



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

March 18, 2019

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

**MEETING WILL BE HELD AT 1:30 PM IN ONTARIO CITY COUNCIL CHAMBERS
LOCATED AT 303 East “B” St.**

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Development Agency
John P. Andrews, Executive Director, Economic Development
Kevin Shear, Building Official
Cathy Wahlstrom, Planning Director
Khoi Do, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Julie Bjork, Executive Director, Housing and Neighborhood Preservation

PUBLIC COMMENTS

Citizens wishing to address the Development Advisory Board 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 Development Advisory Board values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

AGENDA ITEMS

For each of the items listed below 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 Development Advisory Board 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.

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of March 4, 2019, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW

FOR FILE NO. PMTT17-013: A Tentative Tract Map (File No. PMTT17-013/TTM 20134) to subdivide 80.61 acres of land into 15 numbered lots and 12 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5B, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) that was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures 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, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). **(APN: 0218-161-01) submitted by Richland Communities. Planning Commission action is required.**

1. CEQA Determination

No action necessary – use of previous addendum to an EIR

2. File No. PMTT17-013 (TTM 20134) (Tentative Tract Map)

Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEWS

FOR FILE NOS. PMTT17-014, PMTT17-015, AND PMTT17-016: A request for the following Tentative Tract Map entitlements: 1) File No. PMTT17-014 (TTM 20135) to subdivide 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential and private streets; 2) File No. PMTT17-015 (TTM 20136) to subdivide 8.52 acres of land into

100 numbered lots and 20 lettered lots for residential, private streets and landscape neighborhood edges; and 3) File No. PMTT17-016 (TTM 20137) to subdivide 9.10 acres of land into 18 numbered lots and 13 lettered lots for residential and private streets for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) that was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures 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, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities. Planning Commission action is required.**

1. CEQA Determination

No action necessary – use of previous addendum to an EIR

2. File No. PMTT17-014 (TTM 20135) (Tentative Tract Map)

Motion to recommend Approval/Denial

3. File NO. PMTT17-015 (TTM 20136) (Tentative Tract Map)

Motion to recommend Approval/Denial

4. File No. PMTT17-016 (TTM 20137) (Tentative Tract Map)

Motion to recommend Approval/Denial

D. ENVIRONMENTAL ASSESSMENT, CONDITIONAL USE PERMIT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP18-036 AND PDEV18-

034: A Conditional Use Permit to establish a drive-thru retail use in conjunction with a Development Plan to construct a commercial drive-thru retail/restaurant building, totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0113-641-15) **submitted by Phelan Development Company. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PCUP18-036** (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV18-034** (Development Plan)

Motion to recommend Approval/Denial

- E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-045**: A modification to a previously approved Development Plan (File No. PDEV17-045), introducing two new single-story conventional floor plans, ranging in size from 1,445 square feet to 1,481 square feet for 34 lots within Tract 18400. The project consists of 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was certified by the City Council on April 21, 2015. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-281-15 and 0218-281-16) **submitted by KB Home. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. (PDEV17-045)** (Development Plan)

Motion to recommend Approval/Denial

- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-012**: A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land generally located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, within the SCE Easement land use designation of the Entratter Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-121-44) **submitted by T-Mobile. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15303

2. **File No. (PDEV18-012)** (Development Plan)

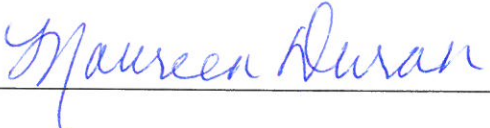
Motion to recommend Approval/Denial

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

If you challenge any action of the **Development Advisory Board** 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 **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **April 1, 2019**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **March 14, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

March 4, 2019

BOARD MEMBERS PRESENT

Rudy Zeledon, acting Chairman, Planning Department
Pedro Rico, Building Department
Charity Hernandez, Economic Development Agency
Paul Ehrman, Fire Department
Raymond Lee, Engineering Department
Ahmed Aly, Municipal Utilities Company
Doug Sorel, Police Department

BOARD MEMBERS ABSENT

Joe De Sousa, Housing and Neighborhood Preservation
Kevin Shear, Building Department

STAFF MEMBERS PRESENT

Jeanie Aguilo, Planning Department
John Andrews, Economic Development
Gwen Berendsen, Planning Department
Maureen Duran, Planning Department
Charles Mercier, Planning Department
Dean Williams, Engineering Department
Derrick Womble, Development Agency

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the February 20, 2019, meeting of the Development Advisory Board was made by Mr. Rico; seconded by Mr. Lee; and approved unanimously by those present (7-0).

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-033:** A Development Plan to construct an approximate 72,433-square foot automobile dealership (Porsche) on 3 acres of land located on the south side of Inland Empire Boulevard, 367 feet east of QVC Way, within the Urban Commercial land use district of the Meredith International Centre Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Meredith International Centre Specific Plan Amendment (File No. PSPA14-003), for which an Environmental Impact Report (SCH No. 2014051020) was certified by the City Council on April 7, 2015. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0110-321-73) **submitted by Whitfield Associates, Inc.**

Representative Rudy De La O of Whitfield Associates, Inc., was present and agreed to the conditions of approval. There were no further questions or concerns.

Motion to approve **File No. PDEV18-033** subject to conditions was made by Mr. Aly; seconded by Mr. Rico; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Development Advisory Board

FROM: Lorena Mejia, Senior Planner *lme*

DATE: March 18, 2019

SUBJECT: **AGENDA ITEM B: ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-013:** A Tentative Tract Map (File No. PMTT17-013/TTM 20134) to subdivide 80.61 acres of land into 15 numbered lots and 12 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5B, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) that was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures 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, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities. Planning Commission action is required.**

Staff is recommending that this item be continued to the April 15, 2019, Development Advisory Board meeting, to allow staff additional time to finalize the timing of the tract map phasing improvements.



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Development Advisory Board

FROM: Lorena Mejia, Senior Planner *LM*

DATE: March 18, 2019

SUBJECT: **AGENDA ITEM C: ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEWS FOR FILE NO'S. PMTT17-014, PMTT17-015 AND PMTT17-016:** A request for the following Tentative Tract Map entitlements: 1) File No. PMTT17-014 (TTM 20135) to subdivide 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential and private streets; 2) File No. PMTT17-015 (TTM 20136) to subdivide 8.52 acres of land into 100 numbered lots and 20 lettered lots for residential, private streets and landscape neighborhood edges; and 3) File No. PMTT17-016 (TTM 20137) to subdivide 9.10 acres of land into 18 numbered lots and 13 lettered lots for residential and private streets for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) that was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures 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, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities. Planning Commission action is required.**

Staff is recommending that this item be continued to the April 15, 2019, Development Advisory Board meeting, to allow staff additional time to finalize the timing of the tract map phasing improvements.



Development Advisory Board Decision

March 18, 2019

DECISION NO.: [insert #]

FILE NO.: PCUP18-036

DESCRIPTION: A Conditional Use Permit to establish a commercial retail/restaurant with drive-thru building totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. APN: 0113-641-15. Related file: PDEV18-034; **submitted by Phelan Development Company. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PHELAN DEVELOPMENT COMPANY, (herein after referred to as “Applicant”) has filed an application requesting Conditional Use Permit approval, File No. PCUP18-036, in conjunction with Development Plan Approval (File No. PDEV18-034) as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.16 acres of land located at 2195 South Grove Avenue, and is depicted in **Exhibit A: Aerial Photograph**, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>North:</i>	Offices	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>South:</i>	Retail	General Commercial (0.4 FAR)	Grove Avenue Specific Plan	Commercial
<i>East:</i>	Warehousing	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>West:</i>	Gas Station	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Commercial

(2) **Project Description:**

(a) **Background** —The Applicant is requesting the approval of a Conditional Use Permit (File No. PCUP18-036) and related Development Plan (File No. PDEV18-034) to establish and construct a 7,354-square foot multi-tenant retail/restaurant building and associated drive-thru on the above-described project site.

(b) **Conditional Use Permit** – Pursuant to the Grove Avenue Specific Plan, Conditional Use Permit (CUP) approval is required for “Fast Food Restaurants with Drive-Thrus” within the Business Park land use district. The intent of a CUP application and review is to ensure that the proposed use will be

operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties, or improvements in the vicinity. The drive-thru restaurant will be constructed as one of the three in-line tenants within the shopping center and will feature a single-lane drive-thru having sufficient stacking to accommodate 8 to-9 vehicles behind the drive-thru pickup window (a minimum of 6 stacking spaces is required). The proposed project, when implemented in conjunction with the conditions of approval, is consistent with the standards and guidelines of the Grove Avenue Specific Plan and the City's Development Code. Therefore, staff supports the granting of the requested Conditional Use Permit.

(c) Site Design/Building Layout — The project proposes the development of one multi-tenant retail/restaurant building, to be oriented in a north-south configuration, located near the southwest corner of the project site. The building will be set back 40 feet from the Grove Avenue (west) property line and 32 feet from the Philadelphia Street (south) property line. The parking stalls will be located along the eastern and northern portions of the project site (see **Exhibit B: Site Plan**).

(d) Site Access/Circulation — The proposed parking lot, drive-thru, and drive aisles will be accessed from both Grove Avenue and Philadelphia Street. The Philadelphia Street driveway will be limited to right-in/right-out only, while an existing drive approach along the project's Grove Avenue street frontage will provide full site access. The drive-thru entrance is proposed near the northwest corner of the project site and is oriented along the western and southern portion of the building.

(e) Parking — As shown in the Parking Summary Table, below, the project is required to provide a minimum of 61 off-street parking spaces pursuant to the off-street parking standards specified in the City's Development Code. The project proposes to provide a total of 61 off-street parking spaces, meeting the minimum off-street parking requirements for the uses proposed.

Parking Table Summary				
<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Retail</i>	2,400 SF	4 spaces per 1,000 SF of gross floor area (GFA)	10	10
<i>Fast Food Restaurants</i>	4,954 SF 379 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window	51	51
TOTAL			61	61

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed;

WHEREAS, on March 18, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill developments, which meet the following criteria:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

The project is consistent with all General Plan and zoning regulations and policies, including those of the Grove Avenue Specific Plan, and occurs entirely within the City's limits on a 1.16-acre site, which is totally surrounded by developed parcels. There is no value as habitat for the project site, and the project will not

result in any significant effects relating to traffic, noise, air quality, or water quality. The site is the last vacant parcel in the area, and can be adequately served by all required utilities and public services.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Business Park land use designation of the Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed multi-tenant retail with drive-thru land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Business Park land use district of the Grove Avenue Specific Plan. Moreover, The single-story building will be located on a project site located within an area surrounded by existing light industrial, office, and retail uses, and thus, will not have a major impact on the surrounding land uses. Conditions of approval have been established for the project to ensure that the multi-tenant retail facility and associated drive-thru facility will maintain a safe site operation and will not become a nuisance to neighboring properties; and

(2) **The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The

proposed multi-tenant retail with drive-thru land use will be located within the Business Park (0.6 FAR) land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The project site is surrounded by other light industrial, office, and retail land uses and will be conditioned as such so that any potential negative impacts to the neighborhood shall be mitigated. With the project conditions of approval, the proposed multi-tenant retail building will provide the neighborhood with a walkable, added commercial convenience, per Policy LU-6 (Complete Community) of the Policy Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed multi-tenant retail with drive-thru land use is located with the Business Park (0.6 FAR) land use district, and the Business Park land use designation of the Grove Avenue Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Grove Avenue Specific Plan. The project site will be required to maintain a safe and orderly environment on-site, including ample site lighting, cleaning and maintenance of the site and landscaping, and limited noise allowed from restaurant order menus; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code and the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located. The project site will be required to be maintained, including ample site lighting, landscaping, and prompt removal of trash on-site. The project will be required to operate within all parameters of the Development Code, Grove Avenue Specific Plan, and Municipal Code, with regards to noise and safe and orderly parking and circulation. Moreover, the Police Department has required the business to install a security camera surveillance system to help ensure the safety of the general public.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 18th day of March, 2019.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

