



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

September 4, 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 August 19, 2019, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-028:** A Development Plan to demolish an existing community center and pool and construct a 12,154 square foot community center (Anthony Munoz Community Center), a 1,500 square foot pool house, pool and parking lot on 3.58 acres of land located at 1240 West Fourth Street (Anthony Munoz Park) within the OS-R (Open Space – Recreation) zoning district. 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: 1008-541-01) **City Initiated.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines §15332

2. File No. PDEV18-028 (Development Plan)

Motion to Approve / Deny

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-035:** A Development Plan to construct a 2,999-square foot fast food restaurant with drive-thru (Carl's Jr.) on a 0.55-acre pad within the previously approved New Haven Market Place shopping center, located at the southwest corner of Haven Avenue and Ontario Ranch Road, within the Retail land use district of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan Environmental Impact Report (SCH# 2005071109) certified by the City Council on December 19, 2006. 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: 0218-392-26) **submitted by Tait and Associates.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PDEV19-035** (Development Plan)

Motion to Approve / Deny

D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-007:**

A Tentative Tract Map (TM 20198) to subdivide 9.57 acres of land into 18 single-family lots, located at 1103 South Benson, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district. 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); (APNs: 1011-431-01 & 1011-521-06) **submitted by TK Management Services LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PMTT18-007** (TTM 20198)

Motion to recommend Approval/Denial

E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-006:**

A Development Plan for the construction of a three-story, 88-unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district. 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); (APNs: 1047-432-22 & 1047-443-01) **submitted by SC Property Fund LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PDEV18-006** (Development Plan)

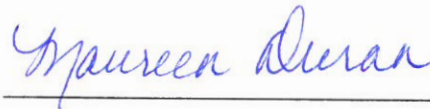
Motion to recommend Approval/Denial

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 **September 16, 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 **August 30, 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

August 19, 2019

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
Pedro Rico, Building Department
Jesus Plasencia, Engineering Department
Paul Ehrman, Fire Department
Joe De Sousa, Housing and Neighborhood Preservation
Jeff Krizek, Municipal Utilities Company
Emily Hernandez, Police Department

BOARD MEMBERS ABSENT

Charity Hernandez, Economic Development
Kevin Shear, Building Department

STAFF MEMBERS PRESENT

Jeanie Irene Aguilo, Planning Department
Denny Chen, Planning Department
Maureen Duran, Planning Department
Matthew Holmes, Engineering Department
Norma Lopez, Planning Department
Charles Mercier, Planning Department
Dean Williams, Engineering Department
Derrick Womble, Development Administration

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. APPROVAL OF MINUTES:** Motion to approve the minutes of the July 15, 2019, meeting of the Development Advisory Board was made by Mr. De Sousa; seconded by Jesus Plasencia; and approved unanimously by those present (5-0). Mr. Krizek and Mr. Rico recused themselves as they did not attend this meeting.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-002:** A Tentative Tract Map (File No. PMTT18-002 / TTM 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (SCH No. 2002061047) was previously adopted by the City Council on January 16, 2007. 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: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC. Planning Commission action is required.**

Representative John Schafer of Richland was present and stated he reviewed the conditions and had no questions. Mr. Zeledon informed Mr. Schafer that since the project was going to Planning Commission, any concerns could be addressed at that time.

There were no further questions or concerns.

Motion to recommend approval of **File No. PMTT18-002** subject to conditions of the Planning Commission was made by Mr. De Sousa; seconded by Mr. Rico; and approved unanimously by those present (7-0).

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PMTT18-003, PMTT18-004, AND PMTT18-005:** A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-003 (TTM 20158) to subdivide 15.41 acres of land into 31 lots and 16 lettered lots; 2) File No. PMTT18-004 (TTM 20159) to subdivide 13.94 acres of land into 15 lots and 5 lettered lots; and 3) File No. PMTT18-005 (TTM 20160) to subdivide 22.84 acres of land into 113 lots and 29 lettered lots for residential and public streets, landscape neighborhood edges and common open space purposes, generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (SCH No. 2002061047) was previously adopted by the City Council on January 16, 2007. 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: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC. Planning Commission action is required.**

Representative John Schafer of Richland was present and agreed to the conditions of approval.

There were no further questions or concerns.

Motion recommending approval of **File Nos. PMTT18-003, PMTT18-004, AND PMTT18-005** subject to conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Rico; and approved unanimously by those present (7-0).

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-012:** A Development Plan to remodel an existing Chevron Gas Station that includes the construction of a new 1,879 square foot convenience store and a 630 square foot automated carwash facility on 0.35 acres of land located at 1425 East Fourth Street, within the CN (Neighborhood Commercial) zoning district. Staff has determined that 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; (APN: 0108-381-24) **submitted by St. Mary & St. Michael, Inc.**

Representative Meana Agaiby of MN Designs Company was present. Mr. Zeledon asked if he had received the revised Engineering conditions. Mr. Agaiby stated the revision was on page 27 of 43 referring to the sand and oil separator for the carwash. Mr. Agaiby agreed to these conditions and had no further questions or concerns.

Motion to approve **File No. PDEV17-012** subject to conditions was made by Mr. Plasencia; seconded by Mr. Rico; and approved unanimously by those present (7-0).

- E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-043:** A Development Plan to construct a 51,555 square foot industrial building on 2.05 acres of land, located at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district. Staff has determined that 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; (APNs: 1011-193-04 and 1011-193-03) **submitted by State Street Ontario OZ Properties, LLC. Planning Commission action is required.**

Applicant Bill Fox of State Street Ontario OZ Properties, LLC, was present and stated he had reviewed the conditions with some revisions. Mr. Zeledon asked Mr. Chen, Project Planner, if all conditions were correct. Mr. Chen stated they were. Mr. Fox reiterated that the address is 508 South Palmetto and not 426 South Palmetto. Mr. Zeledon also confirmed the address.

There were no further questions or concerns.

Motion recommending approval of **File No. PDEV18-043** subject to conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Rico; and approved unanimously by those present (7-0).

- F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-007:** A Development Plan to construct a 13,439 square foot industrial building on 0.84 acres of land located at 1166 South Mildred Avenue, within the IG (General Industrial) zoning district. Staff has determined that 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; (APN: 0113-351-09) **submitted by MCI Properties, Inc.**

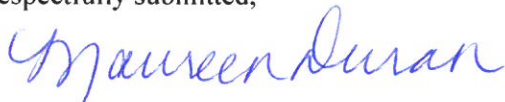
Representative Jim Broeske of Broeske Architects and Associates, Inc., was present and stated he had received the comments and was satisfied with them. Mr. Zeledon asked if all his concerns were addressed, and Mr. Broeske responded they were.

There were no further questions or concerns.

Motion to approve **File No. PDEV19-007** subject to conditions was made by Mr. De Sousa; seconded by Mr. Plasencia; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

September 4, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-028

DESCRIPTION: A Development Plan to demolish an existing community center and pool, and construct a 12,154 square foot community center (Anthony Munoz Community Center), pool and 1,500-square foot pool house, and parking lot on 3.58 acres of land located at 1240 West Fourth Street (Anthony Munoz Park), within the OS-R (Open Space – Recreation) zoning district; (APN: 1008-541-01) **City initiated.**

Part I—BACKGROUND & ANALYSIS

CITY OF ONTARIO, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-028, 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 a 3.58-acre portion of the 17.84-acre Anthony Munoz Park, generally located at the northwest corner of Fourth Street and Camellia Avenue, at 1240 West Fourth Street, and is depicted in Exhibit A—Aerial Photograph, attached. The project site is located at the southeast corner of the park site and is presently developed with a 7,000-square foot community center, pool, and parking lot. The community center and pool are proposed to be razed to facilitate the development of a new community center facility. 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>	Anthony Munoz Park and Community Center	OS-R (Open Space – Parkland)	OS-R (Open Space – Recreation)	N/A
<i>North:</i>	Commercial Shopping Center (Walmart) & Multiple-Family Residential	GC (General Commercial), LMDR (Low Medium Density 5.1-11.0 DU/Acre) & MDR (Medium Density Residential - 11.1 to 25.0 DU/Acre)	Mountain Village Specific Plan, MDR-11 (Low-Medium Density Residential - 5.1 to 11.0 DU/Acre) & MDR- 25 (Medium-High Density Residential—18.1 to 25.0 DU/Acre)	Main Street District
<i>South:</i>	Multiple-Family Residential	MDR (Medium Density Residential - 11.1 to 25.0 DU/Acre)	MDR-25 (Medium-High Density Residential—18.1 to 25.0 DU/Acre)	N/A
<i>East:</i>	Single-Family & Multiple-Family Residential	LDR (Low Density Residential 2.1-5 DU/Acre) & MDR (Medium Density Residential - 11.1 to 25.0 DU/Acre)	LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) & MDR-25 (Medium-High Density Residential - 18.1 to 25.0 DU/Acre)	N/A

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
West:	Single-Family Residential & Religious Assembly	LDR (Low Density Residential - 2.1 to 5.0 DU/Acre)	LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre)	N/A

(2) **Project Description:**

(a) **Background** — The City is proposing to develop a new 12,154-square foot community center, along with a pool and 1,500-square foot pool house, and parking lot improvements within Anthony Munoz Park. The proposed project was brought before the City’s Recreation and Parks Commission on June 25, 2018, for comments and approval. The Commission was in favor of the proposed project and directed staff to increase park security, improve the existing parking lot, and provide an alternate location for programs during construction of the proposed facility.

The City held a Community Meeting on August 30, 2018, which was attended by approximately 50 people, with 35 people signing in. At the meeting, staff members from Community Life and Culture, Police, Public Works and Information Technology were present, along with the project Architect, to discuss the proposed project with residents. Residents in attendance were generally in favor of the proposed park improvements. Listed below are questions and concerns raised by the community, followed by staff responses:

- Residents asked if there would be a designated fitness room and if the basketball courts would be improved. *Staff explained that there would be exercise equipment but not a designated fitness room and the basketball courts were not part of the proposed improvements.*
- Residents asked if the community center would be closer to Fourth Street and if construction would be done in phases. Also, residents inquired about how long the facility would be under construction. *Staff explained that the building would be closer to Fourth Street and construction would take approximately one year and the facility would be completed in one phase.*
- Residents inquired about where existing programs would occur while the facility is under construction. *Staff explained that a program relocation plan would be implemented and residents would be notified of their temporary locations.*
- Residents inquired about the building size and design and if existing programs would continue to be held and accommodated within the new facility. Some residents requested that the multi-purpose room be increased in size. *Staff explained that new facility would be larger and that spaces were designed to be versatile and flexible for multiple users. Also, that the facility would be larger than the Dorothy Quesada Community Center.*
- Residents asked if there would be parking and security improvements to the park. *Staff explained that there are plans to increase the size of the parking lot to alleviate parking within the surrounding community. Officers in attendance spoke to the community about including cameras within the park to assist with surveillance and other programs to keep the residents safe and deter vandalism.*
- Residents requested a walking/biking trail be placed within the park. Staff explained that those improvements were not part of the project scope.

(b) **Site Plan** — The proposed park improvements are limited to the southeast corner of Anthony Munoz Park. The proposed pool will be situated on southeast corner of the park, the pool house will be located north of the pool, and the community center will be located directly west of the pool and pool house. The community center’s main entrance faces east and is accessed on the north through a common

courtyard. The building has been designed with a terrace to the north, a courtyard to the west, between the two building wings, and a tot-lot to the south, facing Fourth Street.

The building's floor plan is divided into three general areas:

- Lobby/Entrance – The eastern portion of the building includes the lobby, reception area, bathrooms, storage area, office, electrical room, and a tot room for younger children;
- South Wing – The south wing of the building includes storage rooms, a janitorial room, and a 1,400-square foot large activity room that can be divided into two smaller rooms; and
- North Wing – The north wing of the building includes a 2,500-square foot multi-purpose room that can be divided into two smaller rooms, additional bathrooms, kitchen, offices, break room, and additional storage/utility rooms.

(a) Parking/Circulation — The parking lot will remain in the same general location, north of the community center and pool, adjacent to Camellia Avenue. Parking improvements will be completed in two phases. Phase 1 improvements are limited to the southern end of the parking lot, adjacent to the community center, and includes a new trash enclosure and drop off area. Phase 2 parking lot improvements will increase and reconfigure the parking lot into a rectangular shape along Camelia Avenue, which will increase the number of parking spaces from 72 to 135. Vehicular access to the site is presently taken from Camellia Avenue via two 30-foot wide driveways located at the north and south end of the parking lot, which will remain in place.

(b) Architecture — The proposed building has a modern contemporary design. Architectural elements include: angled roof lines with deep roof overhangs; exposed structural wood beams; walls with a smooth troweled acrylic plaster finish; horizontal aluminum louvers and metal panels; glazed aluminum curtain walls; and clerestory window systems, with a cool grey and brown color palette. The pool area will be surrounded by an 8-foot high split-face block wall, incorporating a light grey and dark grey color palette, which has been designed to complement the proposed building's architecture and color scheme. The project will also incorporate a freestanding art wall, located east of the pool's perimeter block wall, which will face Camellia Avenue.

(c) Landscaping — The landscape plan will complement and enhance the architecture of the building and the street frontages along Fourth Street and Camellia Avenue. A combination of 24-inch, 36-inch, and 48-inch box accent and shade trees will be provided throughout the project site, in addition to a variety of shrubs, aloe, agave, vines, turf, and groundcovers that are low water usage and drought tolerant.

