVIRONMENTAL ASSESSMENT AND TENTATIVE SUBDIVISION MAP REVIEW FOR FILE NO. PMTT07-029 (PM 18826): A Tentative Parcel Map to subdivide 1.55 acres of land currently developed with two commercial buildings, into three (3) parcels within the C3/M3 (Commercial Service/General Industrial) zoning districts, in the General Commercial and General Industrial general plan land use designation, generally located on the south of Holt Boulevard, north and south of the terminus of Brooks Street, at 863 West Holt Boulevard. The environmental impacts of the project were considered in conjunction with the Mitigated Negative Declaration prepared for File No. PZC07-003. All adopted mitigation measures of the related Mitigated Negative Declaration shall be a condition of project approval and are incorporated herein by reference. **Submitted by Albert & Florence Silverton** (APNs: 1011-141-32 & 33). (Continued from the March 25, 2008, Planning Commission meeting).

Action: Continued to the 5/27/2008 meeting

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REQUEST FOR FILE NOS. PDEV07-047 & PVAR07-010: A Development Plan (**File No. PDEV07-047**) to construct a 70,000 square foot industrial building in conjunction with a Variance (**File No. PVAR07-010**) request to increase the maximum allowable building height within the Airport Protection Zone from 25 feet to 39 feet, on 6.8 acres of land within the M2 (Industrial Park) zoning district, located at the northeast corner of Belmont Street and Cucamonga Avenue. Staff is recommending the Planning Commission adopt a Mitigated Negative Declaration of environmental effects of the project. Submitted by Dedeaux Properties, LLC (APNs: 1049-384-01 & 1049-392-13).

Action: Approved, subject to conditions

NOTICE OF SUSPENSION OF CONDITIONAL USE PERMIT NO. PCUP02-007 AND NOTICE OF COMMENCEMENT OF MODIFICATION/REVOCATION PROCEEDINGS PURSUANT TO ONTARIO MUNICIPAL CODE SECTION 9-1.0955: A public hearing to consider possible actions to further regulate, through modification of conditions of approval, or revoke Conditional Use Permit No. PCUP02-007, previously approved for live entertainment in conjunction with a Type 47 Department of Alcoholic Beverage License for sale and on-premise consumption of alcoholic beverages and distilled spirits within a bona-fide restaurant (Dos Coronas Restaurant and Bar) located at 305 N. Mountain Avenue, within the C3 (Commercial Service) zoning district. Revocation may be considered due to violations of a number of public health, safety and welfare codes as well as non-compliance of certain conditions of approval, which have taken place on the subject property, including, but not limited to, violations of the following conditions of Conditional Use Permit No. PCUP02-007 (Resolution No. PC07-152) – Section 3:

1. Condition "A" requiring that the business establishment and use shall at all times be maintained and operated in accordance with all laws and codes applicable to the establishment and use, including but not limited to the Department of Public Health, the Department of Alcoholic and Beverage (ABC) Code, the City of Ontario's Zoning Ordinance, and the Uniform Building Code; and
2. Condition "C" prohibiting live entertainment, including but not limited to mariachi, karaoke, live music, disc jockey, dance floor, topless entertainment, and male/female fashion shows; and
3. Condition "D" requiring that a maximum of six (6) stools be permitted at the bar fixture at any given time; and
4. Condition "F" requiring that any and all signage, including permanent and temporary signage, obtain proper City approvals; and
5. Condition "H" requiring the installation of storefront windows facing Mountain Avenue to allow the interior activities to be seen from the street, on or before February 1; and

6. Condition "I" requiring that landscaping be installed in the parkway along Mountain Avenue and in front of the building on or before February 1; and
7. Condition "J" requiring the business operator to correct all items to be found in violation with regards to any and all public safety and/or public health issues; and
8. Condition "N" requiring the applicant to correct all violations identified in the Code Enforcement letter of December 6, 2007. Outstanding items include broken window glass in front of the building, electrical extension cords being used as permanent wiring, fire exit doors locked during business hours, fire exit doors are non-operational, fire exit signs are not illuminated, door jambs to restrooms are broken, electrical panels are not labeled properly, fire extinguishers are blocked and not properly installed, excessive height in storage room, and outlet next to bar sink is not the correct type.
9. Condition "M" requiring all previously imposed conditions of approval, which do not conflict with the conditions in ZA Decision No. 2002-26, to be fully complied with; and
10. Violation of approved Conditional Use Permit No. PCUP02-007 (ZA Decision No. 2002-26) as follows:
 - a. Part C (d) which states "a" (as in one) jukebox can be employed on the premises; and
 - b. Condition 4.5 requiring that the licensee attend a LEAD (Licensee Education on Alcohol and Drugs) training session sponsored by ABC within six (6) months of commencement of the approved use; and
 - c. Condition 4.6 requiring a clearly legible copy of the conditions to be posted at all times at a prominent place in the interior of the premises.

The project is exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines. **City Initiated** (APN: 1010-521-27).

Action: Conditional Use Permit revoked.

APRIL 29, 2008 SPECIAL PLANNING COMMISSION MEETING

ENVIRONMENTAL ASSESSMENT AND TENTATIVE MAP REVIEW FOR FILE NO. PMTT07-025 (PM 18799): A

Tentative Parcel Map to subdivide 53.4 acres of land into 24 parcels within the Office/Commercial and Office Park land use districts of the Guasti Plaza Specific Plan, bounded by Turner Avenue on the east, Archibald Avenue on the west, Old Brookside Drive on the north, and the Southern Pacific Railroad on the south. The environmental impacts of this project were previously analyzed in the Environmental Impact Report prepared for the Guasti Plaza Specific Plan (EIR No. 90-4).

Submitted by OM Guasti, LLC (APNs: 210-192-11 & 211-201-15).

Action: Approved, subject to conditions