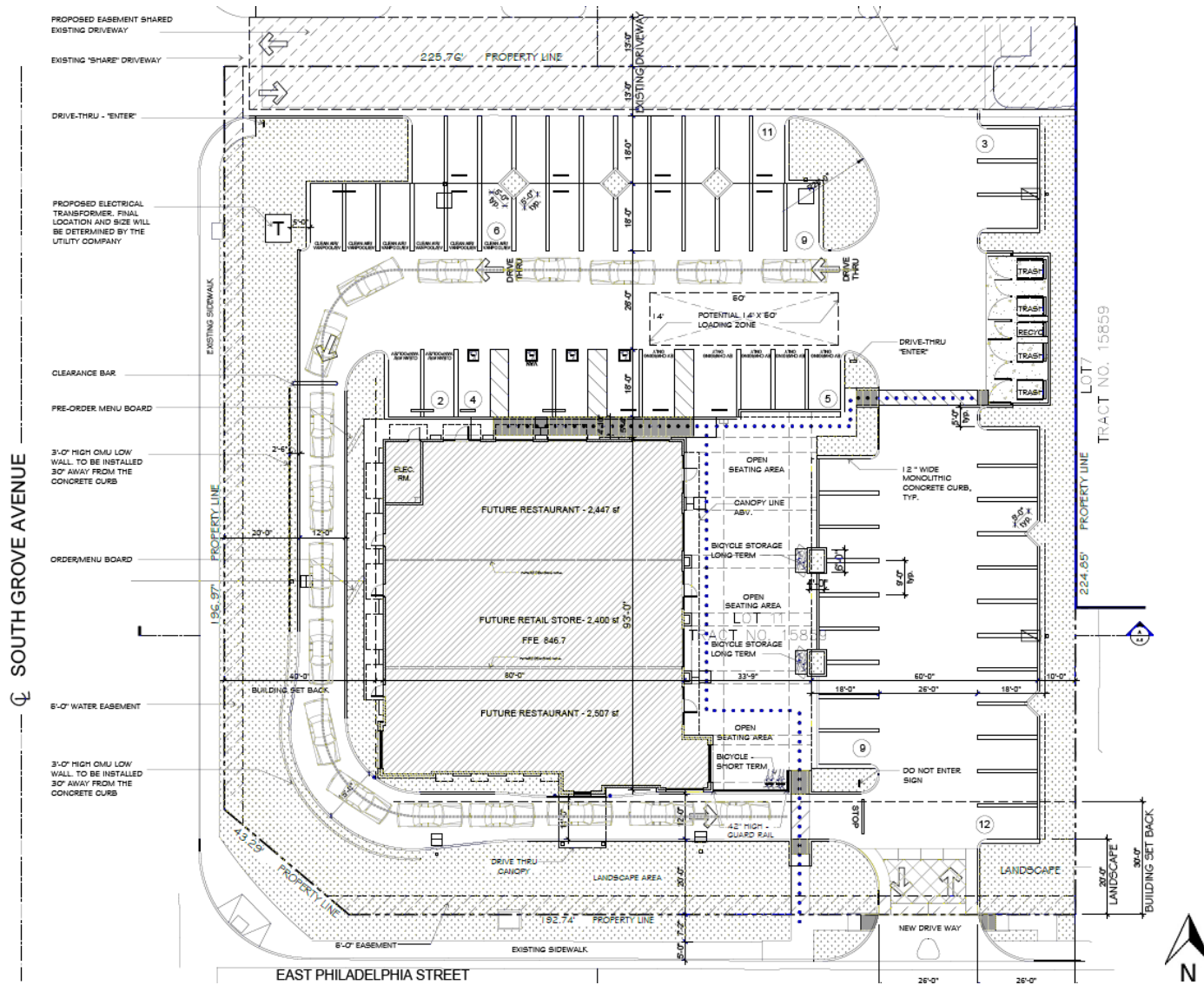


Exhibit C—ELEVATIONS





Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 18, 2019

File No: PCUP18-036

Related Files: PDEV18-034

Project Description: A Conditional Use Permit to establish a commercial retail/restaurant with drive-thru building totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. APN: 0113-641-15. Related file: PDEV18-034; **submitted by Phelan Development Company.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.3 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.4 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(g) Drive-thru businesses shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially-zoned property. Furthermore, the use shall not interfere with the normal use of adjoining properties or potential for planned commercial development.

2.5 Maintenance.

(a) The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

(b) Adequate trash containers shall be provided and, on a daily basis, employees shall be required to pick up trash originating from the site, both on site and within 50 feet of the perimeter of the site.

(c) No undesirable odors shall be generated on-site.

(d) All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind shall be contained completely within an enclosed structure.

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(a) Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines, which consists of infill development projects that are consistent with the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.12 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.13 Additional Requirements.

(a) Conditional Use Permit approval shall not be final and complete until such time that the related Development Plan application (File No. PDEV18-034) has been approved.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

SUBJECT: FILE #: PCUP18-036

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, February 13, 2019**.

PROJECT DESCRIPTION: A Conditional Use Permit to establish a commercial retail/restaurant with drive-thru building totaling 8,497 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PDEV18-034.

- The plan does adequately address the departmental concerns at this time.
- No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Carolyn Bell Sr. Landscape Architect
Department Signature Title Date 3/4/19



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

SUBJECT: FILE #: PCUP18-036

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, November 22, 2018**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Conditional Use Permit request to allow for the construction of one commercial retail/restaurant with drive-thru building totaling 8,497 square feet 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 S. Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PDEV18-034.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Building
Department

Signature

Title

Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 15, 2018
SUBJECT: PCUP18-036

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

SUBJECT: **FILE #: PCUP18-036**

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, November 22, 2018**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Conditional Use Permit request to allow for the construction of one commercial retail/restaurant with drive-thru building totaling 8,497 square feet 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 S. Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PDEV18-034.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations *Anna Vaca*
Department Signature

Sr. Systems Analyst
Title

11/14/2018
Date



Development Advisory Board Decision

March 18, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-034

DESCRIPTION: A Development Plan to construct a commercial retail/restaurant building with drive-thru, totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. APN: 0113-641-15. Related file: PCUP18-036; **submitted by Phelan Development Company. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PHELAN DEVELOPMENT COMPANY, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-034, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.16 acres of land located at 2195 South Grove Avenue, and is depicted in **Exhibit A: Aerial Photograph**, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>North:</i>	Offices	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>South:</i>	Retail	General Commercial (0.4 FAR)	Grove Avenue Specific Plan	Commercial
<i>East:</i>	Warehousing	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>West:</i>	Gas Station	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Commercial

(2) **Project Description:**

(a) **Background** —The Applicant is requesting the approval of a Development Plan (File No. PDEV18-034) and related Conditional Use Permit (File No. PCUP18-036) to construct a 7,354 square-foot multi-tenant retail/restaurant building and associated a drive-thru on the above-described project site.

The Grove Avenue Specific Plan requires Conditional Use Permit approval for drive-thru establishments, and also establishes the land use designations, development standards, and design guidelines for the project site.

(b) Site Design/Building Layout — The project proposes the development of one multi-tenant retail/restaurant building, to be oriented in a north-south configuration, located near the southwest corner of the project site. The building will be set back 40 feet from the Grove Avenue (west) property line and 32 feet from the Philadelphia Street (south) property line. The parking stalls will be located along the eastern and northern portions of the project site (see **Exhibit B: Site Plan**).

(c) Site Access/Circulation — The proposed parking lot, drive-thru, and drive aisles will be accessed from both Grove Avenue and Philadelphia Street. The Philadelphia Street driveway will be limited to right-in/right-out only, while an existing drive approach along the project's Grove Avenue street frontage will provide full site access. The drive-thru entrance is proposed near the northwest corner of the project site and is oriented along the western and southern portion of the building.

(d) Parking — As shown in the Parking Summary Table, below, the project is required to provide a minimum of 61 off-street parking spaces pursuant to the off-street parking standards specified in the City's Development Code. The project proposes to provide a total of 61 off-street parking spaces, meeting the minimum off-street parking requirements for the uses proposed.

Parking Table Summary				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Retail	2,400 SF	4 spaces per 1,000 SF of GFA	10	10
Fast Food Restaurants	4,954 SF 379 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window	51	51
TOTAL			61	61

(e) Architecture — The project features a modern architectural style, utilizing the following treatments (see **Exhibit C: Elevations**, attached):

- Concrete masonry body with contrasting angelus block treatment;
- False arcades, vertical and horizontal reveal lines, and horizontal and vertical articulation;
- Decorative metal canopies with a minimum 3' projection are provided along the north, west, and east elevations;
- Tower elements with a variety of metal decking details and glazing; and,
- Overhead drive-thru canopy along the south elevation at the pick-up window.

(f) Landscaping — A substantial landscaped area has been provided along the project's Grove Avenue and Philadelphia Street frontages. The Development Code requires that a minimum 18 percent landscape coverage must be provided for corner lots. The project is providing 19 percent landscape coverage, which exceeds the minimum requirement (see **Exhibit D: Conceptual Landscape Plan**, attached). A variety of trees will be planted on-site, including Western Redbud, Australian Willow, Afghan Pine, Chinese Elm, Date Palms, Southern Magnolia, and London Plane Tree in box sizes ranging from 24 to 48 inches. The site will also be planted with an assortment of shrubs, grasses, and ground covers, such as Dwarf Bottle Brush, Japanese Privet, New Zealand Flax, Native Blue Rye, Pine Muhly, Deer Grass, Putah Creek Myoporum, Blue Chalk Sticks, and more.

(g) Signage — The project will be required to submit a sign plan application prior to installation of any signage at the site.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed;

WHEREAS, on March 18, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill developments, which meet the following criteria:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

The project is consistent with all General Plan and zoning regulations and policies, including those of the Grove Avenue Specific Plan, and occurs entirely within the City's limits on a 1.16-acre site, which is totally surrounded by developed parcels. There is no value as habitat for the project site, and the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The site is the last vacant parcel in the area, and can be adequately served by all required utilities and public services.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Business Park (0.6 FAR)

land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed multi-tenant retail building will provide the neighborhood with a walkable, added commercial convenience, per policy LU-6 (Complete Community) of the Policy Plan. Additionally, the project will be well-landscaped, and the overall site improvements will contribute to both the streetscape along Grove Avenue and Philadelphia Street per Policies CD209 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Business Park land use district of the Grove Avenue Specific Plan, including standards relative to the particular land use proposed (multi-tenant retail with associated drive-thru facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is currently vacant and as such is underutilized. The proposed project will be constructed to be consistent with the Specific Plan, Development Code, and The Ontario Plan (TOP), and will blend in well with the surrounding light industrial, office, and retail uses; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Grove Avenue Specific Plan. The proposed project is complementary to the surroundings in terms of use, massing, and architecture, and will install an extensive landscape buffer along Grove Avenue and Philadelphia Street to soften the use and appearance of the building and associated drive-thru. Moreover, conditions of approval have been imposed on the project that will ensure appropriate site lighting of the project site for purposes of public safety; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Grove Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (multi-tenant retail with associated drive-thru facility). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Grove Avenue Specific Plan.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 18th day of March, 2019.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

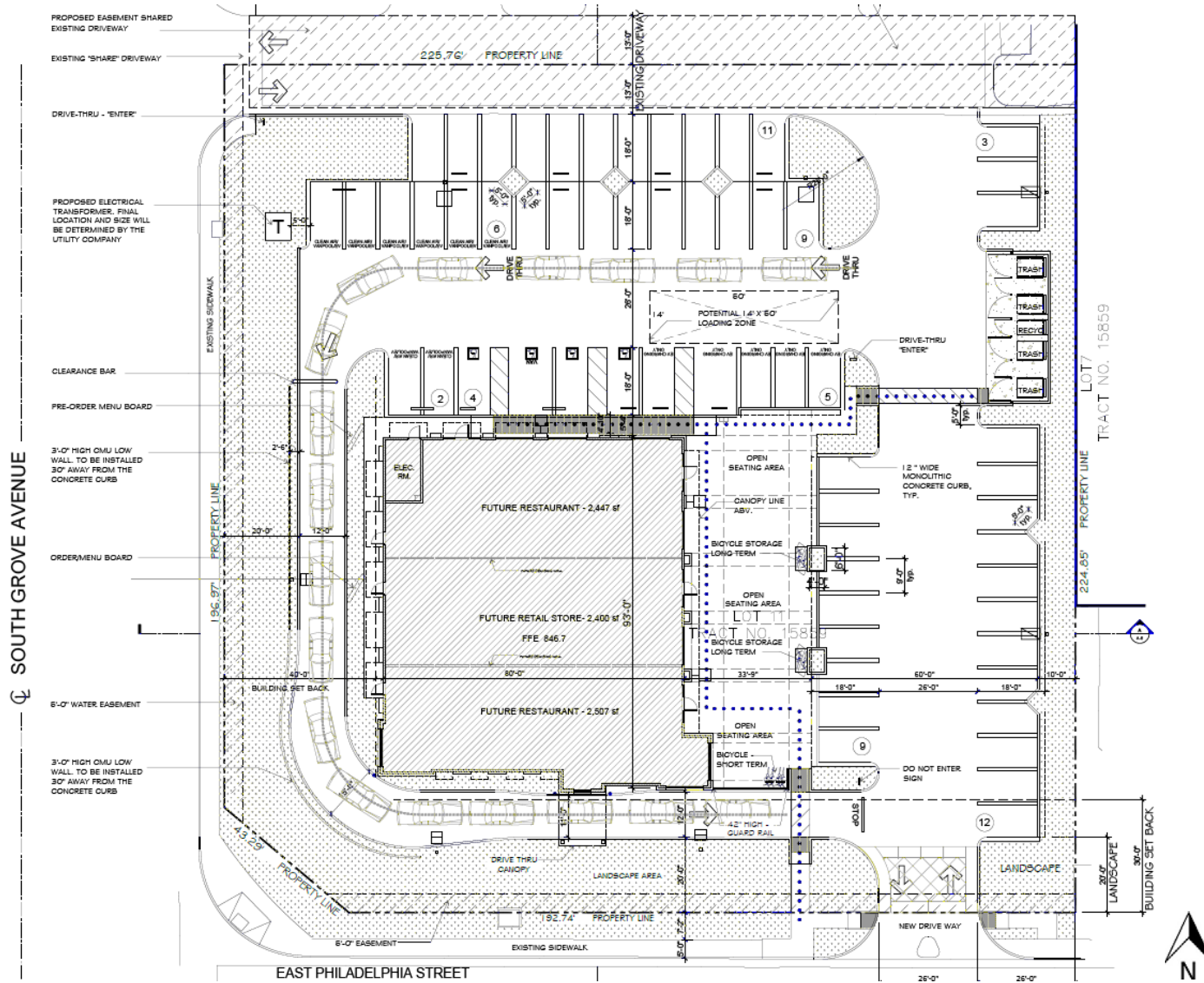
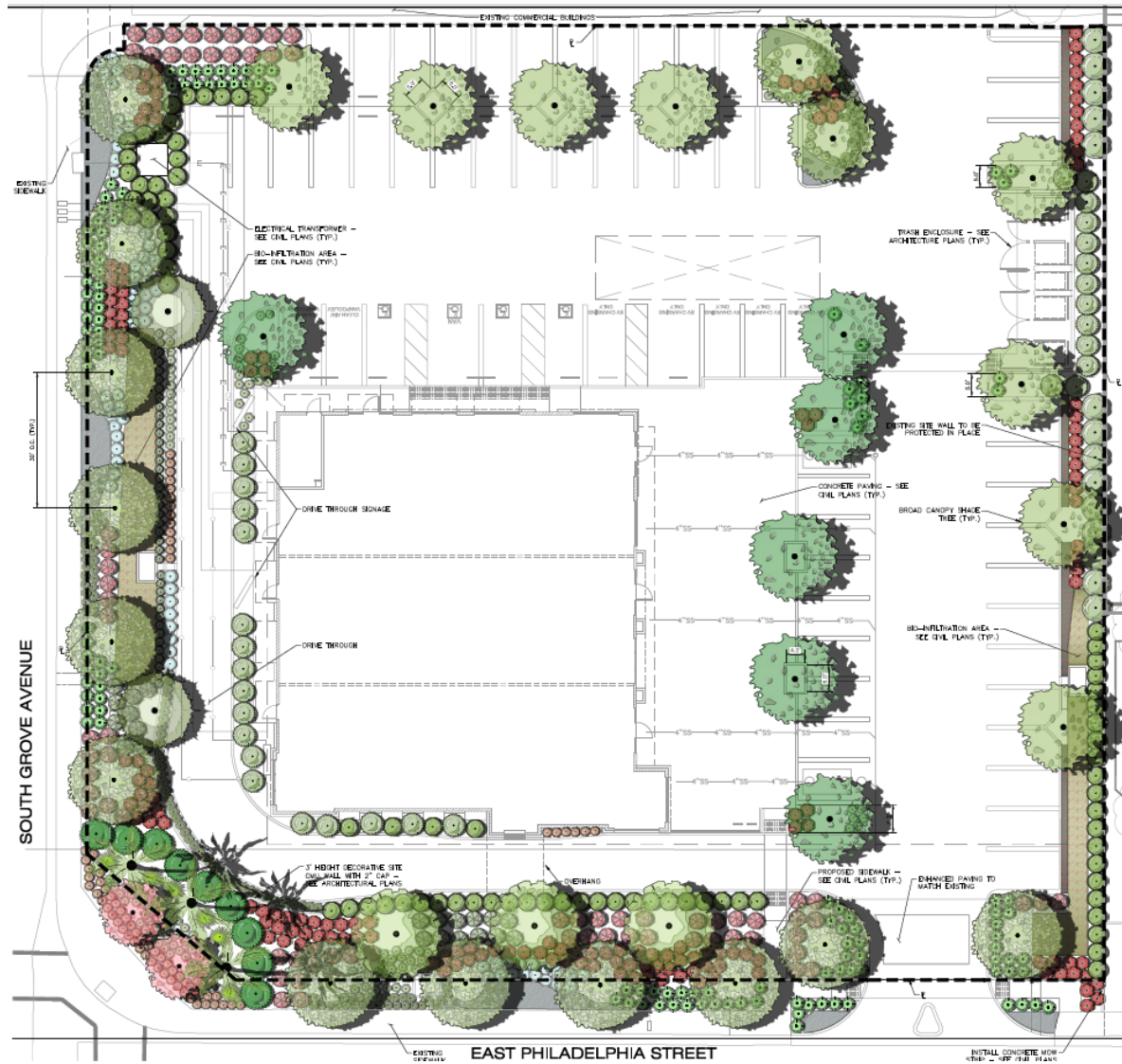