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 act 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; and

WHEREAS, on September 4, 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 decision-making 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 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed 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 and the area being developed is 3.58 acres, less than the five-acre threshold, and is substantially surrounded by urban land 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. Additionally, the site is 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 decision-making 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 decision-making 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 OS-R (Open Space – Parkland) land use district of the Policy Plan Land Use Map, and the OS-R (Open Space – Recreation) zoning district. 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 OS-R (Open Space – Recreation) zoning district, including standards relative to the particular land use proposed (Community Center and City Park), 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 Development Code 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

(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 Development Code 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 (Community Center and City Park). 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 Development Code.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby 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 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 4th day of September 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN PHASE 1

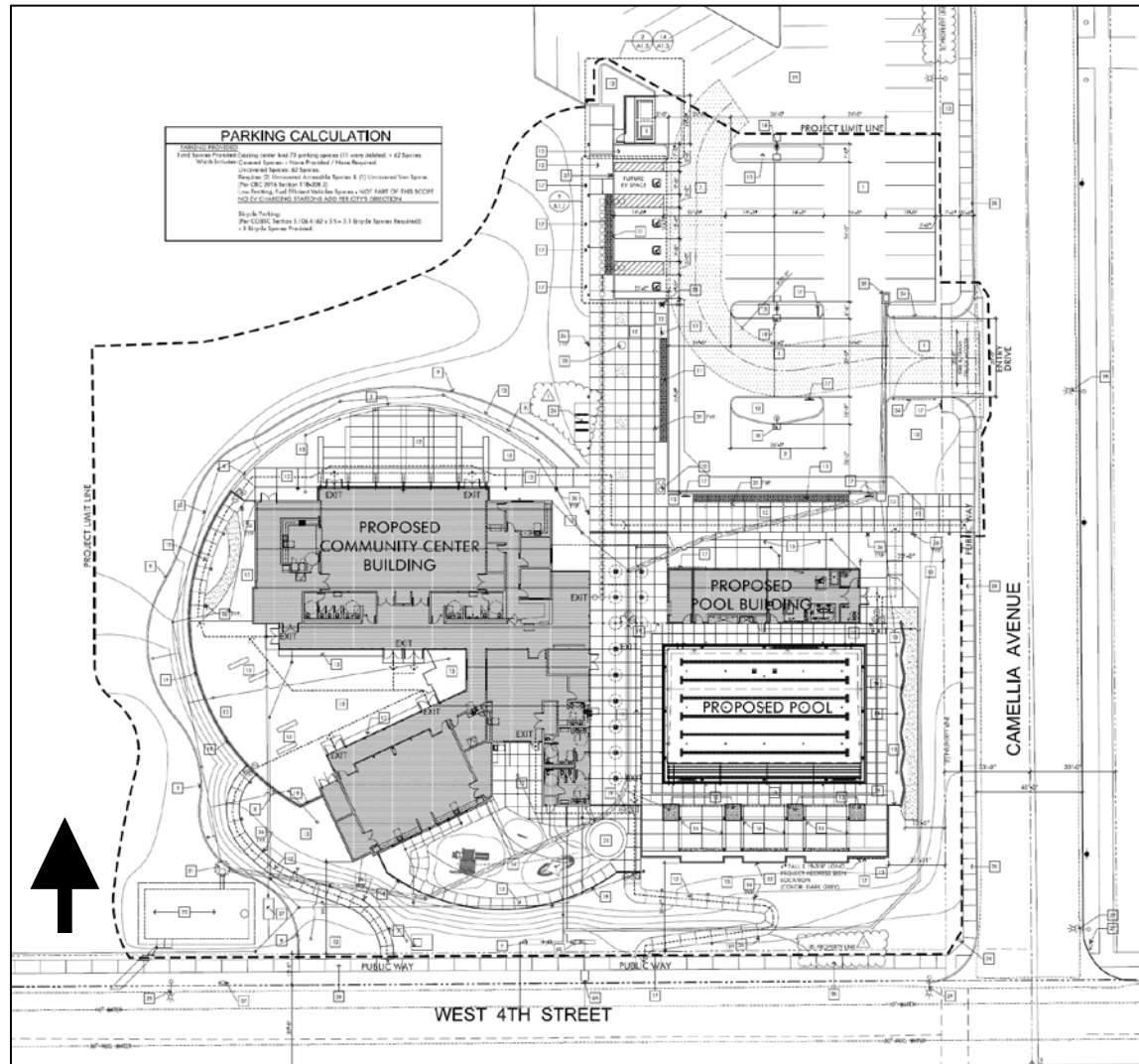


Exhibit B—COLOR SITE PLAN PHASE 1



Exhibit C—SITE PLAN PHASE 2

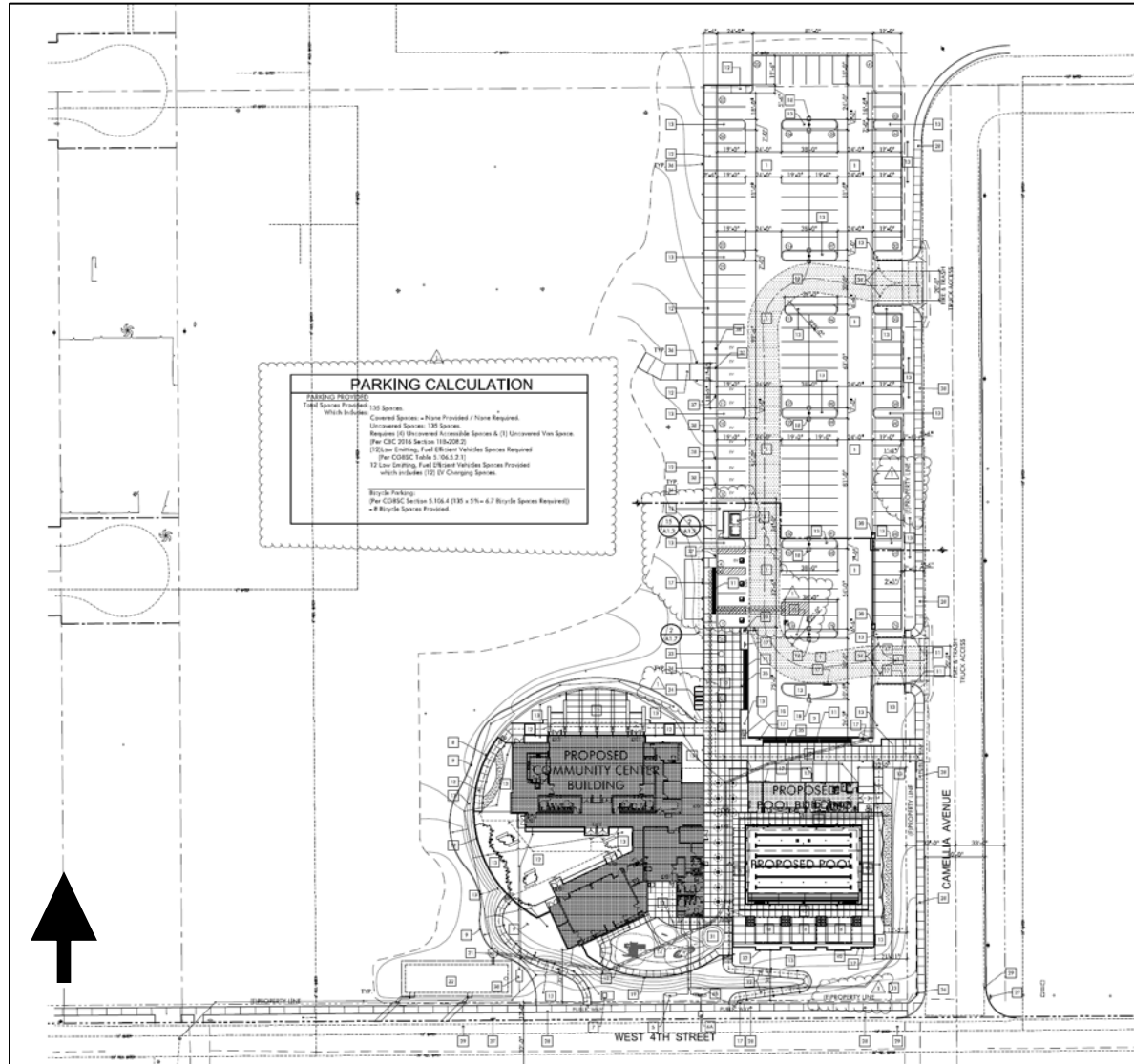
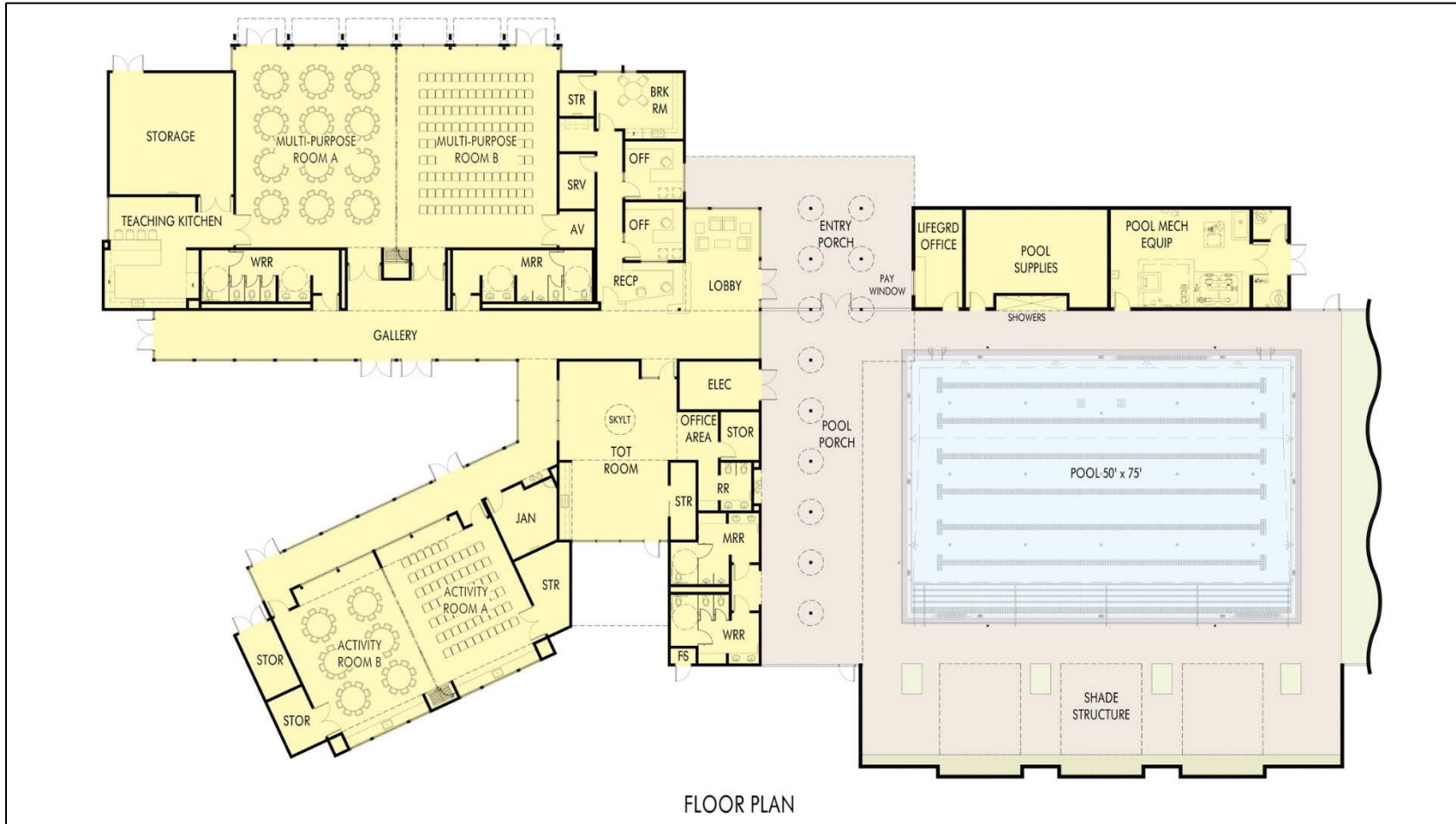


Exhibit D—FLOOR PLAN



FLOOR PLAN

Exhibit E—ELEVATIONS



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

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: September 4, 2019

File No: PDEV18-028

Related Files: n/a

Project Description: A Development Plan to demolish an existing community center and pool and construct a 12,154 square foot community center (Anthony Munoz Community Center), a 1,500 square foot pool house, pool and parking lot on 3.58 acres of land located at 1240 West Fourth Street (Anthony Munoz Park) within the OS-R (Open Space – Recreation) zoning district. (APN: 1008-541-01); **submitted by City Ontario.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@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 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) 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.

(c) 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.

(d) 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).

2.5 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.

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

2.7 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, meeting 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.

2.8 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.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: September 4th, 2019

PROJECT: PDEV18-028, a Development Plan to reconstruct a commercial building totaling 11,500 square feet on 18 acres of land located at Anthony Munoz Park.

APN: 1008-541-01

LOCATION: 1240 West Fourth Street

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

PROJECT PLANNER: Lorena Mejia, Senior Planner (909) 395-2276

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 protect in place the existing parking restrictions along Camelia Avenue during the development of the project site.
3. The applicant/developer shall reconstruct two (2) existing driveway approaches along Camellia Avenue per City Standard Drawing Number 1204.
4. The applicant/developer shall be responsible to design and construct fiber optic conduit and hand-holes along Fourth Street and Camellia Avenue property frontage per the latest City Design Guidelines/Standard Drawings.
5. The applicant/developer shall be responsible to design and construct in-fill public street lights along Camellia Avenue property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
6. The applicant/developer shall install a new domestic water service to the existing 10-inch domestic water main in Fourth Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.

7. The applicant/developer shall install a new sewer lateral to the back of the existing sewer manhole at the intersection of Fourth Street and Elderberry Avenue per the latest City Design Guidelines/Standard Drawings.
 - a. The new sewer lateral shall be equipped with cleanouts and a grease interceptor to be connected to the kitchen for immediate use per the latest City Design Guidelines/Standard Drawings.
8. The applicant/developer shall construct the proposed parkway drains along Fourth Street property frontage per the latest City Design Guidelines/Standard Drawings.
9. The applicant/developer shall install a new fire service the existing 10-inch domestic water main in Fourth Street and equip a DCDA to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
10. The applicant/developer shall revise the existing Engineering Report (ER) in order to retrofit the existing site for purple water use and connect to the existing recycled water irrigation system.

a. Prior to Building Permits:

- i. Provide copies of both on-site and off-site utilities layout. We need both hard copies and digital files in PDF and AutoCAD format.
- ii. Submittal of the Revised ER for recycled water usage for approval by the City and State. Review and approval process of ER is approximately 3 months. For ER questions, please contact:

Cynthia Heredia-Torres

ctorres@ontarioca.gov

Phone: (909) 395-2647

Fax: (909) 395-2608

b. Prior to Occupancy Release:

- i. State shall approve ER.
- ii. Successfully pass start-up, cross connection and overspray test.

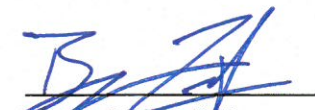
11. The applicant/developer shall construct a new three (3) 4CY-bin trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.

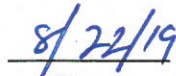
a. Prior to Grading Permits:

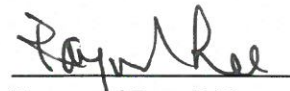
- i. Provide a Solid Waste Handling Plan (SWHP) sheet that complies with the "Solid Waste Handling Plan Requirements".
- ii. The site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
- iii. Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections.

12. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).
 - a. 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
13. Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
14. Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
 - a. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.


Bryan Lirley, P.E.
Principal Engineer


Date


Raymond Lee, P.E.
Assistant City Engineer


Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-028

Address: 1240 W Fourth St

APN: 100-854-01

Existing Land Use: City Park (Anthony Munoz)

Proposed Land Use: Development Plan to construct an 11,500 SF Recreational facility within an existing city park (Anthony Munoz)

Site Acreage: 0.8 ac Proposed Structure Height: Existing Building

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia/Lorenzo Alvarez

Date: 7/31/18

CD No.: 2018-049

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: <u>200 + FT</u>	
<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: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: July 23, 2018
SUBJECT: PDEV18-028

-
- 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:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: August 13, 2018

SUBJECT: PDEV18-028 - A Development Plan to reconstruct a commercial building totaling 11,500 square feet on 18 acres of land located at Anthony Munoz Park, 1240 West Fourth Street, within the OSR (Open Space Recreational) zoning district (APN: 1008-541-01).