Exhibit C—ELEVATIONS





Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 18, 2019

File No: PDEV18-034

Related Files: PCUP18-036

Project Description: A Development Plan to construct a commercial retail/restaurant building with drive-thru, totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. APN: 0113-641-15. Related file: PCUP18-036; **submitted by Phelan Development Company.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(g) Drive-thru businesses shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially-zoned property. Furthermore, the use shall not interfere with the normal use of adjoining properties or potential for planned commercial development.

2.6 Maintenance.

(a) The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

(b) Adequate trash containers shall be provided and, on a daily basis, employees shall be required to pick up trash originating from the site, both on site and within 50 feet of the perimeter of the site.

(c) No undesirable odors shall be generated on-site.

(d) All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind shall be contained completely within an enclosed structure.

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(a) Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

2.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated

thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines, which consists of infill development projects that are consistent with the following conditions:

- (i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
- (ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
- (iii) The project site has no value as habitat for endangered, rare, or threatened species;
- (iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Development Plan approval shall not be final and complete until such time that the related Conditional Use Permit application (File No. PCUP18-036) has been approved.

(b) All on-site improvements and the final architectural design of the approved building shall be consistent with the approved plans on file with the Planning Department and the herein-stated conditions of approval. The final designs shall be subject to review and approval by the Planning Department prior to building permit issuance.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
~~Khai Do~~, City Engineer *MATTHEW ST.*
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

SUBJECT: FILE #: PDEV18-034 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, February 13, 2019**.

PROJECT DESCRIPTION: A Development Plan to construct a commercial retail/restaurant building with drive-thru, totaling 8,497 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PCUP18-036.

- The plan does adequately address the departmental concerns at this time.
- No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

ENG/LAND DEV *MATTHEW ST.* *Asst Engineer* *2/25/2019*
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

DEVELOPMENT PLAN REVIEW COMMENTS Engineering Department/Land Development Section

DATE: February 25, 2019 (DPR1)

PROJECT: PDEV18-034 A development plan to construct one commercial retail/restaurant for multiple tenants, totaling 8,497 s.f. on 1.16 acres, located at the northeast corner of Grove Ave. and Philadelphia St.

LOCATION: 2195 South Grove Avenue

PROJECT ENGINEER: Matthew Holmes, Assistant Engineer

PROJECT PLANNER: Alexis Vaughn, Associate Planner

A. General Comments:

1. The most recent site plan dated 2/15/19 shows a proposed reciprocal access easement for the northerly drive aisle. If this is not already included in the CC&Rs from the Tract Map, please make sure this extends all the way to the right of way of Grove. The site plan shows this stopping about 7 feet short of the right of way.
2. If GTE has no continuing interest in the current easement (exception 3 of the PTR) this could be quitclaimed to clear up the title encumbrance. If the GTE easement is to remain, no structures may be constructed within the easement that would interfere with their rights of use.

B. The following items will be incorporated in the Conditions of Approval Report prior to the Development Advisory Board and/or Zoning Administrator Hearing:

1. The applicant/developer shall pay all Development Impact Fees (DIF) to the Building Department. The storm drain portion of the DIF is approximately \$25,000. Final DIF fees shall be determined based on the approved site plan.
2. Since no adequate drainage facility exists downstream to accept additional runoff, a detention basin/facility of appropriate size shall be designed and constructed per City Standards. On-site drainage to be diverted onto City streets shall not exceed 80% of predevelopment flows. The estimated In Lieu fee for storm drain improvements for this development is \$21,440.
3. The applicant/developer shall vacate the 5 foot "water easement" as dedicated on Tract Map No. 15859, MB 270/8-9.

4. The applicant/developer shall dedicate an onsite "pedestrian easement" on the southerly portion of the shared driveway on Grove Avenue. This needs to include the entire path of travel along the drive approach.
5. The applicant/developer shall obtain an offsite "pedestrian easement" on the northerly portion of the shared driveway on Grove Avenue. This needs to include the entire path of travel along the drive approach.
6. The applicant/developer shall provide an executed copy of the easement for SCE.
7. The applicant/developer shall replace all curb, gutter, and sidewalk panels which are broken or not to standard along property frontage per current Standard Specifications for Public Works Construction.
8. The applicant/developer shall be "Purple Ready" onsite for future connection to reclaimed water.
9. The applicant/developer shall design and construct public fiber optic conduits and appurtenances, per City of Ontario Standards.
10. The applicant/developer shall update the street lights to be upgraded to LED fixtures.
11. The applicant/developer shall be responsible for conditions from Transportation Division, Ontario Municipal Utilities Company, fiber team and Environmental Section that will be incorporated into the final conditions of approval.

C: Raymond Lee, P.E., Assistant City Engineer

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions



CITY OF ONTARIO

MEMORANDUM

TO: Matthew Holmes, ENGINEERING DEPARTMENT
FROM: Celia Corral, ENGINEERING DEPARTMENT
DATE: Feb 19th, 2019
SUBJECT: File No. PDEV18-034 (NEC Grove and Philadelphia, Ontario, CA)

The Site Plan, Conceptual Grading and the PWQMP have been reviewed and are approved for DAB with the following conditions:

1. DMA#1 BMP only has one curb cut for stormwater conveyance and needs additional cuts to ensure all runoff will reach the BMP, similarly, DMA#2 requires additional curb cuts as one cut will not allow for all runoff to reach the BMP, specifically, on the northern portion of the BMP with a proposed grade of north to south.
2. The basins shall have an overflow device/system to handle storm events encountered that exceed the design storm. Include overflow devices, such as risers, on the plans.

Note: This project will be conditioned in the Engineering DAB Report to prepare a WQMP based on the approved PWQMP. The WQMP template is available at:

<http://www.sbcounty.gov/dpw/land/npdes.asp> or on the City's website under Engineering/Environmental Services. For a direct request you may send an email to EWoosley@ontarioca.gov.

Activities resulting in land disturbance of one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>



CITY OF ONTARIO MEMORANDUM

Development Plan Review

Project: PDEV18-034

Date: February 22, 2019

Location: 2195 S Grove Avenue

By: David Tan

The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval.

Conditions:

1. The Applicant/Developer shall be responsible to design and construct street improvements along property frontage in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.
2. The Applicant/Developer shall replace existing street light fixtures with City-approved LED equivalent fixtures, along Philadelphia Street and Grove Avenue. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans for LED fixture requirements.
3. Grove Avenue and Philadelphia Street shall be signed "No Parking Anytime".
4. Project driveway on Philadelphia Street shall be limited to right-turn access only. Applicant/Developer shall be responsible to design and construct a channelizing median island in the driveway throat to discourage left-turn movements.
5. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.
6. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

dt;



CITY OF ONTARIO MEMORANDUM



DATE: February 12, 2019
TO: Mathew Holmes, Engineering
CC: Alexis Vaughn, Planning
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR Rev #1 & Conditions of Approval (COA) - Utilities Comments (#5840)
PDEV18-034; Related File: PCUP18-036 (A Development Plan to construct one commercial
PROJECT NO.: retail/restaurant building, NEC of Grove Avenue and Philadelphia Street)

BRIEF DESCRIPTION

A Development Plan to construct one commercial retail/restaurant with drive-thru building totaling 8,497 square feet 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 S. Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PCUP18-036.

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

General Conditions:

1. Standard Conditions of Approval: Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. Utilities Annotation: **Provide all utilities point of connections (POCs)** including all appurtenances such as backflow devices, DCDA's, monitoring manhole, etc. Also, all point of connections (POCs) are to be made in Grove Avenue, except the irrigation POC is to be in Philadelphia for future tie-over to the recycled water main.

Potable Water Comments:

3. Fire Service: Provide a fire service with DCDA to the project site.
4. Fire Hydrant: Update the existing fire hydrant, fronting the project site to current city's standard with break-off valve.

Recycled Water Comments:

5. Purple ready: Provide all landscaping irrigation appurtenances (sprinkler head, meter box, control valve etc.) to be purple ready.

Sanitary Sewer Comments:

6. Pre-treatment: Install one grease interceptor (GI) for each restaurant with domestic waste water discharge connecting at the downstream from the GI.
7. The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager

omucenvironmental@ontarioca.gov

Phone: (909) 395-2661

Solid Waste Comments:

8. Solid Waste Handling Plan (SWHP): Prior to approval of Precise Grading Plans, provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements" attached.



SOLID WASTE HANDLING PLAN (SWHP) REQUIREMENTS:

The SWHP shall meet, at a minimum, the following requirements:

1. **SWHP Content and Format:** The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>) and shall contain, at a minimum, the following elements:
 - a. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial/Industrial with bins and enclosures, etc.) and describing the solid waste handling operation (*for instance, will there be scouting services, etc.*).
 - b. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
 - c. An Engineering Site Plan drawn to scale that shows:
 - i. Minimum plan scale of scale of 1:100. Larger scales are preferred and should be scaled to fill the sheet and show as much detail as clearly as possible on one sheet; multiple sheets may be used if entire project area cannot fit on one sheet at 1:100 scale.
 - ii. A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
 - iii. The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
 - iv. All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
 - v. All proposed curbs and areas designated and striped/signed as "No Parking".
 - vi. All proposed trash enclosures and the ADA paths of travel from the buildings.
 - vii. A detail for each enclosure footprint delineating the number and size of the bins in order to demonstrate that the enclosure is adequately sized and oriented, if enclosures and bins are proposed.
 - viii. All proposed locations of automated cans shown as a 26-inch by 26-inch can pad with 20-inches between can pads and 40-inches between can pads and Parking spaces, mailboxes and other obstructions (Can Collection Area). Can Collection Areas shall be located along designated paths of travel and cannot be located along dead end alleys, motor courts, driveways, or private streets; use multi-family standards for enclosures in these cases.
2. **Can Collection Area (CCA) Locations:** If CCAs are being proposed in lieu of bin enclosures for residential units located along dead end alleys, motor courts, driveways, or private streets, then the SWHP shall comply with the following requirements:
 - a. CCAs cannot conflict or compete with potential parking areas. Proposed CCAs must be designated as "no parking" at all times with appropriate striping and signage.
 - b. Each residential unit must have a designated CCA and each CCA must delineated with markings so that its location and the unit it is designated for are easily identifiable.
 - c. Solid Waste Handling Plan shall include a detail showing how the CCAs will be delineated and identifiable.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

SUBJECT: FILE #: PDEV18-034

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, February 13, 2019**.

PROJECT DESCRIPTION: A Development Plan to construct a commercial retail/restaurant building with drive-thru, totaling 8,497 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PCUP18-036.

- The plan does adequately address the departmental concerns at this time.
- No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Carolyn Bell Sr. Landscape Architect
Department Signature Title Date 3/4/19

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Architect

3/4/19
 Date

Reviewer's Name:
Carolyn Bell, Sr Landscape Architect

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV18-034 Rev 1

Case Planner:
 Alexis Vaughn

Project Name and Location:
 Phelan Commercial retail project
 2195 S Grove

Applicant/Representative:
 Phelan Development, Jeff Phelan/Ashley Ranieri
 450 Newport Center Dr Suite 405
 Newport Beach, CA 92660

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 1/30/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

Civil/ Site Plans

1. Show storm water infiltration areas and show basins and swales to be no greater than 50% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from paving for landscape. If the area is 20' wide the basin or swale shall be no greater than 10' wide (top to top). **Not corrected. Revise plans and section C-C and D-D, Provide a section along East Philadelphia St.**
2. Revise infiltration ponds at narrow east and west side planters. **Not corrected. See #2 above. Consider a 2' wide swale on the east; 6' on the west (top to top) x 3-5' deep of engineered soil or add large perforated pipes to meet volume requirements and allow required trees.**
3. Show transformers located in planter areas, dimensioned set back 5' from paving all sides. **Not corrected**
4. Show backflow devices shall be located in planter areas, dimensioned set back 4' from paving all sides. Locate on level grade. Coordinate with landscape plans. **Move FDC and DCDA min 4' from paving and clear of required tree locations at each parking row end. Not corrected.**

Landscape Plans

5. Show all utilities on the landscape plans. Coordinate so utilities are clear of required tree locations. **Coordinate with civil so that FCD and DCDA's are clear of required tree locations at parking row ends and 4' from all paving, Transformers to be 5' clear of paving.**
6. Revised: Street trees **40' oc.** Platanus wrightii per the specific plan, background trees to alternate between: Pinus, Brachychiton, etc **Revise Grove trees to increase spacing, modify basin width**
7. Show landscape per the Grove Ave SP – Ok. Change poor performing plants: Phormium - dies out. Consider Dianella or Dietes for a similar appearance or other.
8. Avoid excessive use of grasses with poor winter appearance: Leymus, Muhlenbergia rigens, or high maintenance plants: Juncus chondropetalum. **Not corrected.**

9. Add tall narrow shrubs at west side of building in several locations to screen utility doors and blank walls, can be max **6-8' high: dwarf Arbutus multi-trunk, Mahonia aquafolium, Nandina domestica, Dodonea, etc.**
10. Note for agronomical soil testing and include report on landscape construction plans.
11. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas. **Not corrected, see south east side.**
12. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
13. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Planning Department

FROM: Douglas Sorel, Police Department

DATE: November 14, 2018

SUBJECT: PDEV18-034: A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT A COMMERCIAL RETAIL/RESTAURANT WITH A DRIVE-THRU BUILDING AT THE NORTHEAST CORNER OF GROVE AVENUE AND PHILADELPHIA STREET

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Trash enclosure(s) shall be locked and secured at all times, to prevent transients from living in the enclosure, and prevent the pilfering trash and recyclable items. On the days of trash pickup, the enclosure shall be unlocked to facilitate the emptying of trash receptacles by the solid waste hauler, and shall once again be locked.

In addition, the Ontario Police Department places the following conditions on the development:

- The drive-thru business shall maintain a security camera surveillance system in proper working order, with at least one camera positioned to cover each of the following locations: all cash registers, all entrances and exits, and the drive-thru. Cameras shall be positioned to maximize the coverage of patrons and vehicles within the drive-thru. Each camera shall record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.

- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

A new CUP or a request for modification shall be required if any business in the center desires to serve or sell alcohol.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns.



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 26, 2018

SUBJECT: PDEV18-034 - A Development Plan to construct one commercial retail/restaurant with drive-thru building totaling 8,497 square feet 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 S. Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PCUP18-036

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 7,343 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 7,343 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): Not listed (B)

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item~~. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

SUBJECT: FILE #: PDEV18-034 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, November 22, 2018**.

- Note:**
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Development Plan to construct one commercial retail/restaurant with drive-thru building totaling 8,497 square feet 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 S. Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan (APN: 0113-641-15). Related file PCUP18-036.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Building
Department

Signature

Title

Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 15, 2018
SUBJECT: PDEV18-034

-
- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
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Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

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- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations *Anna Vaca* Sr. Systems Analyst 11/14/2018
Department Signature Title Date

CITY OF ONTARIO
BROADBAND OPERATIONS
303 East "B" Street, Ontario, CA 91764

Conditions of Approval Sign Off	
Broadband Operations	11/14/2018

Reviewer's Name: Anna Vaca, Sr. Systems Analyst	Phone: 909-395-2349
D.A.B. File No.:	Project Engineer:
Plan check #: PDEV18-034	

Project Name and Location:
Development plan to construct one retail/restaurant with drive-thru building located at the northeast corner of Grove Ave. and Philadelphia St. at 2195 S. Grove Ave.
Sent to:
Alexis Vaughn, Assistant Planner

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns at this time.
<input checked="" type="checkbox"/>	It is recommended that the following conditions be incorporated into the Project's conditions of approval.

CONDITIONS OF APPROVAL – PDEV18-034	
<input checked="" type="checkbox"/>	1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
<input checked="" type="checkbox"/>	2. Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
<input checked="" type="checkbox"/>	3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
<input checked="" type="checkbox"/>	5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: <ul style="list-style-type: none"> Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance

CONDITIONS OF APPROVAL – PDEV18-034

		<ul style="list-style-type: none"> • Allows for uniform receipt & distribution of technology services • Ensures scalability of wiring for future technology advances • Provides consistent & identical wiring protocols throughout developments • Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity • Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
<input type="checkbox"/>	6.	Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
<input checked="" type="checkbox"/>	7.	Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input checked="" type="checkbox"/>	8.	A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input checked="" type="checkbox"/>	9.	A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-034 & PCUP18-036
 Address: 2195 South Grove Ave
 APN: 0113-641-15
 Existing Land Use: Vacant
 Proposed Land Use: 8,497 SF restaurant with drive-thru
 Site Acreage: 1.16 Proposed Structure Height: 200 FT +
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Alexis Vaughn
 Date: 12/7/18
 CD No.: 2018-072
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

- | Safety | Noise Impact | Airspace Protection | Overflight Notification |
|-------------------------------|---------------------------------------|---|--|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input type="radio"/> High Terrain Zone | <input type="radio"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input type="radio"/> Zone 2 | <input type="radio"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input checked="" type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input type="radio"/> Airspace Avigation Easement Area | |
| <input type="radio"/> Zone 4 | | Allowable Height: 200 ft + | |
| <input type="radio"/> Zone 5 | | | |

The project is impacted by the following Chino ALUCP Safety Zones:

- Zone 1 Zone 2 Zone 3 Zone 4 Zone 5 Zone 6
- Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

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.

Airport Planner Signature: 



Development Advisory Board Decision

March 18, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV17-045

DESCRIPTION: A modification to a previously approved Development Plan (File No. PDEV17-045), introducing two new single-family floor plans, ranging in size from 1,445 square feet to 1,481 square feet, for 34 lots within Tract 18400. The project consists of 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16); **submitted by KB Home. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

KB HOME, (herein after referred to as "Applicant") has filed an application requesting a modification to a Development Plan approval, File No. PDEV17-045, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Area 3 (Conventional Medium Lot)
<i>North</i>	Agricultural/Dairy Uses	Open Space – Parkland	Grand Park Specific Plan	Great Park
<i>South</i>	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Area 4 (Conventional Medium Lot)
<i>East</i>	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Area 19 (Lane Loaded) and Planning Area 20 (Conventional Medium Lot)
<i>West</i>	Rough Graded	Low Density Residential and Neighborhood Commercial	Subarea 29 Specific Plan	Planning Area 1 (Conventional Small Lot) and Planning Area 2 (Commercial)

[1] **Project Description: Background** — On January 23, 2018, the Planning Commission approved a Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on the above-

described project site (see **Figure 1: Subarea 29 Specific Plan Land Use Map**). The model homes opened in August 2018, followed by the construction of phases 1 and 2 of Tract 18400. Since the tract's grand opening, the housing market has softened; therefore, KB Home is requesting to add two new single-story floor plans (Plans 5 and 6), which range from 1,445 to 1,481 square feet in size, to provide a lower price point. Thirty-four lots within the northern portion of Tract 18400 are proposed to be plotted with the proposed new floor plans (see **Exhibit B: Site Plan, attached**).

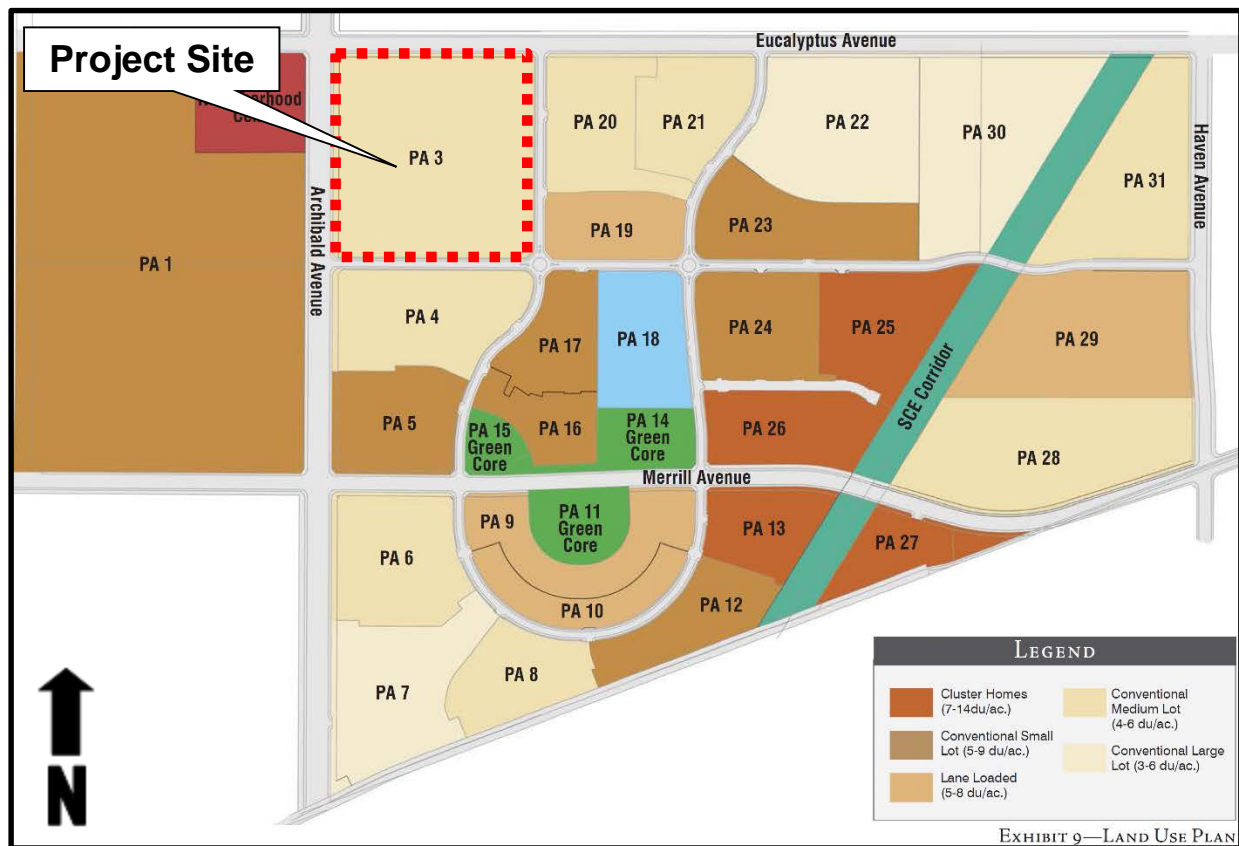


Figure 1: Subarea 29 Specific Plan Land Use Map

[a] Site Design/Building Layout — The original Development Plan approval included one, single-story floor plan and three two-story floor plans, each with four elevations per plan. The four floor plans ranged in size from 1,771 to 2,886 square feet. The proposed modification will introduce two new single-family floor plans, ranging in size from 1,445 to 1,481 square feet, on 34 lots within Tract 18400. Similar to the original development plan approval, the two new single-story floor plans are each proposed with four elevations per plan. The homes will be oriented toward the street (architectural forward), with front entries, walkways and garages facing the street.

The characteristics of the four originally approved and two proposed floor plans are described further in the following tables:

Originally Approved Plans			
Plan 1	Plan 2	Plan 3	Plan 4
<ul style="list-style-type: none"> • 1,771 SF • 3 bedrooms (Opt. 4th bedroom) + den & 2 bath • 1-story • 24 Units (13%) • 2-car garage 	<ul style="list-style-type: none"> • 2,385 SF • 3 bedrooms, den, loft & 2.5 bath • 2-story • 48 Units (25%) • 2-car garage 	<ul style="list-style-type: none"> • 2,742 SF • 4 bedrooms (Opt. 5th & 6th bedrooms), loft, den & 2.5 bath • 2-story • 39 Units (20%) • 2-car garage 	<ul style="list-style-type: none"> • 2,886 SF • 4 bedrooms (Opt. 5th & 6th bedrooms), loft, den & 2.5 bath • 2-story • 45 Units (24%) • 2-car garage

Proposed Plans	
Plan 5	Plan 6
<ul style="list-style-type: none"> • 1,445 SF • 3 bedrooms, Great Room & 2 bath • 1-story • 17 Units (9%) • 2-car garage 	<ul style="list-style-type: none"> • 1,481 SF • 3 bedrooms, Great Room & 2 bath • 1-story • 17 Units (9%) • 2-car garage

The two proposed single-story floor plans incorporate various design features, such as single-story massing, varied entries, and a great room. In addition, each home will have a two-car garage and two-car driveway. To minimize visual impacts of garages, techniques such as the use of single-story massing on the front entries, varied roof massing, and garage door header trim and details above garages will be incorporated on the various elevations. Additionally, the homes feature recessed garages, which locates the face of each garage a minimum of 8 to 9 feet behind the front elevation/living space.