The plan **does** adequately address Fire Department requirements at this time.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 11,500 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 11,500 Sq. Ft
- F. 2016 CBC Occupancy Classification(s): A

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.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-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 3 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.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.
- ☒ 4.7 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.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

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: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: July 23, 2018

SUBJECT: PDEV18-028 – A DEVELOPMENT PLAN TO RECONSTRUCT THE ANTHONY MUNOZ COMMUNITY CENTER AT 1240 WEST FOURTH 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 listed below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, 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 numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions regarding these conditions.

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

3/13/19

Date

Reviewer's Name:
Carolyn Bell, Sr Landscape Architect

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV18-028 Rev 2

Case Planner:
 Lorena Mejia

Project Name and Location:
 Anthony Munoz Community Center
 1240 West Fourth St

Applicant/Representative:
 RCA+A Robert Coffee Architects, Ridge Landscape Architects.City of Ontario/ David Simpson
 1425 W Bon View Ave
 Ontario CA 91761



A Preliminary Landscape Plan (dated 12/31/18) 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.



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

Resubmitted plans have not been revised from the last set.

Civil/ Site Plans

1. DD-1.1 revise grading plan to provide a shallow vegetated swale instead of rock per the meeting discussion. Include 3' x 3' deep engineered soil with 6" of top soil, plants and boulders. Remove connection of swales to sidewalk.
2. E1.1 Add legend for light fixtures. **Provide plans**
3. Show security camera be mounted to light fixture instead of a separate pole. **Provide plans**
4. Show backflow devices located in planter areas, dimensioned and set back min 4' from paving Locate on level grade. Identify existing backflow (**recycled water**) to be removed or to remain on Camellia Ave.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension planters to have a minimum 5' wide inside dimension. In parking lots show 12" wide curbs, or 6" curbs with 12" of pavers or DG paving at parking spaces at planters.
7. Consider changing wood in trellises to aluminum or steel for reduced maintenance.

Landscape Plans

8. Show backflows, trash enclosures and transformers, with setbacks from paving and landscape screening: 36" high strappy leaf shrubs at backflows and 4' high evergreen shrubs at trash enclosures and transformers.
9. Dimension all planters to have a minimum 5' wide inside dimension.
10. Show parkway on fourth street trees spaced 30' apart. Add where missing. Replace liquidambar with Brachychiton populneus. Add 5' stream spray tree bubblers from on-site tree system to parkway

trees. DG ok in parkway, show 2" of mulch for 10'-12' tree sections.

11. Call out type of proposed irrigation system (dripline with tree stream spray bubblers). **Use dripline instead of shrub sprays and rotor for water conservation.**
12. Irrigation plans shall provide separate systems for tree stream spray bubblers with pc screens.
13. Replace short lived, high maintenance or poor performing plants: Teucrium fruticans is too large, consider Teucrium chamaedrys in parking lot planters; Change Cotoneaster to Baccharis Pigeon Point, for better winter appearance. Change Muhlenbergia 'El Toro' for a Muhlenbergia 'Regal mist' for more color and limit quantity of grasses and higher maintenance.
14. East of building, remove rock swale change to small groundcovers, small grasses, yarrow, carex, dietes, small sections of DG at boulders etc., to create the image of a stream. See #1.
15. Note for agronomical soil testing and include report on landscape construction plans.
16. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
17. Show 25% California native trees (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
18. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
19. 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



Development Advisory Board Decision

September 4, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV19-035

DESCRIPTION: A Development Plan to construct a new 2,999 square-foot fast food restaurant with drive-thru (Carl's Jr.) on a 0.55-acre building pad within the previously approved New Haven Market Place commercial shopping center, generally located at the southwest corner of Haven Avenue and Ontario Ranch Road, within the Retail land use designation of The Avenue Specific Plan (APNs: 0218-392-26); **submitted by Tait and Associates.**

Part I—BACKGROUND & ANALYSIS

TAIT AND ASSOCIATES (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV19-035, 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 a 0.55-acre building pad within the previously approved New Haven Market Place shopping center, generally located at the southwest corner of Haven Avenue and Ontario Ranch Road. The subject building pad is located on the south side of Ontario Ranch Road, between New Haven Drive and Haven Avenue, at 3470 East Ontario Ranch Road, and is depicted in Exhibit A: Project Location Map, 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>	Rough Graded	Neighborhood Commercial (0.4 FAR)	The Avenue Specific Plan	Planning Area 10B - Retail
<i>North</i>	Multi-Family Residential	Medium Density Residential (11.1-25 DU/AC)	The Avenue Specific Plan	Planning Area 10A – LDR/MDR
<i>South</i>	Single-Family Residential	Low Density Residential (2.1-5 DU/AC)	The Avenue Specific Plan	Planning Area 11 – LDR
<i>East</i>	Rough Graded	Mixed Use – NMC East	Rich Haven Specific Plan	Planning Area 9A – Commercial and Residential
<i>West</i>	Multi-Family Residential	Medium Density Residential (11.1-25 DU/AC)	The Avenue Specific Plan	Planning Area 11 – LMDR

(2) **Project Description:**

(a) Background — The Avenue Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Avenue Specific Plan established the land



Figure 1: The Avenue Specific Plan Land Use Map

use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,875 dwelling units and approximately 131,000 square feet of commercial space.

On April 8, 2014, the Planning Commission approved Tentative Tract Map 18922 (referred to as an “A” Map) for Planning Area 10A of The Avenue Specific Plan, which facilitated the backbone infrastructure improvements and the creation of park/recreational facilities and residential neighborhoods within the eastern portion of the Specific Plan (see Figure 1: The Avenue Specific Plan Land Use Map, above).

On May 22, 2018, the Planning Commission approved a Conditional Use Permit (File No. PCUP18-015) to establish three drive-thru facilities in conjunction with a Development Plan (File No. PDEV17-051) to construct a 94,782 square-foot commercial shopping center (New Haven Marketplace), see Figure 2: New Haven Marketplace Site Plan, below.

On May 6, 2019, The Development Advisory Board approved a Development Plan (File No. PDEV19-017) to construct a 3,080 square-foot commercial building (Chase Bank) with drive-thru in the eastern portion of the New Haven Marketplace.

(b) Site Design/Building Layout — The proposed building and drive-thru will be accessed from the public street via the shopping center’s circulation system of common two-way drive aisles, which adjoins the site on the south side. The proposed drive-thru lane entrance is located adjacent to the southeast corner of the building, and wraps around the east and north sides of the building. The drive-thru window is located approximately mid-point along the north building elevation, providing stacking for 7 vehicles (a minimum of 6 stacking spaces is required) and exceeding the minimum stacking requirement. Off-street parking stalls are proposed along the south and west sides of the building (see Exhibit B—Site Plan, attached).

(c) Site Access/Circulation — The project site will be accessed by a common right-in and right-out drive approach located immediately adjacent to the project site, along the shopping center’s Ontario Ranch Road street frontage. Additional access is available from a full access drive approach located along the shopping center’s New Haven Drive street frontage, and from two drive approaches (including a right-in/right-out approach and a full access approach with a new traffic signal) located along the shopping center’s Haven Avenue street frontage. Vehicular circulation throughout the previously

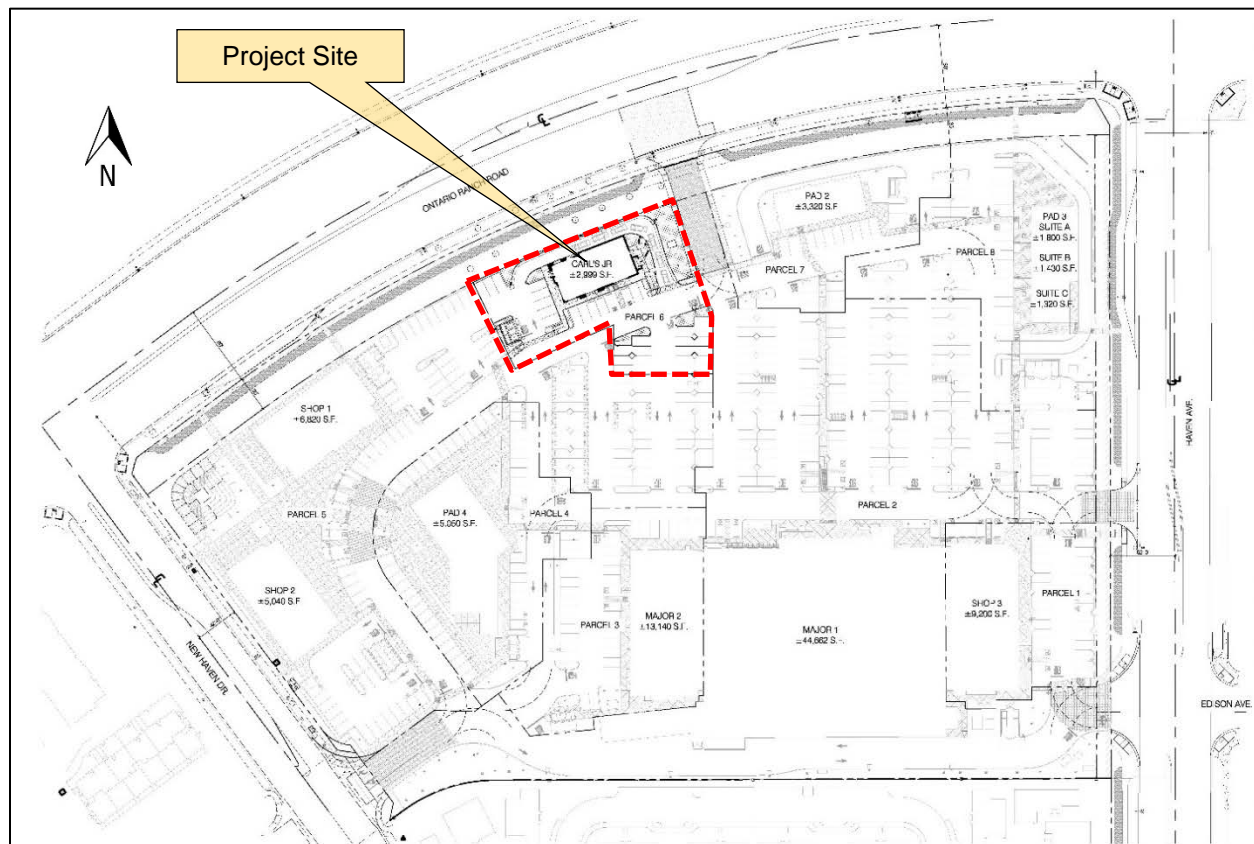


Figure 2: New Haven Marketplace Site Plan

approved shopping center is provided via a series of two-way drive aisles, which provides access to the project site.

(d) Architecture — The proposed architecture for the development is based upon a contemporary barn style, which is consistent with the eclectic barn architectural theme for the overall New Haven Marketplace. Architectural treatments utilized on the proposed building include (see Exhibit C—Floor Plan and Elevations, attached):

- Gable and flat roofs;
- Horizontal and vertical siding of varying widths;
- Standing metal seam roofs and awnings above windows and doors; and
- Clear windows with anodized aluminum framing.

(e) Landscaping — The project provides landscaping around the building and adjacent to the parking spaces and trash enclosure. A variety of trees will be planted on-site, including ‘Phoenix’ Hybrid Thornless Texas Mesquite and ‘Desert Museum’ Hybrid Palo Verde, which range in size from 24-inch to 36-inch box. The site will also be planted with an assortment of hedges, ground covers, and succulents, such as ‘Little Ollie’ Dwarf Olive, Variegated Dianella, ‘Royal Cape’ Hybrid Pumbago, ‘Tiny Tangerine’ Hybrid Bulbine, and Blue Chalk Sticks (see Exhibit D—Conceptual Landscape Plan, attached).

(f) Parking — The project is required to provide a minimum of 34 off-street parking spaces pursuant to the off-street parking standards specified in the City’s Development Code for fast food restaurants. The project is credited with a total of 6 spaces, one space for each 24 lineal feet of drive-thru lane behind the window (138 lineal feet), and an additional 34 parking spaces have been provided on site. A total of 40 off-street parking spaces have been provided, exceeding the minimum off-street parking requirements of to the Development Code. In addition, a shared parking analysis was prepared by Linscott,

Law, and Greenspan (dated March 30, 2018) for the overall commercial center, which was submitted in conjunction with File No. PDEV17-051, and subsequently approved by the Planning Commission on May 22, 2018.

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 The Avenue Specific Plan (File No. PSP05-003), for which an Environmental Impact Report (SCH# 2005071109) was certified by the City Council on December 19, 2006 (hereinafter referred to as "Certified EIR"), 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 act 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; and

WHEREAS, on September 4, 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 decision-making body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan (File No. PSP05-003), for which an Environmental Impact Report (SCH# 2005071109) was certified by the City Council on December 19, 2006.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR 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 previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, 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 Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR 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 Certified EIR was prepared, that will require major revisions to the Certified EIR 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 Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; 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 Certified EIR 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 decision-making 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 decision-making 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 Neighborhood Commercial land use district of the Policy Plan Land Use Map, and within Planning Area 10B (Retail) of The Avenue 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 proposed Project will provide a diverse mix of commercial business in close proximity to neighborhoods per policy CE1-7 (Retail goods and Services). In addition, the proposed Project will include high-quality design that will reflect the neighborhood’s distinct characteristics per CD2-1 (Quality Architecture), resulting in a vibrant and attractive community; 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 Planning Area 10B (Retail) of The Avenue Specific Plan, including standards relative to the particular land use proposed (commercial), 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 proposed project is currently a vacant lot and will be constructed to be compatible with the overall center to be consistent with the Avenue Specific Plan and adjacent surroundings; 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 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 Avenue Specific Plan. The proposed project will include a variety of landscaping vegetation, appropriate massing and architectural features to compliment future adjoining buildings. Adequate landscape planters will be provided to minimize hardscape features throughout the site and include ADA walkways that will connect to the adjacent residential neighborhood; 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 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 (commercial). 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 Avenue 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 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 4th day of September 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