[b] Parking — The proposed conventional single-story homes will provide a two-car garage with a standard two-car driveway, which meets the Subarea 29 Specific Plan and Development Code minimum parking requirements.

[c] Architecture — The architectural styles proposed are consistent with the previously approved architectural designs that include: Spanish Colonial, Craftsman, American Traditional, and Cottage. The styles complement one another through the overall scale, massing, proportions, and details. The proposed home designs are consistent with the design guidelines of the Specific Plan. Each architectural style will include the following details (see **Exhibit C – Floor Plans and Elevations**):

- Spanish Colonial: Varying gable and hipped roofs with “S” concrete roof tiles; stucco finish; arched entries; decorative eaves; potshel with decorative tile and a terra cotta cap; decorative recessed tile with iron below gable ends; arched headers above garage doors; and decorative shutters and window framing.
- Craftsman: Varying gable and hipped roofs with flat concrete roof tiles, wooden outlookers, knee braces and vertical siding below gable ends, stucco and shingle siding finish, and covered porches with a simple tapered post column and stone veneer bases.

- American Traditional: Varying gable, Dutch gable and hipped roofs with flat concrete roof tiles, decorative vents below gable ends, stucco and horizontal siding finish, covered porches with a simple wood post columns, decorative shutters and window framing.
- Cottage: Varying gable and hipped roofs with flat concrete roof tiles, stucco finish; decorative vents and corbels below gable ends; covered porch entries with stone veneer; decorative shutters and window framing.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, the Application is a project pursuant to CEQA (Public Resources Code Section 21000 et seq.), and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed;

WHEREAS, on March 18, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation. Based upon the facts and information contained in the previous certified Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015.

(2) The previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), and all mitigation measures previously adopted with the certified Subarea 29 Specific Plan EIR (SCH# 2004011009), are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental to the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that will require major revisions to the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was prepared, that will require major revisions to the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009); or

(b) Significant effects previously examined will be substantially more severe than shown in the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009); or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the previously approved addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (190) and density (4.72 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Conventional Medium Lot Residential (Planning Area 3) land use district of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Conventional Medium Lot Residential Product: Village Homes Residential Development Standards of the Subarea 29 Specific Plan.

Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Conventional Medium Lot Residential (Planning Area 3); (Conventional Medium Lot Residential Product: Village Homes) land use district of the Subarea 29 Specific Plan, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (conventional single-family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Subarea 29 Specific Plan. Additionally, the Development Plan complies with all provisions of Conventional Medium Lot Residential Product: Village Homes Residential Development Standards of the Subarea 29 Specific Plan.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 18th day of March 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

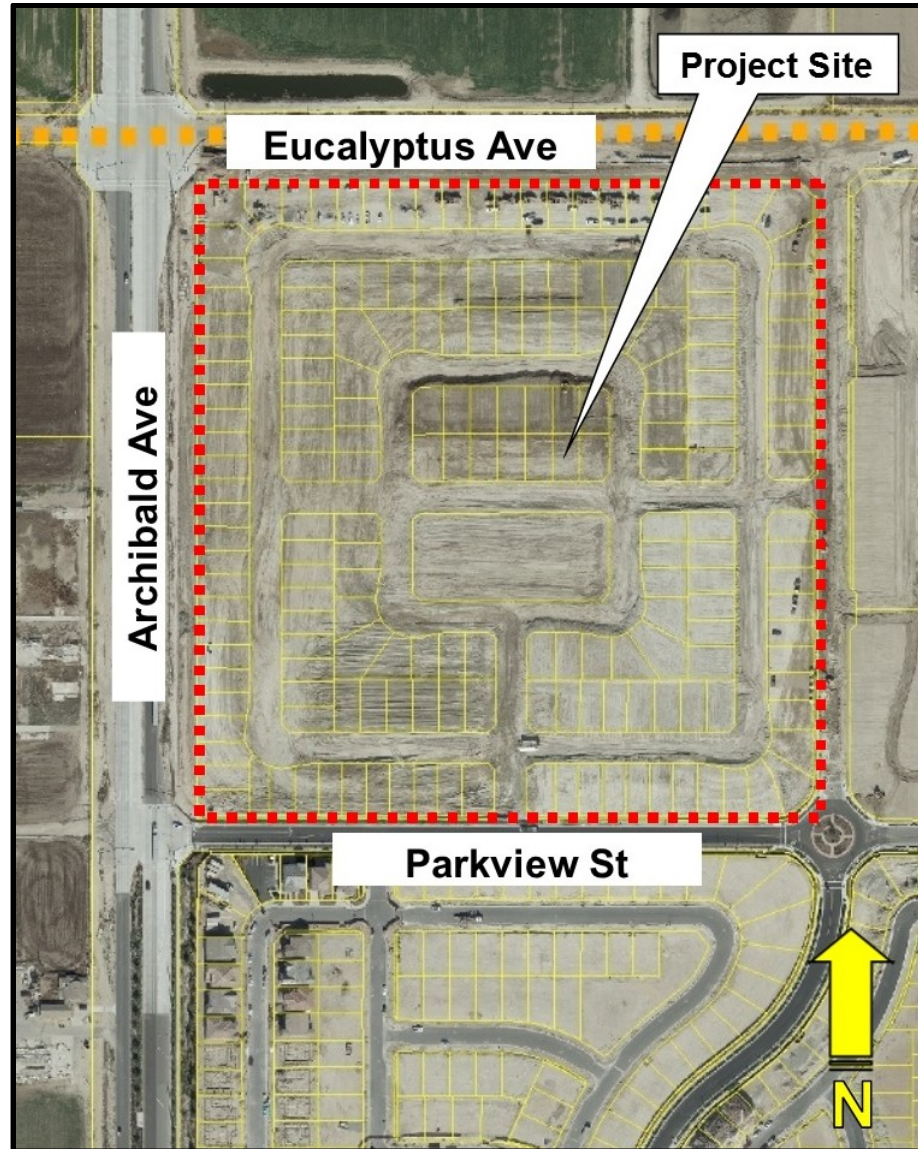


Exhibit B—SITE PLAN



Exhibit C—FLOOR PLANS & ELEVATIONS: Plan 5

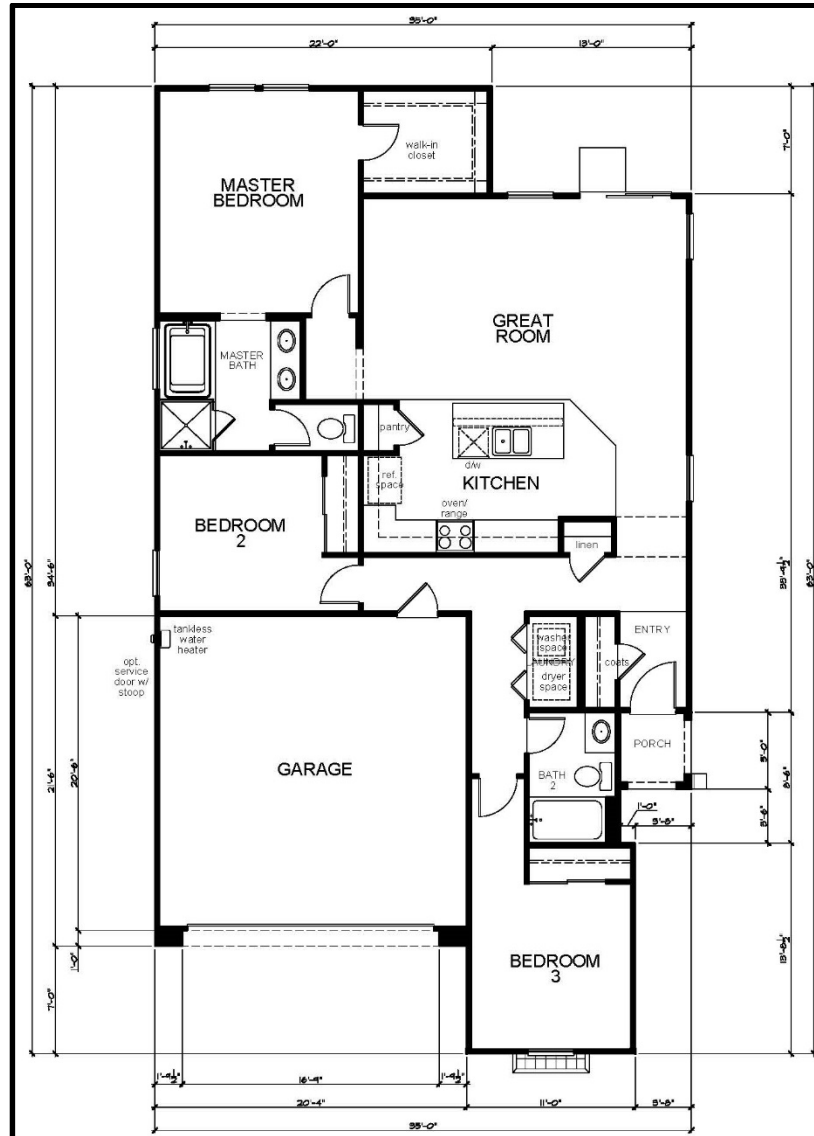
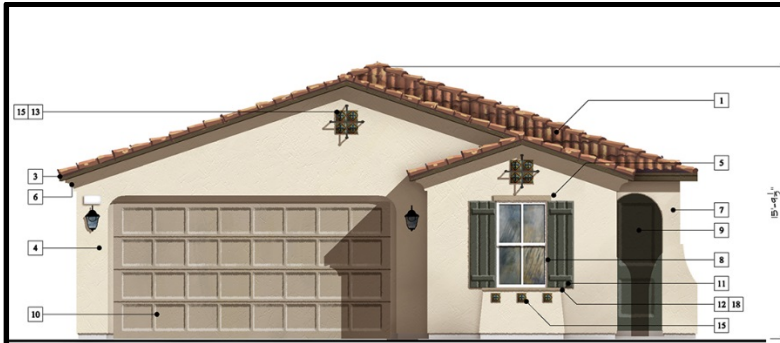
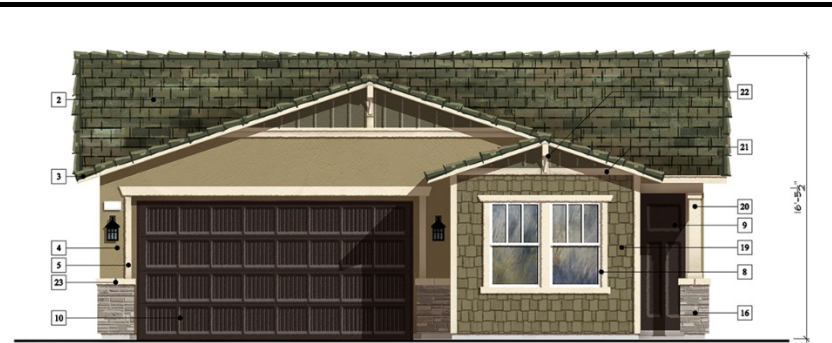


Exhibit C—FLOOR PLANS & ELEVATIONS: Plan 5



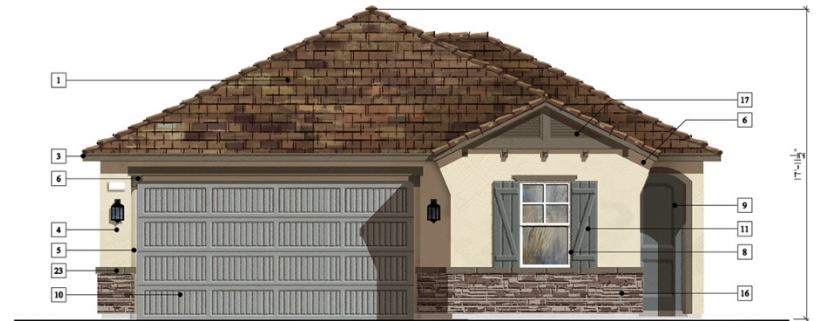
Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

Exhibit C—FLOOR PLANS & ELEVATIONS: Plan 6

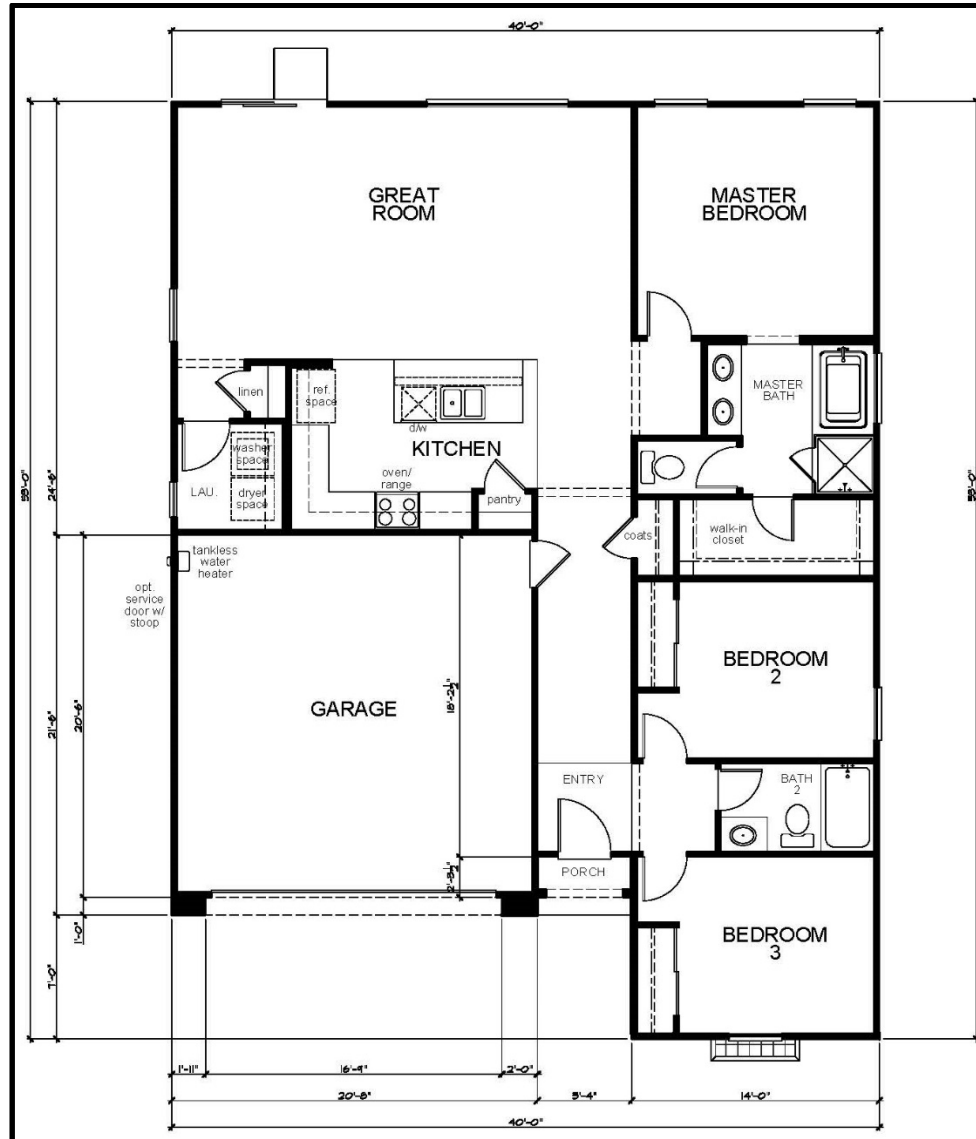
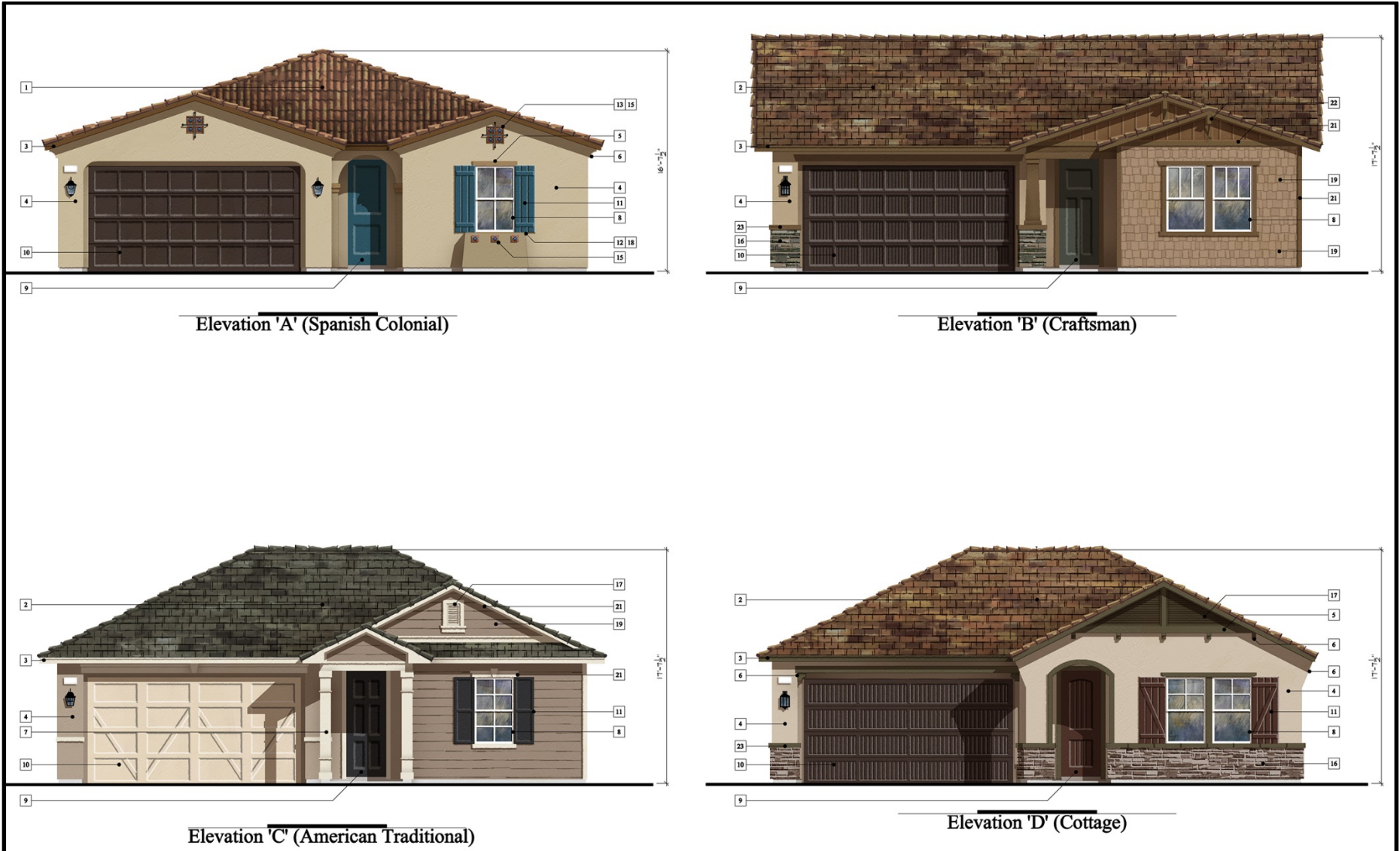


Exhibit C—FLOOR PLANS & ELEVATIONS: Plan 6



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 18, 2019
File No: PDEV17-045
Related Files: PMTT12-013/TT18400

Project Description: A modification to a previously approved Development Plan (File No. PDEV17-045), introducing two new single-family floor plans, ranging in size from 1,445 square feet to 1,481 square feet, for 34 lots within Tract 18400. The project consists of 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16); **submitted by KB Home.**

Prepared By: Henry K. Noh, Senior Planner
Phone: 909.395.2429 (direct)
Email: hnoh@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, a(n) Amendment to the Subarea 29 Specific Plan for which a(n) addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.4 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.5 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

(a) Final architecture for the proposed project shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

(b) All applicable conditions of approval of the previously approved Development Plan (File No. PDEV17-045, dated: 1/17/18) shall apply to this Development Plan modification.

(c) All applicable conditions of approval of Development Agreement (File No. PDA13-001) shall apply to this tract.

(d) All applicable conditions of approval of the Subarea 29 Specific Plan shall apply to this tract.

(e) All applicable conditions of approval of the "B" Map TT 18400 (File No. PMTT12-013) shall apply to this Development Plan.



Development Advisory Board Decision

March 18, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-012

DESCRIPTION: A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land generally located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, within the SCE Easement land use designation of the Entratter Specific Plan (APN: 0238-121-44); **submitted by T-Mobile.**

Part I—BACKGROUND & ANALYSIS

T-MOBILE, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-012, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 12.3 acres of land located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	SCE Easement	Open Space Non-Residential	Entratter Specific Plan	SCE Easement
<i>North</i>	Warehousing	Industrial	Toyota Ontario Business Park Specific Plan	Warehousing/ Distribution
<i>South</i>	Warehousing	Industrial	Entratter Specific Plan	Industrial
<i>East</i>	I-15 Freeway	I-15 Freeway	I-15 Freeway	I-15 Freeway
<i>West</i>	Warehousing and SCE Easement	Industrial and Open Space Non-Residential	Toyota Ontario Business Park Specific Plan and Utilities Corridor	Warehousing/ Distribution

(2) **Project Description:** The Applicant is requesting approval of a Development Plan (File No. PDEV18-012) to construct a 65-foot tall non-stealth telecommunications facility attached to an existing SCE transmission tower, with an accompanying 400-square foot equipment enclosure and an 8-foot high decorative block wall enclosure (**see Exhibit B—Site Plan and Exhibit C—Enlarged Site Plan**).

The maximum height allowed for a single-carrier telecommunication facility is 55 feet, and 65 feet for a collated (two or more carriers) facility. The existing SCE tower is 139 feet in height and can accommodate at least two carriers; therefore, the proposed mounting height of the proposed wireless telecommunications antenna array is in compliance with the Development Code’s maximum height restrictions. As shown on the tower elevations (**Exhibit D – Elevations**), a future second carrier could install

their equipment on the SCE tower without creating interference with the other carrier, due to the extended tower height.

Access to the wireless facility will be taken through a non-exclusive access route from Francis Street. Additionally, one parking space adjacent to the lease area will be provided in accordance with Development Code requirements, which will be used once or twice a month, when maintenance engineers visit the site. The non-stealth design is compatible with the current use of the site and will not interfere with land uses in the surrounding area. Moreover, the new wireless facility will not create a significant new source of automobile or truck traffic to or from the project site.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, the Application is a project pursuant to CEQA (Public Resources Code Section 21000 et seq.), and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed;

WHEREAS, on March 18, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Open Space Non-Residential (OS-NR) land use district of the Policy Plan Land Use Map, and the SCE Easement land use designation of the Entratter Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the SCE Easement land use designation of the Entratter Specific Plan, including standards relative to the particular land use proposed (non-stealth wireless telecommunications facility), as-well-as applicable setbacks, antenna height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Entratter Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and the Entratter Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Entratter Specific Plan that are applicable to the proposed Project, including applicable setbacks, antenna height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (non-stealth wireless telecommunications facility). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Entratter Specific Plan and the City of Ontario Development Plan.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303

East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 18th day of March 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