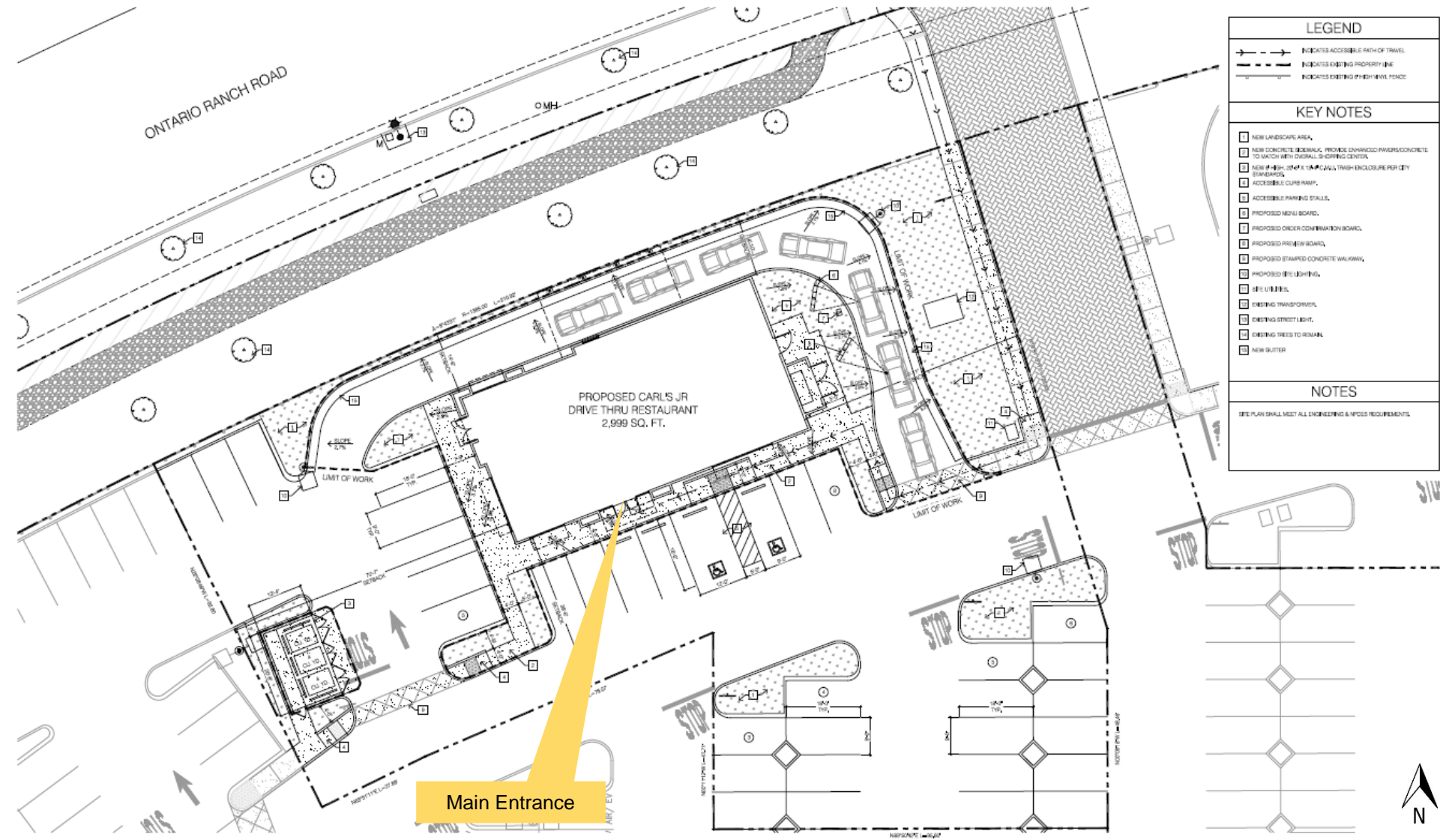


Exhibit C—FLOOR PLAN AND EXTERIOR ELEVATIONS

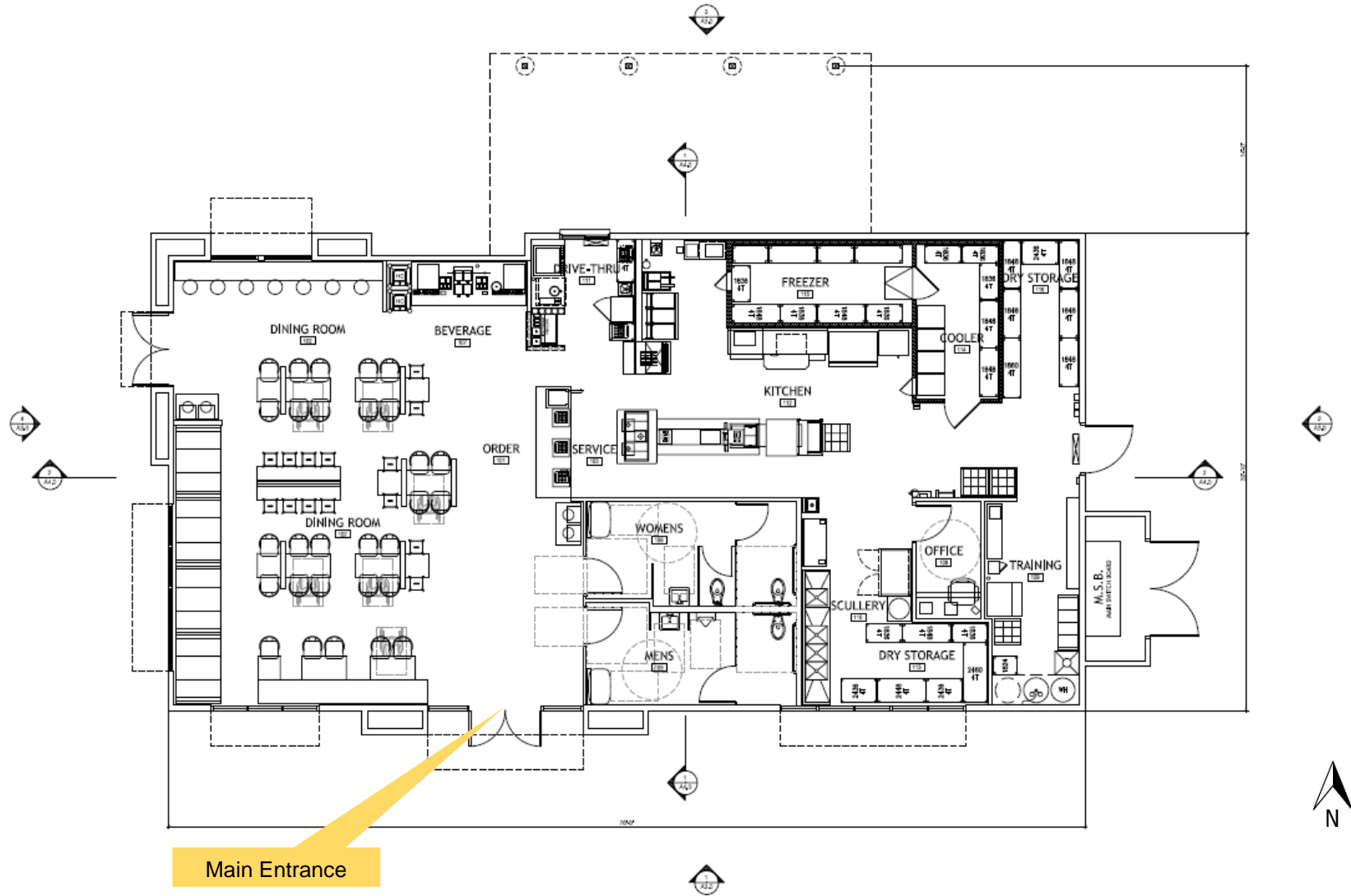


Exhibit C—FLOOR PLAN AND EXTERIOR ELEVATIONS Cont'd

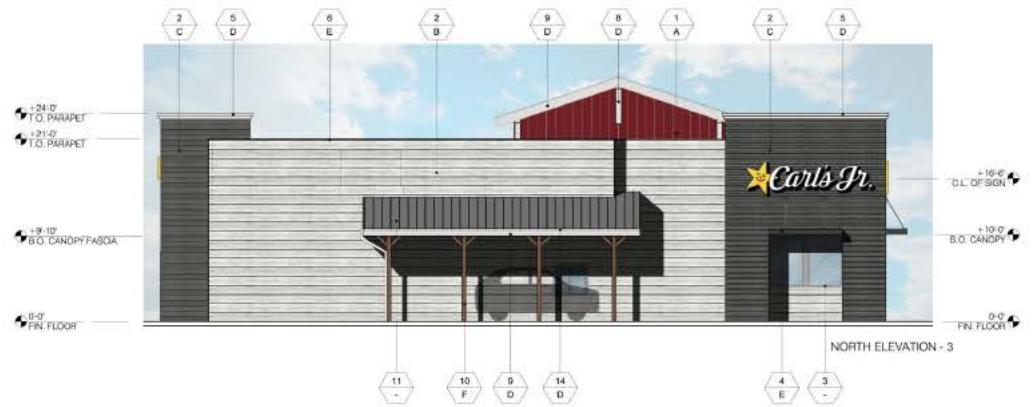


Exhibit C—FLOOR PLAN AND EXTERIOR ELEVATIONS Cont'd



West Elevation Perspective



Southeast Perspective

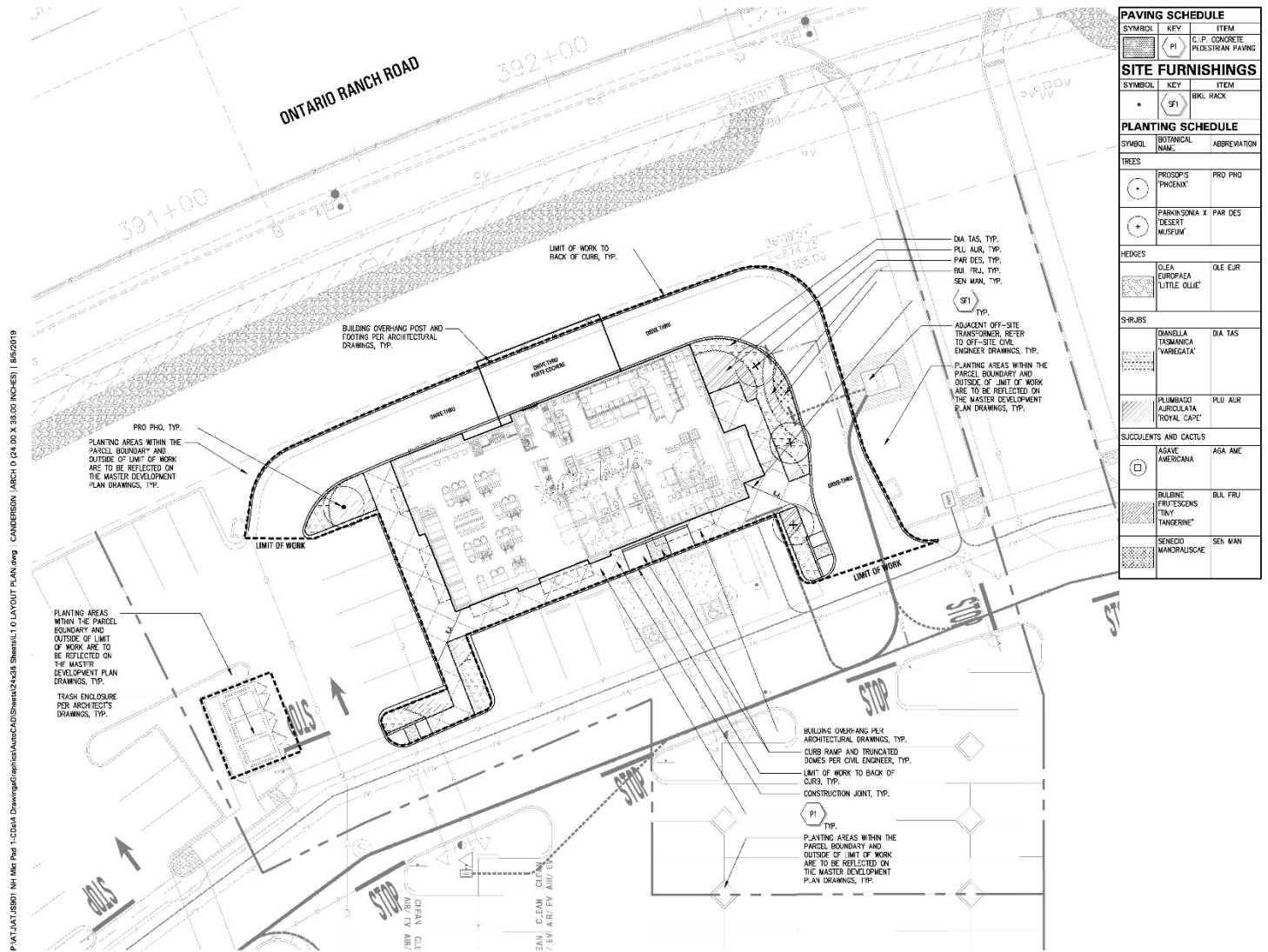


East Elevation Perspective



Southwest Perspective

Exhibit D—LANDSCAPE PLAN



**NEW HAVEN
 MARKETPLACE
 PAD 1**

ONTARIO, SAN BERNARDINO COUNTY,
 CALIFORNIA

Client
 ATJ&B
 718 Corporate Center Drive
 Pomona, CA 91768

Landscape Architect

swa

510 Gleneyre Street
 Laguna Beach, California
 92653
 United States
 www.swagroup.com
 +1.949.497.5475 o

Consultant

Stamp

- Revisions**
- 1 City Submittal #1 - 08/24/2019
 - 2 City Submittal #2 - 08/02/2019
 - 3
 - 4
 - 5

Date
 08/02/2019
 Phase
 Design Development
 Job Number
 ATJ5801



Drawing Title
 LAYOUT PLAN

Sheet Number
 NOT FOR CONSTRUCTION

L1.01

08/02/19

Exhibit D—LANDSCAPE PLAN Cont'd

SHRUBS



BULBINE FRUTESCENS 'TINY TANGERINE'
'TINY TANGERINE' HYBRID BULBINE

SHRUBS



DIANELLA TASMANICA 'VARIEGATA'
VARIEGATED DIANELLA

HEDGES



OLEA EUROPAEA 'LITTLE OLLIE'
'LITTLE OLLIE' DWARF OLIVE

TREES



PROSOPIS 'PHOENIX'
'PHOENIX' HYBRID THORNLESS TEXAS MESQUITE



SENECIO MANDRALISCAE
BLUE CHALK STICKS



PLUMBAGO AURICULATA 'ROYAL CAPE'
'ROYAL CAP' HYBRID PLUMBAGO



PARKINSONIA X 'DESERT MUSEUM'
'DESERT MUSEUM' HYBRID PALO VERDE

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: September 4, 2019
File No: PDEV19-035
Related Files: PDEV17-051 and PCUP18-015

Project Description: A Development Plan to construct a new 2,999 square-foot fast food restaurant with a drive-thru (Carl's Jr.) on the approximately 0.55-acre Pad 1 (Parcel 6 of PM 19978) of the previously-approved 10.06-acre New Haven Market Place commercial shopping center, located on the southwest corner of Haven Avenue and Ontario Ranch Road, within the Retail land use designation of The Avenue Specific Plan (APNs: 0218-392-26); **submitted by Tait and Associates, Larry Roberts.**

Prepared By: Mai Thao, Land Development Intern
Phone: 909.395.2243 (direct)
Email: MThao@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 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) 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.

(c) 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.

(d) 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).