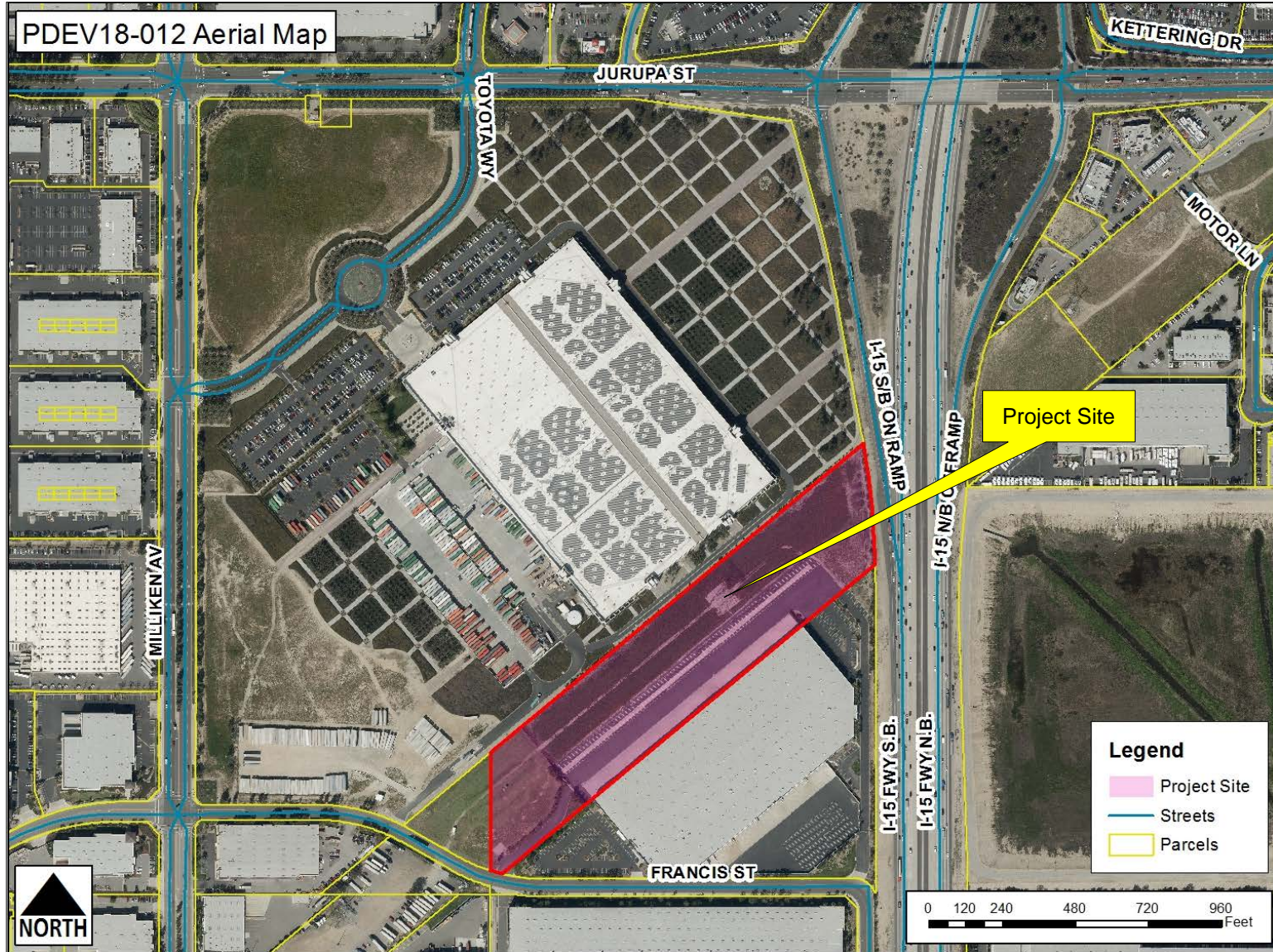


Exhibit B—PROJECT SITE PLAN

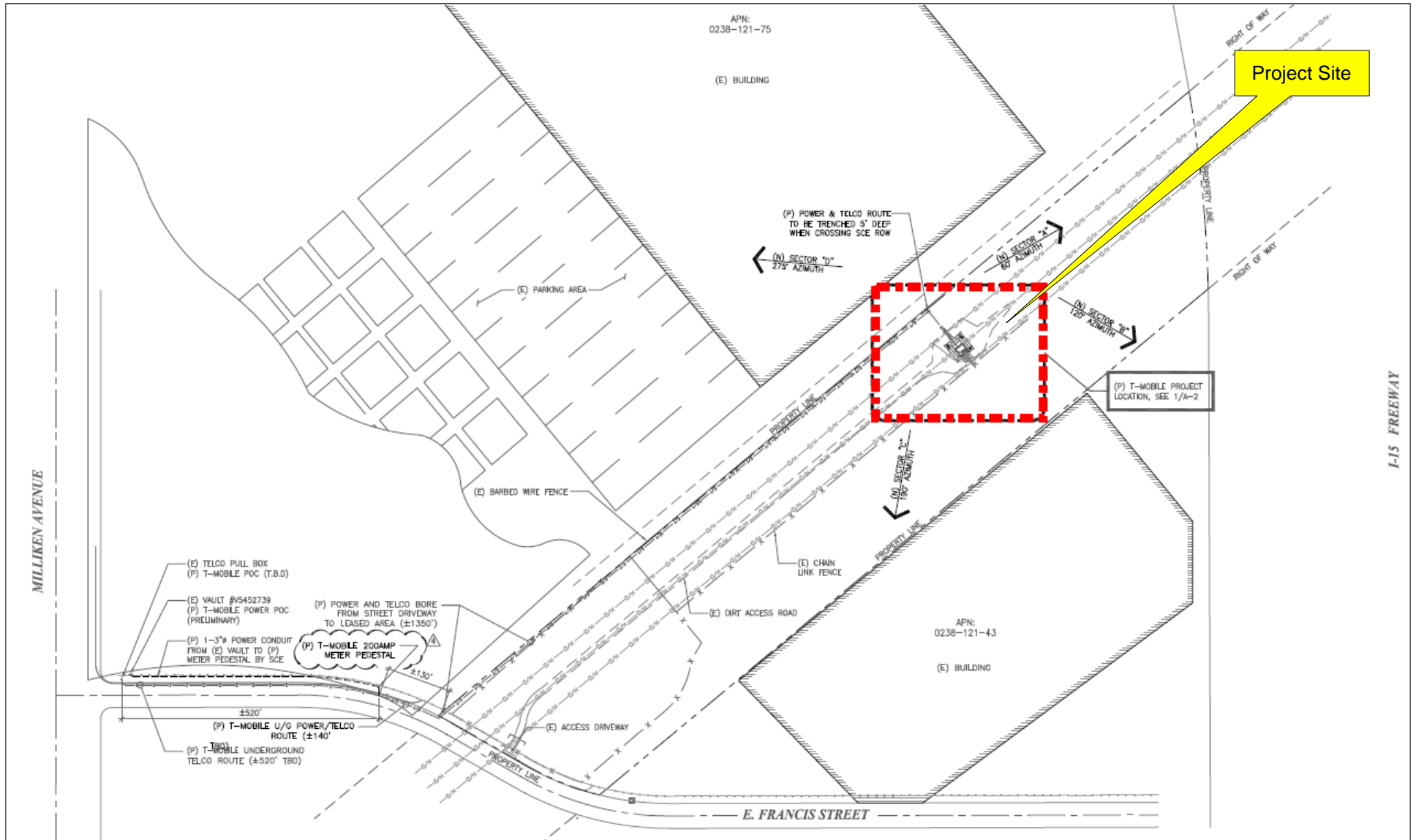


Exhibit C—ENLARGED SITE PLAN

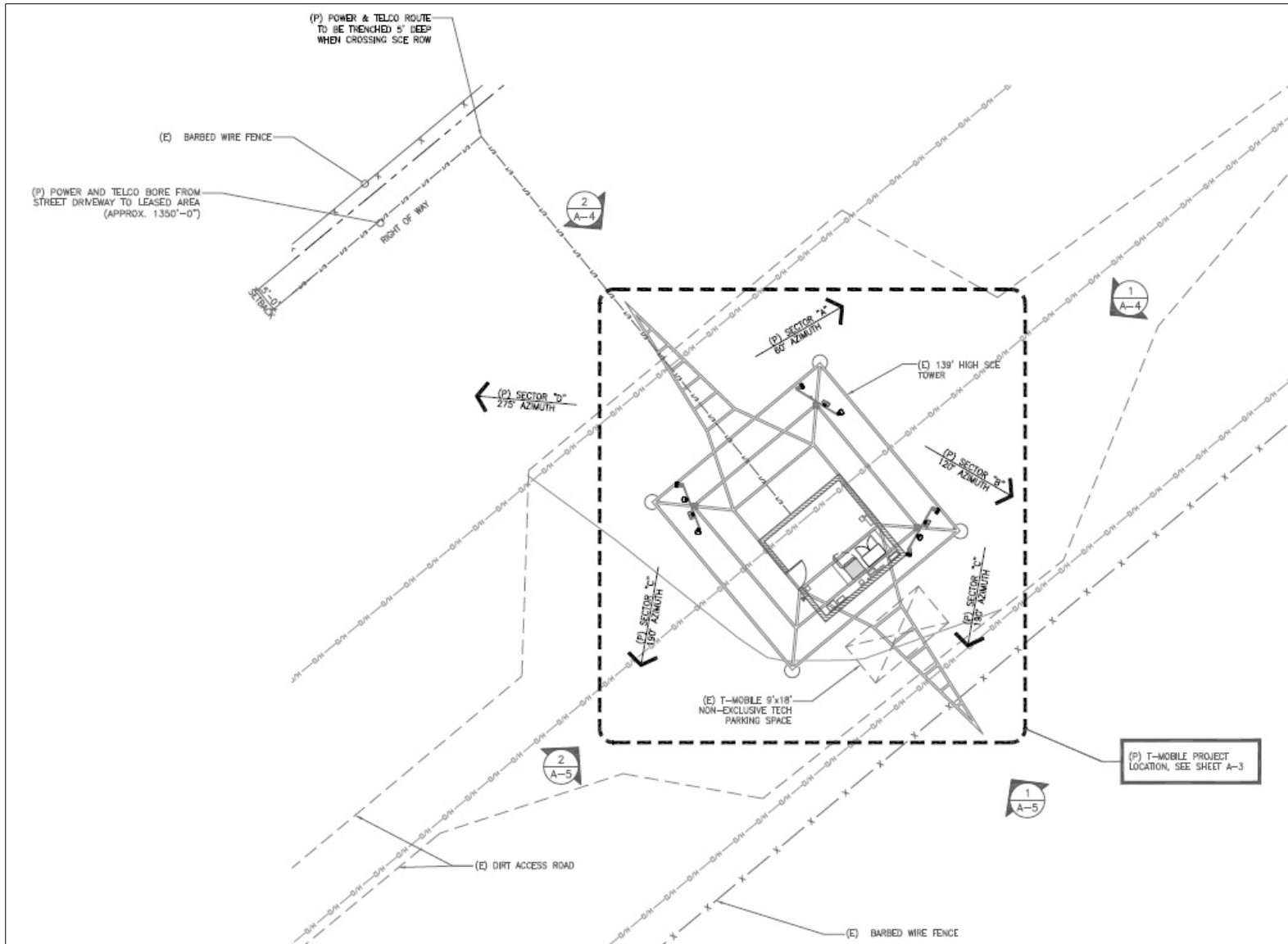


Exhibit D—ELEVATIONS

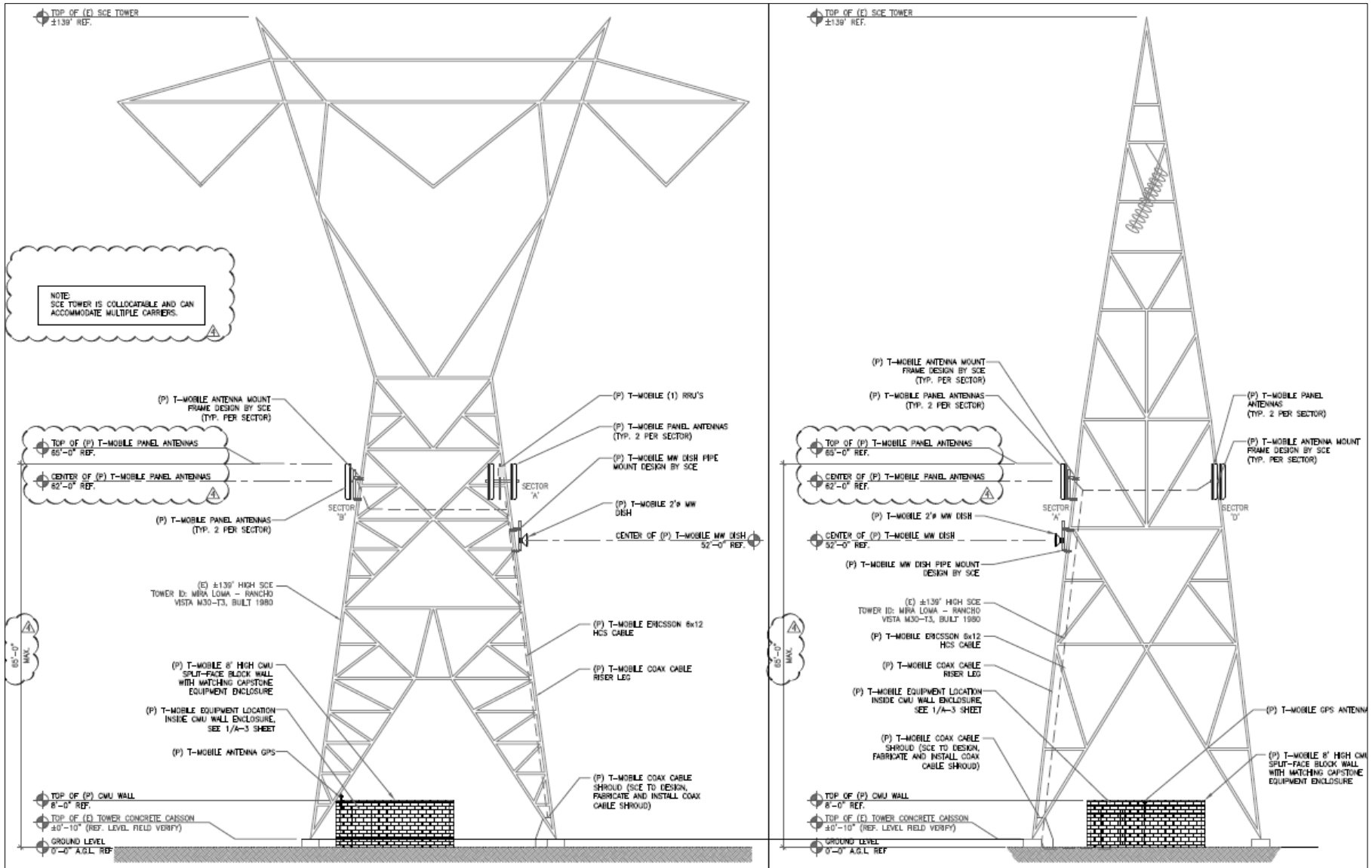


Exhibit D—ELEVATIONS

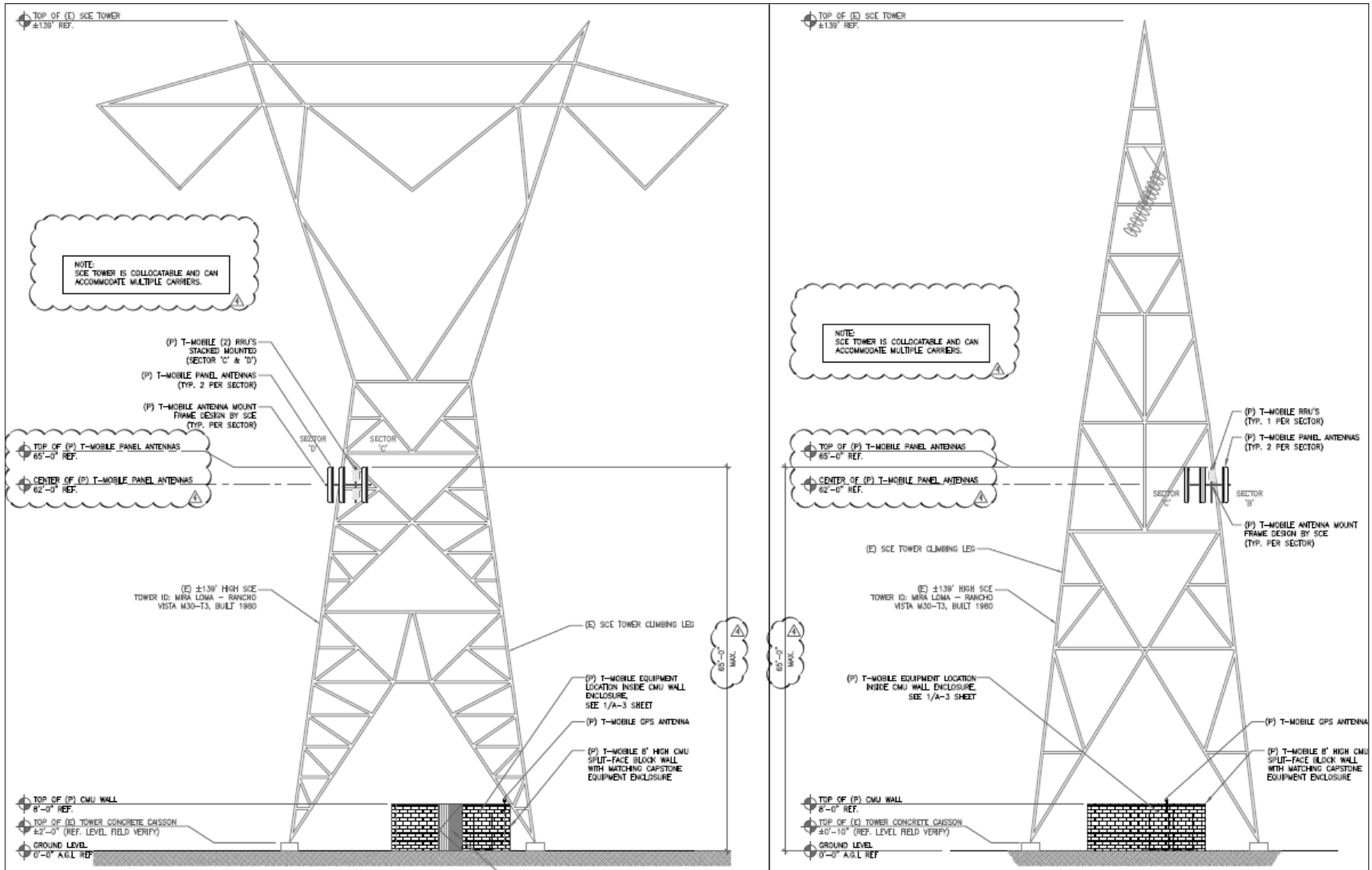


Exhibit E—PROPAGATION MAP, EXISTING COVERAGE

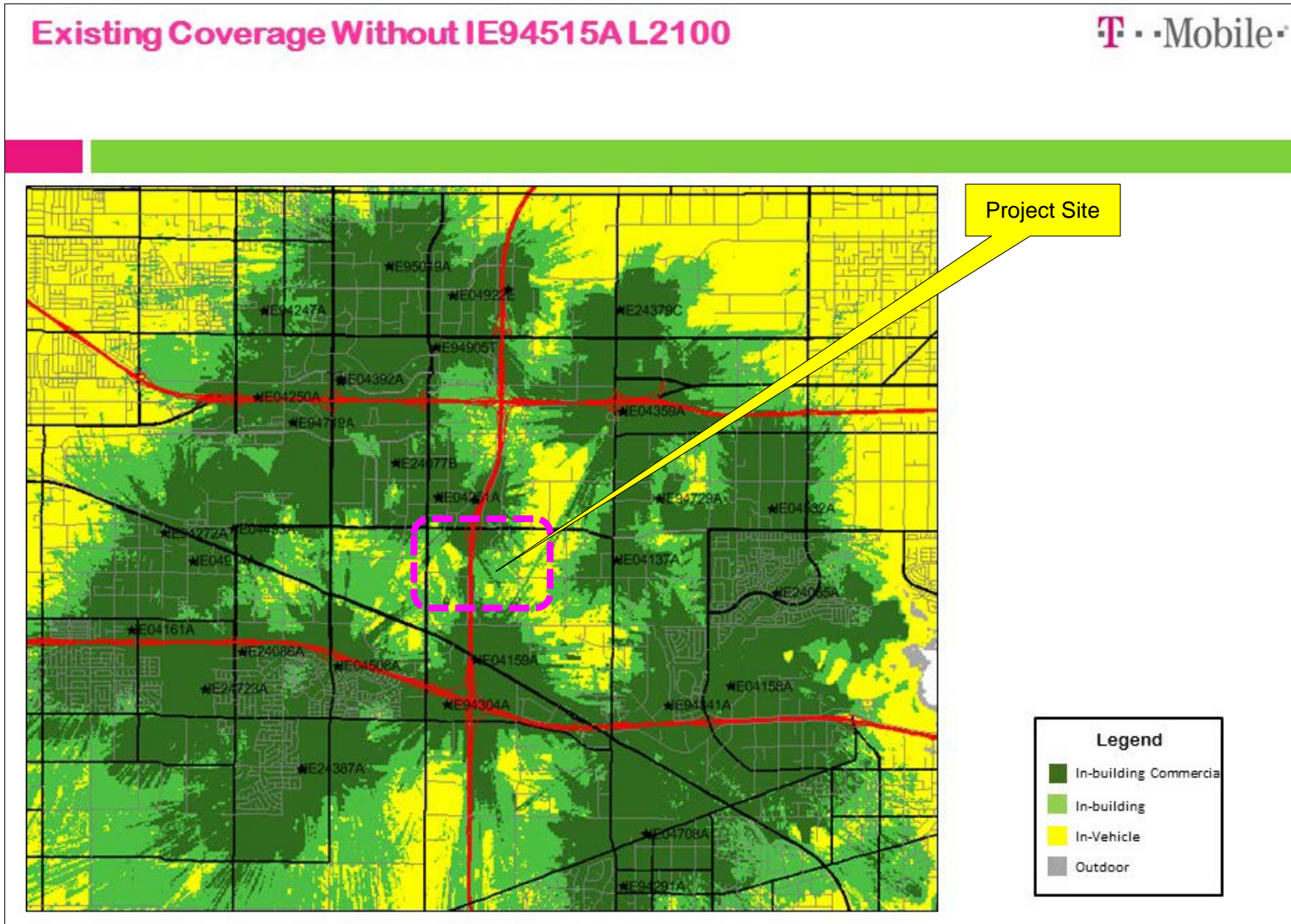
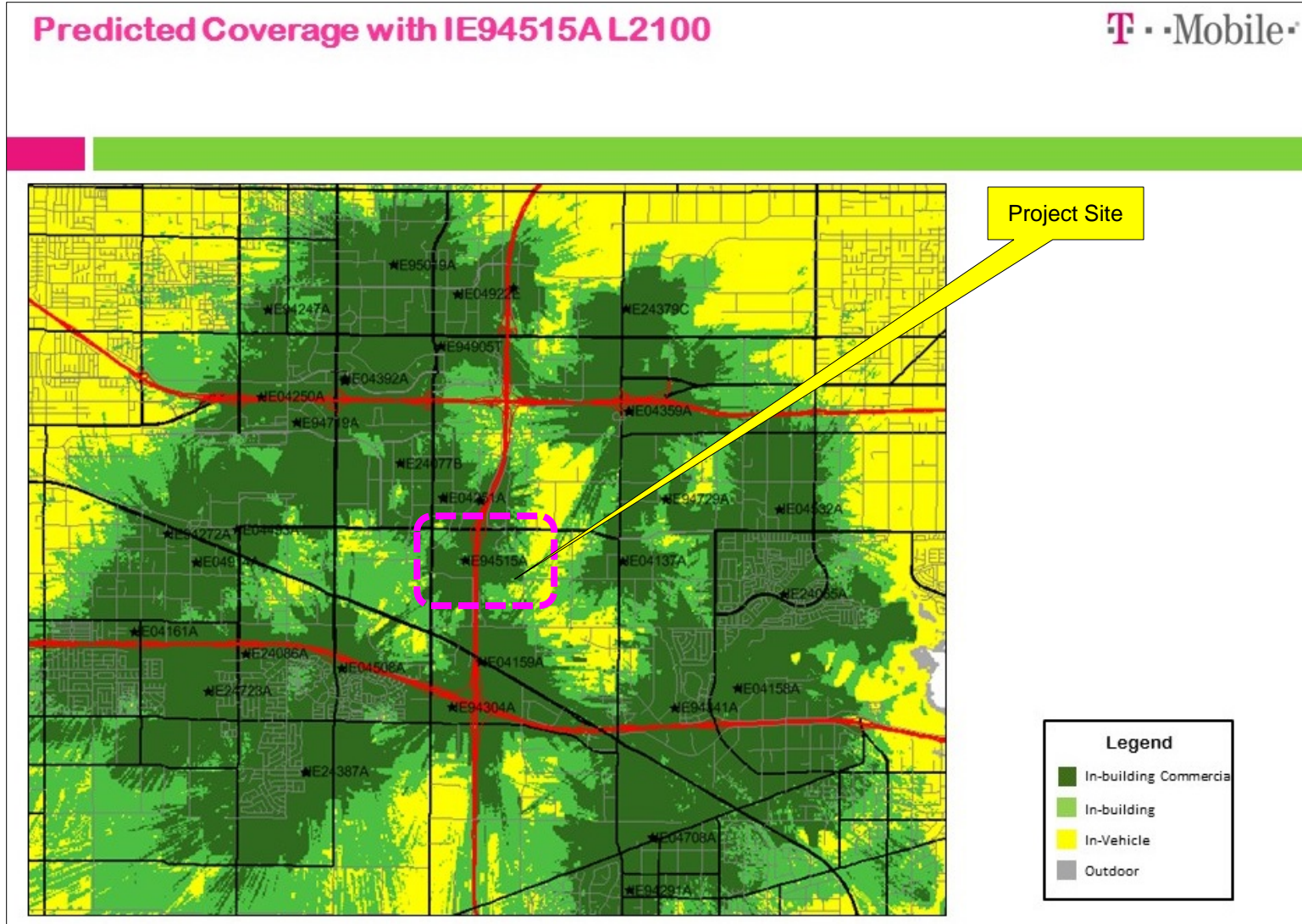


Exhibit E—PROPAGATION MAP, PREDICTED COVERAGE



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 18, 2019

File No: PDEV18-012

Project Description: A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land generally located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, within the SCE Easement land use designation of the Entratter Specific Plan (APN: 0238-121-44); **submitted by T-Mobile.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.12 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Environmental Section, Information Technology & Management Services Department, Ontario Municipal Utilities Company and Traffic & Transportation Division Conditions incorporated)

DAB MEETING DATE: March 18th, 2019

PROJECT: PDEV18-012, a Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land.

APN: 0238-121-44

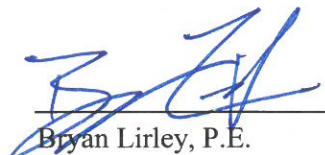
LOCATION: N/S of Francis Street, approximately 1,000 feet East of Milliken Avenue

PROJECT ENGINEER: Antonio Alejos, Assistant Engineer *AA* (909) 395-2384

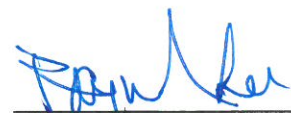
PROJECT PLANNER: Jeanie Aguilo, Associate Planner (909) 395-2418

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The Applicant/Developer shall apply for an Encroachment Permit for any proposed work in the public right-of-way.


Bryan Lirley, P.E.
Principal Engineer

2/28/19
Date


Raymond Lee, P.E.
Assistant City Engineer

2/28/19
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-012

Address: SCE Corridor - NWC of Rochester Ave and Francis St

APN: 0238-121-44

Existing Land Use: 139 Ft tall SCE Transmission Tower

Proposed Land Use: wireless facility attached 76ft high to an existing SCE Transmission Tower 1

Site Acreage: 12.2 Proposed Structure Height: 76 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 5/17/18

CD No.: 2018-026

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

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 applicant is required to file a FAA Form 7460-1 due to potential electronic interference to aircraft in flight and receive a determination of "No Hazard" from FAA prior to building permit issuance.

Airport Planner Signature: 

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 5, 2018
SUBJECT: PDEV18-012

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

SUBJECT: FILE #: PDEV18-012 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, April 16, 2018**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-FT tall SCE transmission tower located at 0 South SCE Easement, within the UC (Utilities Corridor) zoning district (APN: 0238-121-44)

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Building
Department

Signature

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: April 10, 2018

SUBJECT: PDEV18-012 – A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land generally located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, within the UC (Utilities Corridor) zoning district (APN: 0238-121-44).

-
- The plan **does** adequately address the departmental concerns at this time.
- Report below.

CONDITIONS OF APPROVAL:

8. Hand-portable fire extinguishers are required to be installed PRIOR to occupancy. Contact the Bureau of Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required per Ontario Fire Department Standard #C-001. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
9. "No Parking/Fire Lane" signs and /or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 24-foot clear width requirement per Ontario Fire Department. Install per Ontario Fire Department Standards #B-001 and #B-004. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
10. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background. (See Section 9-1 6.06 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-003 and #H-002.)

21. The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

If the equipment cabinets are to contain any stationary storage battery systems, said systems shall comply with section 608 of the 2016 California Fire Code

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
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Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

SUBJECT: FILE #: PDEV18-012 Finance Acct#:

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5/10/18
Landscape Planning Carolyn Bell Sr Landscape Architect
Department Signature Title Date



CITY OF ONTARIO

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DATE: April 02, 2018

SUBJECT: FILE #: PDEV18-012 Finance Acct#:

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Police Department Douglas Sorel Signature MANAGEMENT ANALYST Title 4-19-18 Date



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
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FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

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Code Joe De Sousa Supervisor 4-3-18
Department Signature Title Date