(e) 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).

2.5 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.

2.6 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.

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

2.8 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). The applicant shall file a sign plan application to be reviewed and approved by the Planning Department prior to any sign installation.

2.9 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).

2.10 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-003, The Avenue Specific Plan EIR (SCH# 2005071109) that was certified by the City Council on December 19, 2006. 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.

2.11 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.

2.12 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.

2.13 Additional Requirements.

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

(b) The trash enclosure shall be designed to be consistent with the building architecture.

(c) Enhanced pavement and pedestrian crosswalks shall be provided and shall match the overall center's colors, materials, and design.

(d) All applicable conditions of approval of The Avenue Specific Plan shall apply to this project.

(e) All applicable conditions of approval of the "A" Map TT 18922 (File No. PMTT13-010) shall apply to this development.

(f) All applicable conditions of approval of the New Haven Marketplace Development Plan and Conditional Use Permit (File Nos. PDEV17-050 and PCUP18-015) shall apply to this development.



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: Henry Noh, Senior Planner

DATE: June 26, 2019

SUBJECT: FILE #: PDEV19-035 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 .

- 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 new 2,999SF Carl's Jr. restaurant building with drive thru on pad 1 of the 10.06 acre New Haven Market Place, located on the southwest corner of Haven Avenue and Ontario Ranch Road, within the Retail designation of The Avenue Specific Plan zoning district. APNs: 0218-392-26. Parcel 6 of Tentative Map No. 19978


- 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.

Landscape Planning Division *[Signature]* Landscape Planner 7/29/19
Department Signature Title Date

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

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

07/29/2019
 Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV19-035

Case Planner:
 Henry Noh

Project Name and Location:
 New Haven Marketplace Pad 1
 SW corner of Ontario Ranch Road and Haven Ave.

Applicant/Representative:
 Tait & Associates
 701 N. Parkcenter Dr.
 Santa Ana, CA 92705

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 06/26/2019) 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.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
2. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
3. On the southwest planter/sidewalk that generally runs north-south please show the pedestrian path at 4' and the landscape planter at 5'.
4. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

5. Note on grading plans: for compaction to be no greater than 85% at landscape areas. All finished

- grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
 7. Show appropriate parking lot shade trees with min 30' canopy at maturity; change Prosopis to Koelrueteria paniculata.
 8. Change Parkinsonia 'Desert Museum' to a larger, broad canopy shade tree such as Quercus agrifolia. Show proposed trees at entry off of Ontario Ranch Road.
 9. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
 10. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
 11. Overhead spray systems shall be designed for plant material less than the height of the spray head.
 12. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.

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: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: July 1, 2019
SUBJECT: PDEV19-035

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

Conditions of Approval

1. The Site address for this project will be 3440 Ontario Ranch Road
2. Standard conditions of approval apply.

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: July 15, 2019

SUBJECT: PDEV19-035 – A DEVELOPMENT PLAN TO CONSTRUCT A CARL’S JR RESTAURANT WITH DRIVE-THRU AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD.

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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- 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.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



CITY OF ONTARIO MEMORANDUM



DATE: August 7, 2019

TO: Naim Khoury, Engineering Department
CC: Henry Noh, Planning Department

FROM: Peter Tran, Utilities Engineering Department

SUBJECT: DAB #1 – Conditions of Approval (COA) – Utilities Comments (#6133)
PDEV19-035 - DPR1 – Carl's Jr – SWC Haven & Ontario Ranch Road – New Haven

PROJECT NO.: Marketplace

BRIEF DESCRIPTION

PDEV19-035, 2,999 SF Carl's Jr restaurant building with drive thru on pad 1 of the 10.06 AC New Haven Market Place, SEC of Haven Ave & Ontario Ranch Rd, The Avenue SP. Relate files: PMTT17-010 PM-19978 ; PDEV17-051.

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. Inherited Requirements and Conditions of Approval: This project is subject to all the Requirements and Conditions of Approval from PSP05-003 The Avenue Specific Plan, as amended and PMTT14-014 (TM-18992), TM-20061 (TM-18922-4) and TM-20081 (TM-18922-4).

Sanitary Sewer System:

3. Wastewater Discharge Permit: Prior to approval of the Precise Grading Plan, the Occupant of the building shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but are not limited to: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

Recycled Water Conditions:

4. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Tract to meet this requirement, as approved by the City.
5. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
 - a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - b. Prior to Occupancy Release/Finalizing:
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

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

DATE: July 2, 2019

SUBJECT: PDEV19-035 - A Development Plan to construct a new 2,999SF Carl's Jr. restaurant building with drive thru on pad 1 of the 10.06 acre New Haven Market Place, located on the southwest corner of Haven Avenue and Ontario Ranch Road, within the Retail designation of The Avenue Specific Plan zoning district. APNs: 0218-392-26. Parcel 6 of Tentative Map No. 19978.

-
- 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): 2,999 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,999 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A-2

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-four (24) 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.
- ☒ 4.4 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.

- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

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

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: September 4, 2019

PROJECT: PDEV19-035, a Development Plan to construct a new 2,999 square feet Carl's Jr. Restaurant building with drive-thru in the New Haven Market Place located within the retail land use district of The Avenue Specific Plan

APN: 0218-392-26

LOCATION: 3440 East Ontario Ranch Road

PROJECT ENGINEER: Naim Khoury, Associate Engineer *NK* (909) 395-2152

PROJECT PLANNER: Henry Noh, Senior Planner (909) 395-2431

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).
2. The applicant/developer shall responsible for completing all the Conditions of Approval for TM18922-4, PM19978 and PDEV17-051, and the Development Agreement by and between City of Ontario and BrookCAI Ontario, LLC.

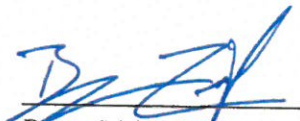
Prior to Precise Grading Plan Approval and Building Permits Issuance:

3. This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for POA maintained areas. Appropriately sized private mains shall be installed throughout the site to meet this requirement, as approved by the City.
4. In order to receive recycled water (RW) service, the applicant shall comply with each of the following:

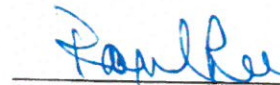
- a) Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - b) Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
5. For Sanitary Sewer System - Wastewater Discharge Permit: Prior to approval of the Precise Grading Plan, the Occupant of the building shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but are not limited to: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

Prior to Occupancy Release:

6. Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
7. Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of start-up and cross connection tests successfully.
8. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.
9. Confirm payment of all Development Impact Fees (DIF) to the Building Department.


Bryan Lirley, P.E.
Principal Engineer

8/19/19
Date


Raymond Lee, P.E.
Assistant City Engineer

8/19/19
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-035

Address: Southwest corner of Haven Ave & Ontario Ranch Road

APN: 0218-392-26

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct a 3,000 SF fast food Restaurant

Site Acreage: 10.06 acres Proposed Structure Height: 28 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 7/25/19

CD No.: 2019-047

PALU No.:

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 type="radio"/> 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

September 4, 2019

DECISION NO.: [insert #]

FILE NO.: PMTT18-007 (TT 20198)

DESCRIPTION: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single-family lots located at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district; (APNs: 1011-431-01 and 1011-521-06) **submitted by TK Management Services, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TK MANAMENT SERVICES, LLC., (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map approval, File No. PMTT18-007 (TT 20198), 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 9.57 acres of land generally located on the east side of Benson Avenue, at the teminous of Philadelphia Street, on property addressed as 1103 South Benson 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 Home and Nursery	RR (Rural Residential)	AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre)	n/a
<i>North:</i>	Single Family Home	RR (Rural Residential)	AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre)	n/a
<i>South:</i>	Single Family Home	RR (Rural Residential)	AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre)	n/a
<i>East:</i>	Single Family Home Development and Vacant Land	RR (Rural Residential)	AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre)	n/a
<i>West:</i>	Single Family Homes (City of Chino)	City of Chino	City of Chino	n/a

(2) **Project Description:** The Applicant is requesting approval of a Tentative Tract Map to subdivide the project site into 18 traditional single-family lots situated around two gated private cul-de-sac streets (West Ralston Street and West Clair Privado), which incorporates a 10-foot wide equestrian trail along each project street frontage. The proposed subdivision will facilitate the future development of a single-family dwelling on each lot.

The development standards of the AR-2 zoning district requires a minimum lot area of 18,000 square feet. Additionally, minimum lot dimensions of 135 feet in depth, and 100 feet in width for interior lots and 120 feet for corner lots, are required. The subdivision is proposing lots ranging from 18,921 square feet to 26,155 square feet in area, exceeding the minimum lot area requirement. Furthermore, the project's minimum lot width has been exceeded and the minimum lot depth was achieved by extending each lot's side lot line to the centerline of each proposed private street, which will be established as a reciprocal access easement through each lot.

(a) Site Access/Circulation — The applicant is proposing to develop the project as a gated community, with a separate entry gate on at each private cul-de-sac street. A vehicle turn-around area has been provided in front of each gate to accommodate vehicles that enter the project in error or are denied entry beyond the gates. The south cul-de-sac will have a pedestrian connection (walkway) to the existing neighborhood to the east. In addition, horse trail will be provided along the front parkways and will be open to the public to utilize.

Access to each lot will be provided by a standard 12-foot wide driveway located along the private street frontages. No direct vehicle access will be provided to Benson Avenue.

(b) Covenants, Conditions and Restrictions (CC&Rs) — CC&Rs are required for the proposed subdivision as a condition of project approval. The CC&Rs will be required to be submitted, reviewed and approved by the City, and will be recorded with the final map to ensure ongoing maintenance of the private streets, equestrian trails, common landscape areas, and common drainage/easement areas. Additionally, a condition of approval has been imposed on the project which requires a Development Plan to be reviewed and approved for the future homes, prior to any building permits being issued for their construction.

(c) Community Outreach — The project site is surrounded by single-family residential properties. To ensure community input from the surrounding residents, a "Notice of Proposed Project" was mailed to all property owners within 300-feet of the project site on August 13, 2019. The intent of the notification was to inform the surrounding property owners of the proposed project and to address any questions or concerns they may have regarding the project. As of the preparation of this Decision, no questions or comments regarding the project have been received by staff.

(d) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of dry wells and pipe storage areas within the proposed parkways along each private street. Final approval of the PWQMP will be determined during the plan check process.

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 proposed project is located within the Airport Influence Area of Ontario International Airport and the facts and information contained in the Application and supporting documentation have been reviewed against the ALUCP compatibility factors, including noise, safety, airspace protection, and overflight impacts of current and future airport activity, and as a result of the review, the proposed project has been determined to be consistent with the ALUCP policies and criteria; 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; and

WHEREAS, on September 4, 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 (Class 32, In-Fill Development) of the CEQA Guidelines, and is consistent with the following conditions:

- 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
- The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses
- The project site has no value as habitat for endangered, rare, or threatened species
- Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality
- The Project site 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 judgement 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 Tentative Tract Map 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 applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the RR (Rural Residential) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district. The proposed subdivision 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, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 Complete Community); and

(2) **The design or improvement of the proposed Tentative Tract Map 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 applicable specific plans and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the RR (Rural Residential) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre)

zoning district. The proposed design or improvement of the subdivision 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, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety
- Variable setbacks and parcel sizes to accommodate a diversity of housing types
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 Neighborhood Design)

(3) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions. The minimum lot size required by the AR-2 zone is 18,000 square feet, the project is proposing lots that will range from 18,921 square feet to 26,155 square feet, which exceeds the minimum lot size requirements; and

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for residential development at a density of 0.5 DUs/acre. The project site meets the minimum lot area and dimensions of the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is physically suitable for this proposed density/intensity of development; and

(5) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat, therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat; and

(6) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The design of the proposed subdivision, and the overall right-of-way improvements existing or proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site; and

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan

component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends that 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 4th day of September 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

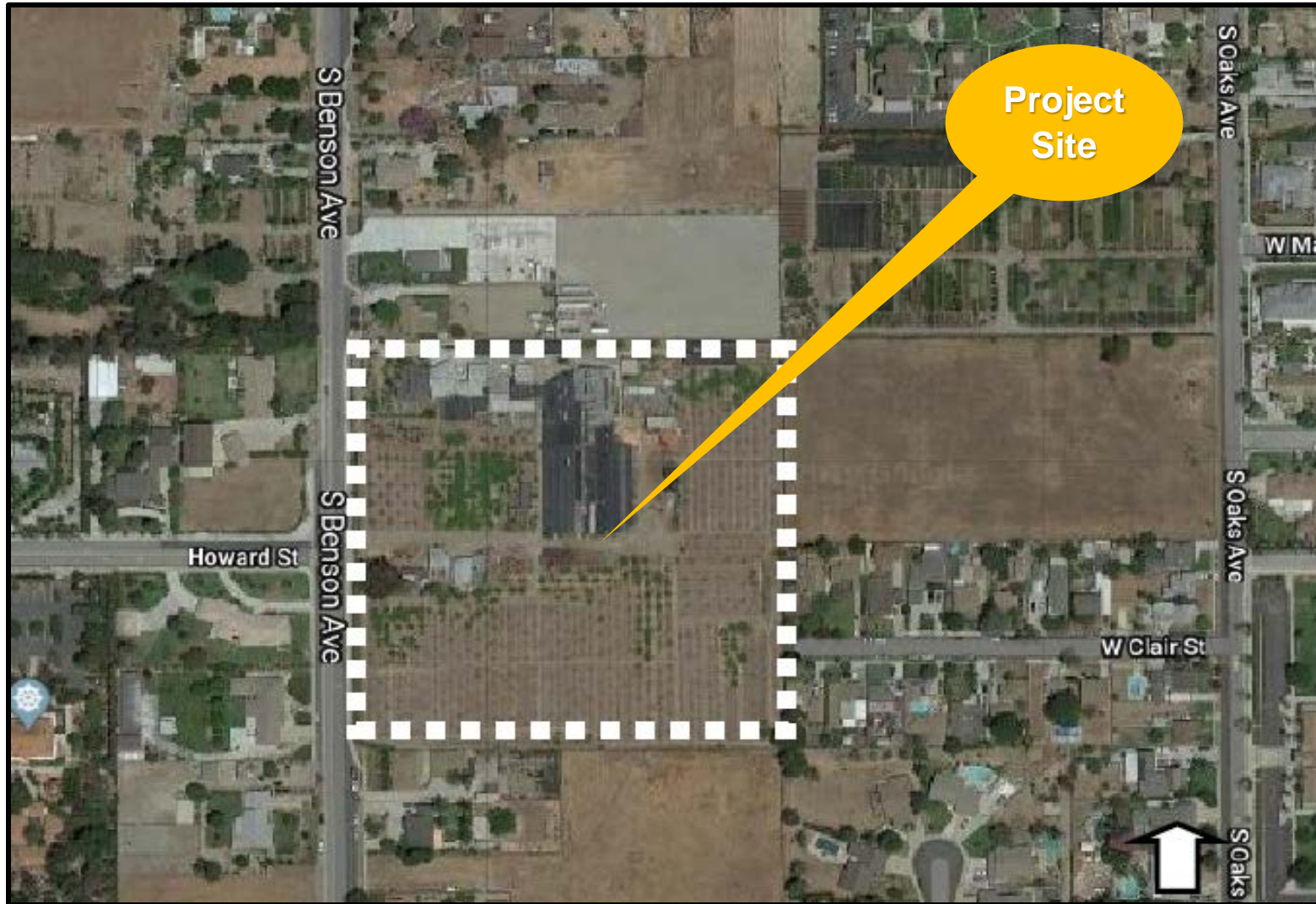


Exhibit B—PROJECT AREA PHOTOS



View of Project Site
Looking Northeast
from Benson
Avenue

View of Project Site
Looking Southeast
from Benson Avenue



Exhibit C—TENATIVE TRACT MAP

NOTES:

- 1 GROSS AREA 9.76 AC
 NET AREA 9.55 AC
- 2 ASSESSOR'S PARCEL NUMBERS APN 1011-431-01 & 1011-521-06

LOT SIZE TABLE:

#	AREA (SF)	AREA (AC)
1	20,303	0.466
2	20,679	0.475
3	20,839	0.478
4	20,475	0.470
5	18,921	0.434
6	20,507	0.471
7	26,155	0.600
8	25,246	0.580
9	25,643	0.589
10	20,768	0.477
11	21,077	0.484
12	21,085	0.484
13	20,940	0.481
14	20,128	0.462
15	22,632	0.520
16	24,946	0.573
17	23,809	0.547
18	23,467	0.539

MIN. 18,921 SQ. FT./0.434 AC
 MAX. 26,155 SQ. FT./0.600 AC

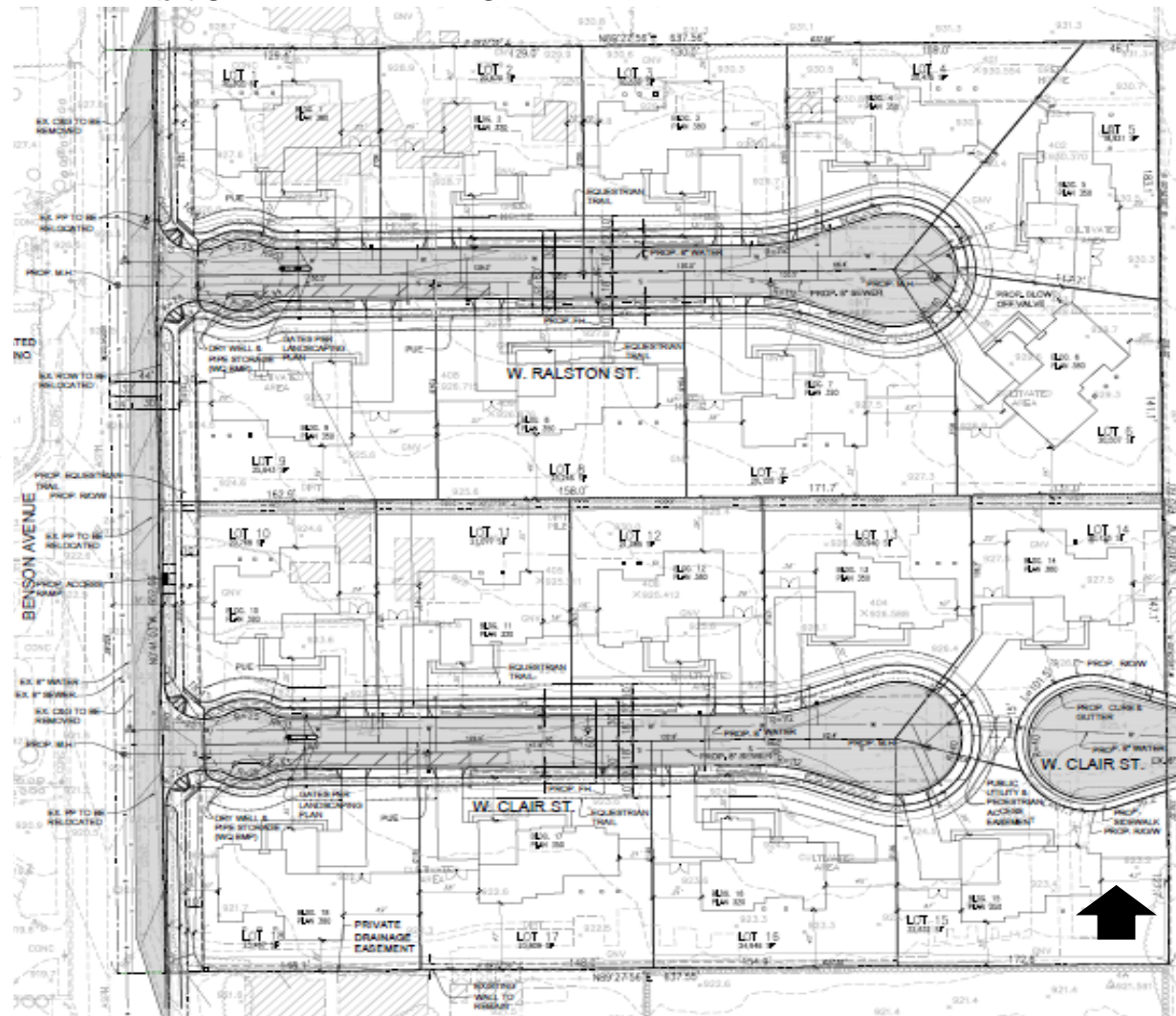
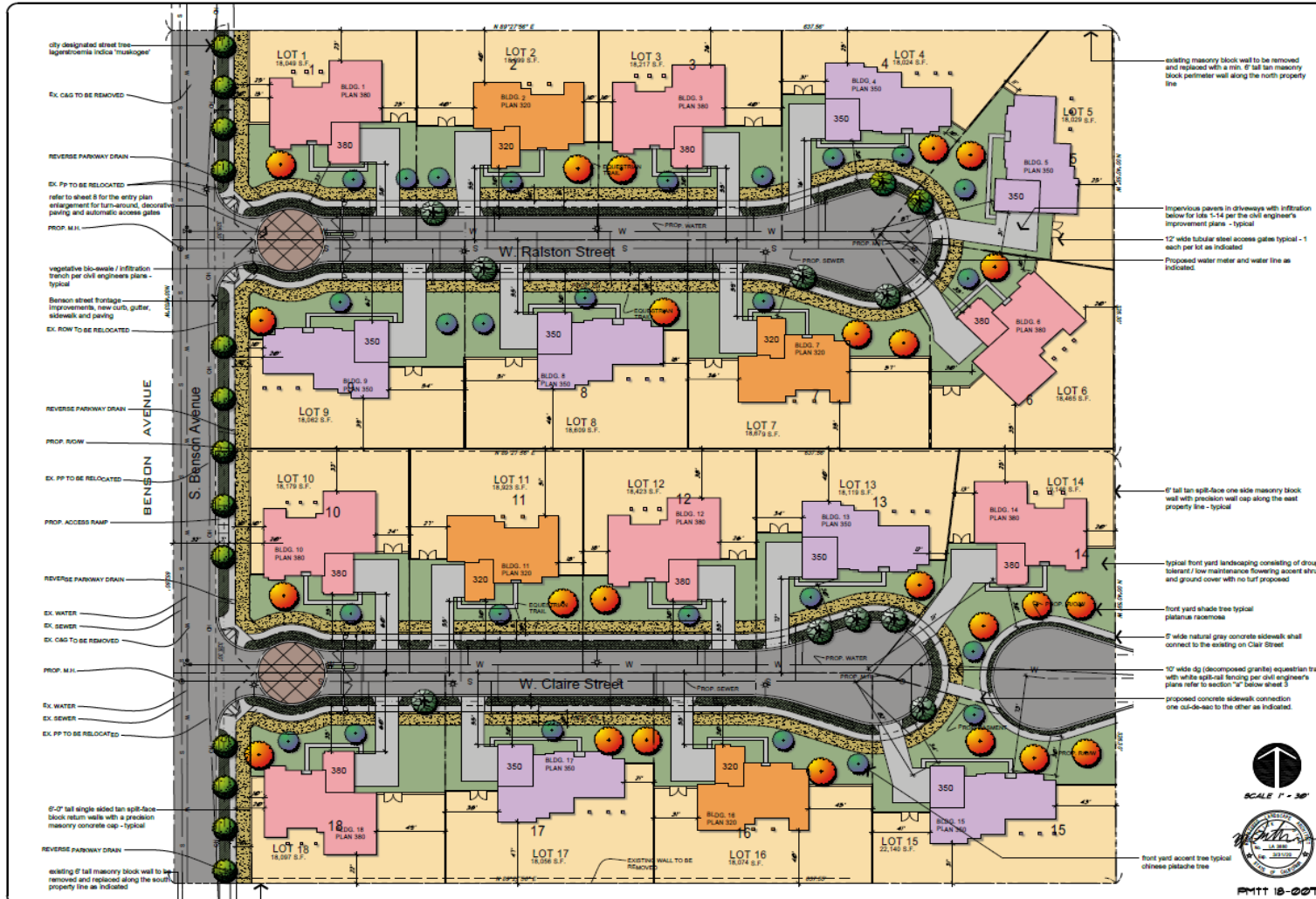


Exhibit D—CONCEPTUAL SITE PLAN



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: September 4, 2019
File No: PMTT18-007 (TT 20198)
Related Files: N/A

Project Description: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single-family lots, located at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district. APNs: 1011-431-01 & 1011-521-06; **submitted by TK Management Services LLC.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@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) Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract/Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Tract/Parcel Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract/Parcel Map and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will 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 of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 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.

2.4 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 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure access between parcels.

(d) CC&Rs shall ensure access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared access drives; and

(iv) Utility and drainage easements.

(v) Equestrian trails

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.6 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.7 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, meeting 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.

2.8 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.

2.9 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.

2.10 Additional Requirements.

(a) A Development Plan is required to be reviewed and approved by the City prior to any building permits being issued for the development of the homes. In addition, Development Plan will be required to comply with all Development Code, development requirements.

(b) After Planning Commission approval, the applicant shall submit two reduced sets of plans (11" x 17") to the Planning Department.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM 20198 RELATED FILE NO(S). PMTT18-007		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Tricia Espinoza, P.E., Principal Eng. (909) 395-2188

CITY PROJECT PLANNER & PHONE NO: Luis Batres, Senior Planner (909) 395-2431

DAB MEETING DATE: September 4, 2019

PROJECT NAME / DESCRIPTION: TM-20198, a Tentative Tract Map to subdivide 9.57 acres of land into eighteen (18) single family lots within the AR-2 zoning district.

LOCATION: 991 and 1103 South Benson

APPLICANT: Kevin Kent
TK Management Services, LLC

REVIEWED BY: *Bryan Lirley* 8/14/19
Bryan Lirley, P.E. Date
Principal Engineer

APPROVED BY: *Raymond Lee* 8/14/19
Raymond Lee, P.E. Date
Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**
 - a) **14-feet on Benson Avenue frontage to achieve an ultimate half-street width of 44-feet.**
 - b) **Right-of-way necessary to construct full street improvements on existing, public W. Clair Street.**
 - c) **Property line corner cut-back at Benson/Ralston and Benson/Clair (private).**
- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - a) **Project shall provide a Public Utility Easement (PUE) across private W. Ralston Street and a PUE and Pedestrian Access Easements across private W. Clair Street, including a minimum 15-foot wide easement through the cul-de-sac of private W. Clair Street to existing, public W. Clair Street, as shown on the tentative tract map.**
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.

(1) _____



(2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - a) Developer/applicant shall reserve a minimum 4-foot wide private drainage easement adjacent to the southerly tract boundary across proposed Lots 15, 16, 17, 18 for the benefit of proposed Lots 15, 16, 17, 18.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Tract Map No. 20198 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.



- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay



any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.

2.15 Pay all Development Impact Fees (DIF) to the Building Department.

2.16 Other conditions:

a) The Final Utility Systems Map (USM) shall be consistent with the Infrastructure Plan submitted with the entitlement package. Any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A final USM shall be submitted for review and approval with the Precise Grading Plan.

b) The applicant/developer shall pay a storm drain in-lieu fee, approximately \$114,075.00, for the "Priority B" storm drain in Benson Avenue. Final fee shall be determined based on the approved site plan.



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Benson Avenue	Existing Public W. Clair St.	Within Ontario PUE on W. Clair St. (Private)	Within Ontario PUE on W. Ralston St. (Private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 32 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New curb and gutter for cul-de-sac, join existing <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 18 additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New cul-de-sac per City Std. Dwg. 1101 and as necessary to join existing pavm't	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace to construct cul-de-sac (if needed)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New sidewalk along cul-de-sac, join existing sidewalk or driveway <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)



Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main to connect to new W. Clair (private) <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	Existing improvements to widen street	Existing improvements to construct cul-de-sac and join existing		
Other Improvements				



Specific notes for improvements listed in item no. 2.17, above:

- a) **During the course of maintenance and repairs of public utilities within the public easement, the City will restore trenches per the latest City standards, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA.**
- b) **The new W. Clair St. and W. Ralston St. are private and shall be owned and maintained by the HOA.**

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer shall pay in-lieu fee of \$350/ft for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.**
- 2.22 **Other conditions:**
 - a) **On-site private streets from curb to curb shall be designed and constructed per City of Ontario public street standards.**

C. SEWER

- 2.23 **A 12-inch sewer main is available for connection by this project in Benson Avenue. (Ref: Sewer plan bar code: S13092)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a) **Sewer Laterals:** Project shall install sewer cleanouts/laterals at a minimum horizontal separation of 5 feet from BMPs and 10 feet from water meters/laterals per State Water Resources Control Board Division of Drinking Water (DDW) requirements.
 - b) **Sewer Line Improvements:** Prior to the issuance of any permits, the following sewer line improvements shall be designed and constructed per City standards and design requirements:
 - a. Install an 8-inch sewer line along W. Ralston St. from Benson Avenue to the cul-de-sac, with a point of connection to the existing sewer line in Benson Avenue.
 - b. Install an 8-inch sewer line along W. Clair St. from Benson Avenue to the cul-de-sac, with a point of connection to the existing sewer line in Benson Avenue.



D. WATER

- 2.27 An 8-inch water main is available for connection by this project in Benson Avenue and existing W. Clair Street. (Ref: Water plan bar code: W11460, W10510)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a) **Fire Water Flow Test:** Submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.
 - b) **Water Laterals:** Project shall install water meters/laterals at a minimum horizontal separation of 5 feet from BMPs and 10 feet from sewer cleanouts/laterals per State Water Resources Control Board Division of Drinking Water (DDW) requirements.
 - c) **Potable Water Improvements:** Prior to the issuance of any permits, the following potable water improvements shall be designed and constructed per City standards and design requirements:
 - a. Install an 8-inch waterline along W. Ralston St. from Benson Avenue to the cul-de-sac, with a point of connection to the existing waterline in Benson Avenue.
 - b. Install an 8-inch waterline along W. Claire St. from Benson Avenue through the cul-de-sac of W. Claire Street for looping, with a point of connection to the existing waterline in Benson Avenue and existing waterline in W. Claire Street.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



2.37 Other conditions:

- a) Design and construct the ultimate half street improvements along the project frontage on Benson Avenue (88' R/W, 64' C/C). Improvements shall include appropriate pavement transitions, signing/stripping, street lights, and street light service pedestals as deemed necessary by the City Engineer.
- b) Design and construct street improvements for the existing, public W. Clair Street cul-de-sac in accordance with City standard drawings including, but not limited to, concrete curb and gutter, sidewalk, LED street lights, street light service pedestals, signing/stripping, and parkway landscaping.
- c) The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/stripping and/or street lighting design.
- d) The Applicant/Developer shall obtain all rights-of-way necessary to construct all required improvements.
- e) All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____. (Ref: Storm Drain plan bar code: _____)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: _____

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.47 Other conditions: _____

J. SPECIAL DISTRICTS

2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.

2.49 Other conditions: _____

K. FIBER OPTIC

2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Fiber optic system will generally be located along project frontage on Benson Avenue, private Ralston Street and private Clair Street.**

2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**

2.53 **Other conditions:**

- a) **Final Solid Waste Handling Plan (SWHP): The PMTT18-007 Solid Waste Handling Plan, revision dated 06/19/2019, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".**



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.**
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.**
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PMTT 18-007 / Tract Map No. 20198

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. **Three (3) sets of Public Street improvement plan with street cross-sections**
7. **Three (3) sets of Private Street improvement plan with street cross-sections**
8. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. **Four (4) sets of Public Sewer improvement plan**
11. Five (5) sets of Public Storm Drain improvement plan
12. **Three (3) sets of Public Street Light improvement plan**
13. **Three (3) sets of Signing and Striping improvement plan**
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
18. **One (1) copy of Hydrology/Drainage study**
19. **One (1) copy of Soils/Geology report**
20. **Payment for Final Map/Parcel Map processing fee**
21. **Three (3) copies of Final Map/Parcel Map**



- 22. **One (1) copy of approved Tentative Map**
- 23. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24. **One (1) copy of Traverse Closure Calculations**
- 25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-007
 Address: 991 and 1103 South Benson Avenue
 APN: 1011-431-01 & 1011-521-06
 Existing Land Use: Single Family Homes
 Proposed Land Use: Subdivide 9.57 acres into 18 numbered lots for residential purposes
 Site Acreage: 9.57 ac Proposed Structure Height: N/A
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 6/11/18
 CD No.: 2018-032
 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 checked="" type="checkbox"/> 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.

See Attached Condition

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.: 2018-032

PALU No.: _____

PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.)

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: May 14, 2018
SUBJECT: PMTT18-007

-
- 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:lm





CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: April 7, 2019

SUBJECT: PMTT18-007- A Tentative Tract Map to subdivide 9.57 acres of land into 18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Agriculture Residential). APN's 1011-431-01 and 1011-521-06. *(Revision 1)*

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See previous report for Conditions
-



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: May 17, 2018

SUBJECT: PMTT18-007- A Tentative Tract Map to subdivide 9.57 acres of land into 18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Agriculture Residential). APN's 1011-431-01 and 1011-521-06

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B Wood Frame
- B. Type of Roof Materials: Non-rated
- C. Ground Floor Area(s): Varies
- D. Number of Stories: Single Story
- E. Total Square Footage: Varies
- F. 2013 CBC Occupancy Classification(s): R-3

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.
- 2.7 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 public 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

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. 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.

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. Homes that do not front street shall be provided with an address entry sign at the street. 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.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



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: Luis Batres, Senior Planner

DATE: May 09, 2018

SUBJECT: FILE #: PMTT18-007 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 **Wednesday, May 23, 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 Tentative Tract Map to subdivide 9.57 acres of land into 18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Agriculture Residential). APN's 1011-431-01 and 1011-521-06

- 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.

Police
Department

Douglas Sorel
Signature

MANAGEMENT ANALYST
Title

5/22/18
Date



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
Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Luis Batres, Senior Planner

DATE: August 15, 2018

SUBJECT: FILE #: PMTT18-007

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, August 29, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district (APN's 1011-431-01 and 1011-521-06).

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.

Adv. Planning
Department

Clarice Burck
Signature

Assoc. Planner
Title

8/29/18
Date

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

CONDITIONS OF APPROVAL

Sign Off

	07/15/2019
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
--	---------------------------------

D.A.B. File No.: PMTT18-007 Rev 3	Related Files:	Case Planner: Luis Batres
--------------------------------------	----------------	------------------------------

Project Name and Location: 18 Single Family Homes 991 and 1103 South Benson

Applicant/Representative: TK Management 449 W Foothill Blvd Glendora, CA 91741

<input checked="" type="checkbox"/>	A Tentative Tract Map (06/19/2019) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Tentative Tract Map () has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

On Construction plans:

1. Show storm water swales proposed in landscape areas to avoid street tree root zone 10' clear 30' oc. **Not completed, show infiltration swales in sections to allow a level 10' space 30'oc for street trees in amended soil, not in the infiltration trench.** 07/15/2019 Not complete; show and callout on plan.
2. Relocate utilities to min. clearances to allow parkway trees spaced 30' apart with a 10' clear tree space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and min. 10' clear from street lights. 07/15/2019 Not complete; adjust utilities to provide required trees.
3. Show transformers located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans. 07/15/2019 Not complete; show transformers on plan in appropriate locations.
4. Show walls and detail to screen adjacent cul-de-sacs in the front yards of lots 14 & 15.
5. Provide HOA or CC&R with instructions to maintain infiltration trenches. 07/15/2019 Not complete.
6. Landscape and irrigation shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
7. Replace high maintenance and poor performing plants.
8. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	\$2,326.00
Inspection—Construction (up to 3 inspections)	\$278.00
Total.....	\$2,604.00



Development Advisory Board Decision

September 4, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-006

DESCRIPTION: A Development Plan for the construction of an 88-Unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control Channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district; (APNs: 1047-432-22 & 1047-443-01) **submitted by SC Property Fund LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

SC PROPERTY FUND, LLC, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV18-006, 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 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control Channel, at 1402 North Virginia Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. The site is irregular in shape, with a lot depth of 792 feet and a lot width of 280 feet. 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	HDR	HDR-45	n/a
<i>North:</i>	San Bernardino County Flood Control Channel	n/a	n/a	n/a
<i>South:</i>	I-10 Freeway	n/a	n/a	n/a
<i>East:</i>	Single-Family Residential	HDR	HDR-45	n/a
<i>West:</i>	Multi-Family Residential	MDR	HDR-45	n/a

(2) **Project Description:** The Applicant is requesting Development Plan approval to construct an 88-Unit apartment complex (Virginia Avenue Apartments) in a mix of three and four-story building configurations. Staff has worked with the applicant to design a project that reflects the development standards and design guidelines of the HDR-45 zoning (High Density Residential - 25.1 to 45.0 DU/Acre) district, and the goals and policies of The Ontario Plan (TOP), as they relate to the High Density Residential land use district.

(a) **Site Plan—** The project proposes ten residential buildings and four garage buildings distributed around centralized common open space and recreation amenities, at a density of 25.1

dwellings per acre. Apartment units will be accessed via interior corridors, which are accessible via stairs and/or elevators, and units range from 774 to 1,102 square feet in size. Building functions are as follows:

- Buildings 1, 3, 5, and 11 will consist of enclosed garages, housing 34 parking spaces
- Buildings 2 and 6 are composed of eight two bedroom units, with 18 tuck-under garage spaces
- Building 4 is composed of 32 one-bedroom units in a stacked-flats configuration
- Building 7 is composed of four one-bedroom units, with seven tuck-under garage units
- Building 8 is composed of four two-bedroom units, with nine tuck-under garage units
- Building 9 is composed of 32 two-bedroom units in a stacked-flat configuration

A 2,025 square-foot, one-story Club House is proposed at the center of the site. The Club House will include approximately 11,134 square feet of active area. Proposed recreational amenities include an exercise room, lounge area/multi-purpose room, kitchen, restrooms, leasing office, covered walkways, fireplace, outdoor showers, and storage space (see Exhibit B—Site Plan).

(b) Site Access/Circulation— A San Bernardino County Flood Control Channel borders the project site on the east and Interstate 10 (I-10) borders the site on the west, restricting street access to the site; however, a 35-foot wide access easement has been obtained by the applicant from the County of San Bernardino Flood Control District to provide access to the site from Sixth Street. Access will be provided along the northwest portion of the development. The access easement will be improved with a 5-foot wide landscape planter, a two-way 26-foot wide drive aisle and a 4-foot wide sidewalk.

(c) Parking— Off-street parking in the form of garage spaces and uncovered surface parking is distributed throughout the project site. A total of 188 off-street parking spaces are required for the project. The Ontario Development Code requires that the project provide off-street parking at the rate of 1.75 spaces per dwelling unit for one-bedroom units (with one covered space), two spaces per dwelling unit for two-bedroom units (with one covered space), and one guest parking space for every five dwelling units. The proposed project provides 88 garage parking spaces and 100 uncovered parking spaces for resident parking, and 18 guest parking spaces, meeting the minimum parking requirement for the project.

(d) Architecture— The project proposes a contemporary architectural design with Spanish Colonial influences, exemplifying the type of high-quality architecture promoted by the Development Code and TOP vision (See Figure 1: Club House Front Elevation & Exhibits F to Z-1: Building Elevations). The mass and scale of the buildings are designed to be proportionate to the site, open space, and scale of the neighborhood. Special attention was given to the colors, materials, massing, building form, and architectural details. This is exemplified through the use of:

- Articulation in the building's roof lines
- Concrete S-tile roof
- Stone veneer
- Smooth plaster
- A hump and bump stucco finish at key architectural areas
- Decorative powder coated wrought iron work at key insets, windows, balconies and garage units
- Decorative window shutters at key locations
- Arched and round elements
- Shaped corbels
- Decorative trims at windows and doors
- Decorative sconce lighting fixtures
- Decorative red clay barrel accent pipes along the front of the gabled roofs
- Decorative Mexican tiles along key architectural elements
- Cantilever architectural elements
- Incorporation of a color pallet appropriate to the proposed architecture

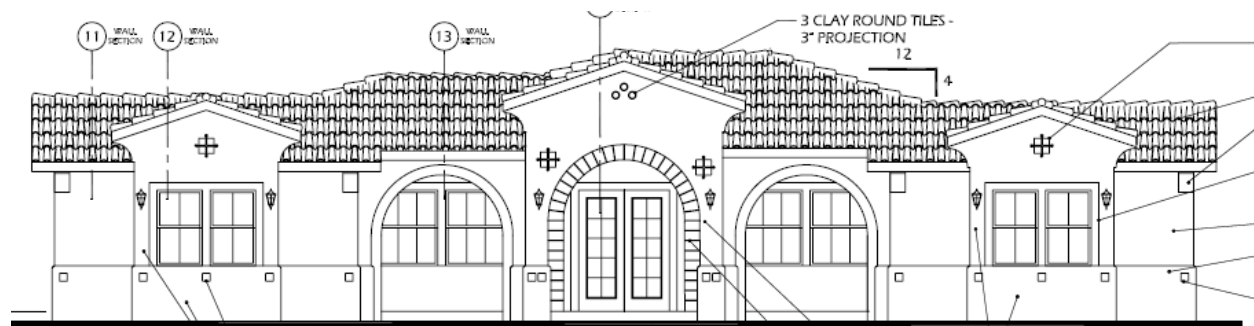


Figure 1: Club House Front Elevation

(e) Landscaping—The project exceeds the minimum landscape requirements established by the Development Code. The project provides a minimum of 60 square feet of private open space per unit, in the form of private balconies, and 257 square feet of common open space for each unit. Common open space (totaling 22,621 square feet) is provided by the Club House (2,462 square feet), a 20-foot X 40-foot swimming pool, 27-foot X 50-foot basketball court, and spa. Other outdoor amenities include covered patios, BBQ areas, tables and benches, children’s play equipment , and outdoor workout/health equipment (see Exhibit E—Landscape Plan, Exhibit E1—Club House Landscaping and Exhibit E2—Basketball Court Area, attached).

In addition, the project will provide a 10-foot wide landscape setback along the west property line, a 16.5-foot wide landscape setback along the south property line (adjacent to Interstate 10), a 5-foot wide landscape setback along the east property line and a 5-foot wide landscape setback along the northwest property line (adjacent to the flood control channel). Furthermore, the project will provide landscaping throughout the interior area of the parking lot. The plant pallet will consist of a mix of shade trees, ground cover and shrubs. At key areas of the project, accent planting is featured, including Date Palms, California Sycamore, Tipu Tree, Maiden Hair Tree, Strawberry Tree, Western Redbud, Crape Myrtle, Olive Tree, African Sumac, Australian Willow, and Brisbane Box.

(f) Utilities— Public utilities (water and sewer) are available to serve the project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces, and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes to install infiltration chambers under the parking lot areas and within the large common open space areas.

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 recommendations 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; and

WHEREAS, on September 4th, 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 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and is consistent with the following conditions:

- 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
- The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses
- The project site has no value as habitat for endangered, rare, or threatened species
- Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality
- The Project site 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. 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 number of dwelling units (88) and density (25.1 DU/Acre) specified in the Available Land Inventory.

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 HDR (High Density Residential) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district. 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. In addition, the proposed development will comply with all the Development Guidelines of the HDR-45 zone, and is not requesting any Variances; 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 HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district, including standards relative to the particular land use proposed (88-unit multiple-family residential), 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. Approval of the project will result in the development of an 88-unit residential apartment complex on 3.5 acres. The project will include full on-site and off-site improvements that will also improve the immediate area. In addition, the density proposed of 25.1 units per acre is consistent with the minimum density requirement of the HDR-45 zone; 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 Development Code 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. In addition, the project includes full on-site and off-site improvements and the project will improve the quality of the existing site. In addition, the proposed project will provide much needed housing which will also allow the City to comply with our Housing Element housing needs; 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 Development Code 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 (88-Unit Multi-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 Development Code.

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 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 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 4th day of September, 2019.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

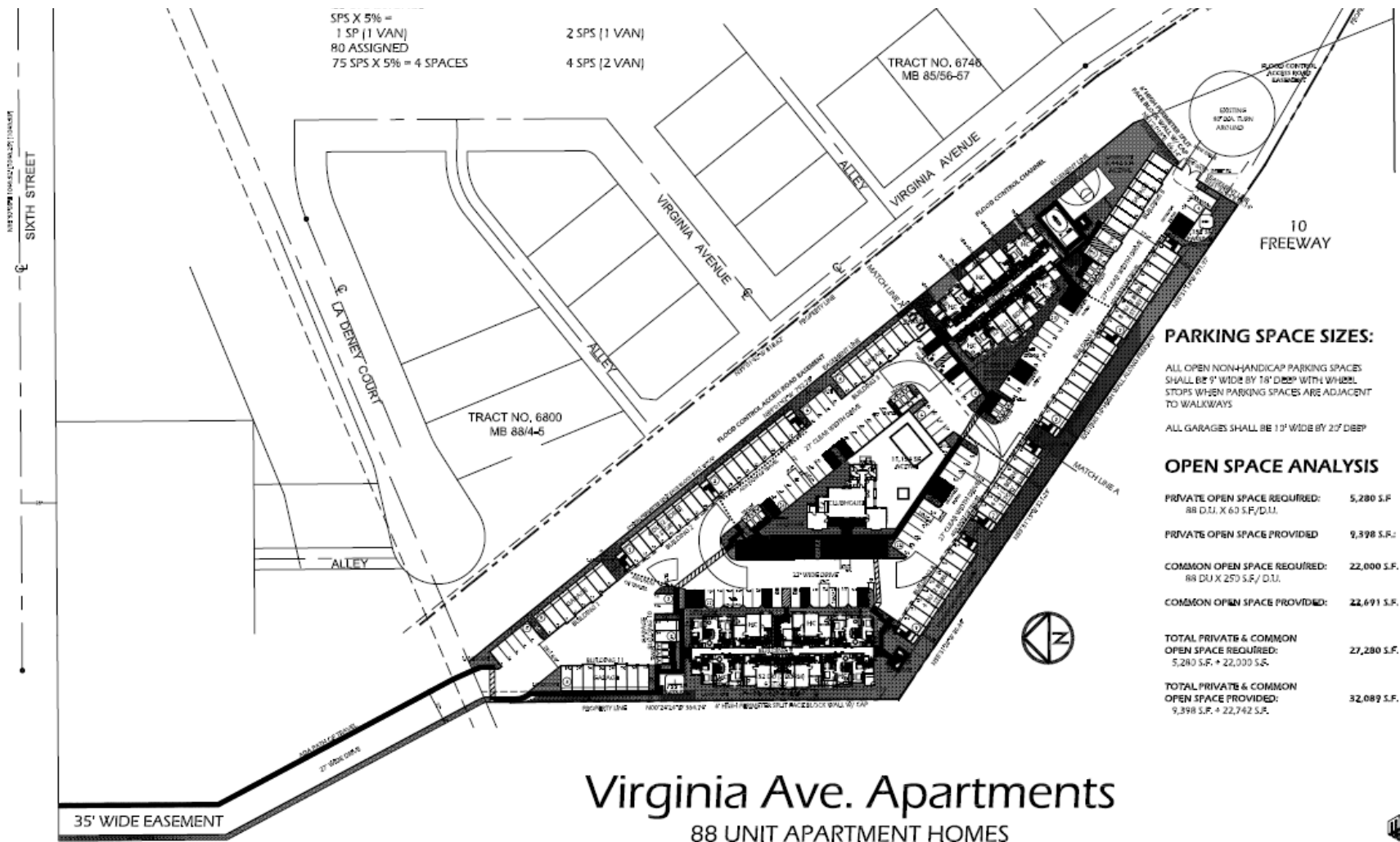
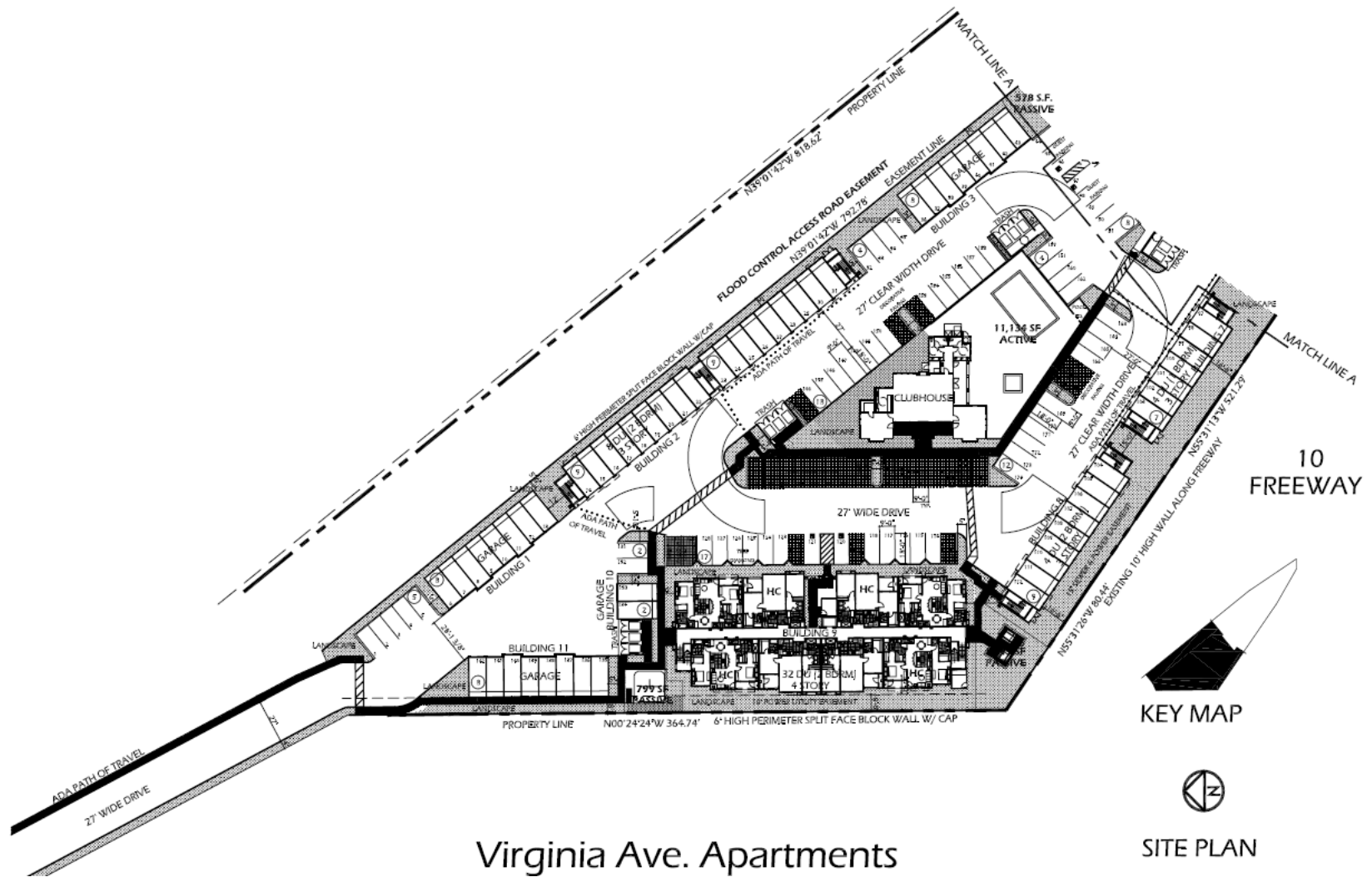


Exhibit C—SITE PLAN ENLARGMENT (1 OF 2)



Virginia Ave. Apartments

Exhibit D—SITE PLAN ENLARGMENT (2 OF 2)

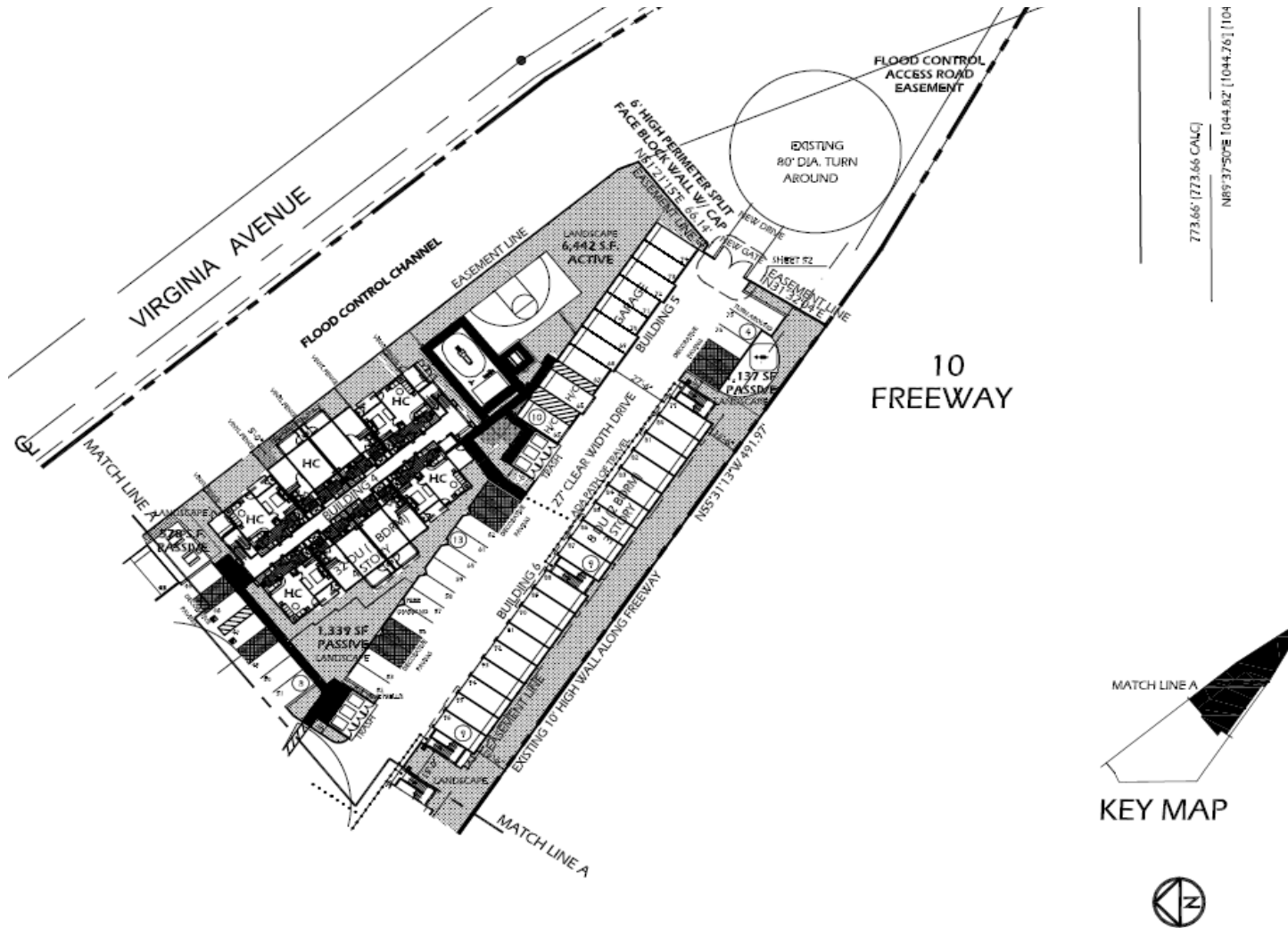


Exhibit E1—CLUB HOUSE LANDSCAPING

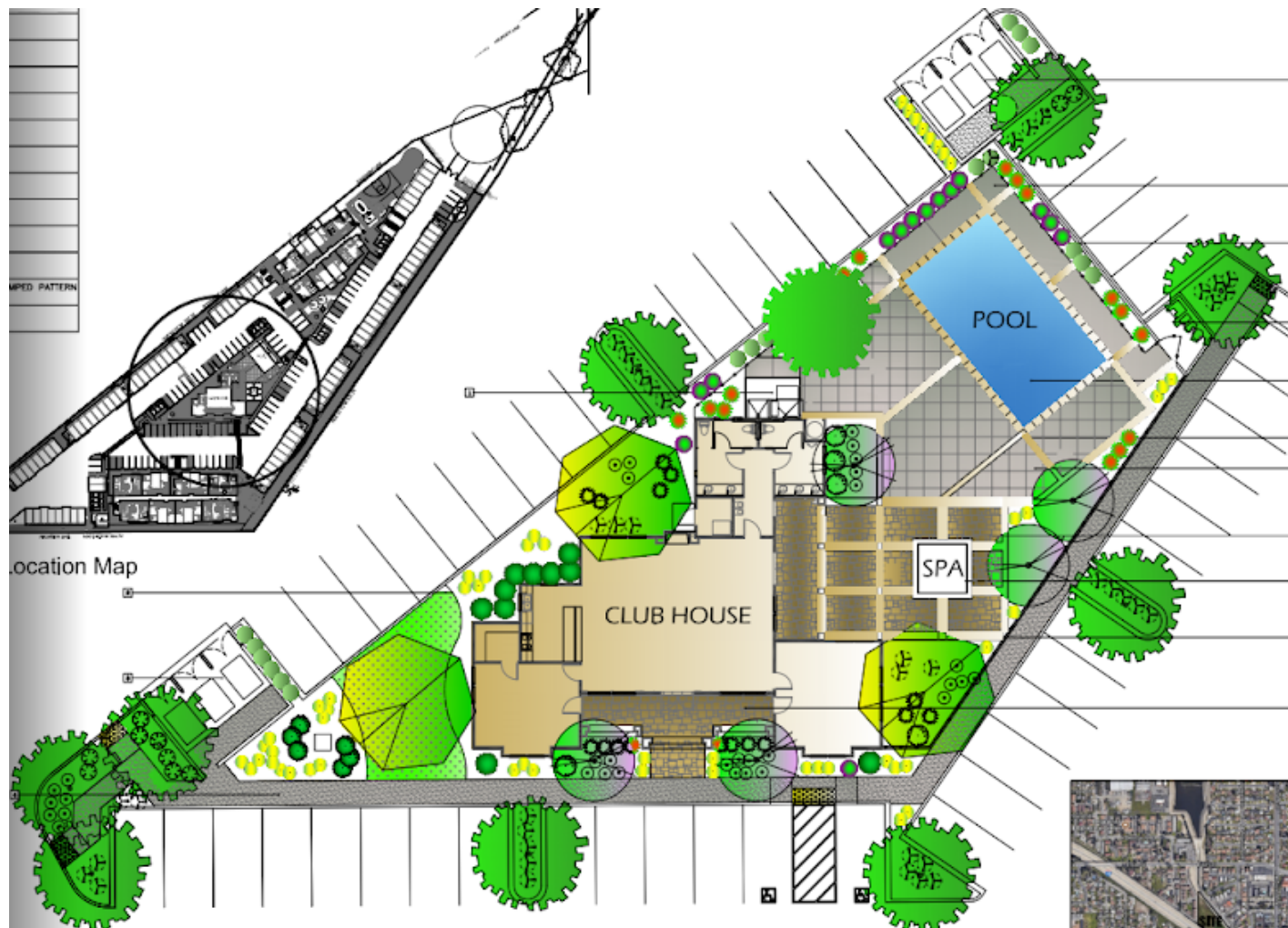


Exhibit E2—BASKETBALL COURT AREA LANDSCAPING

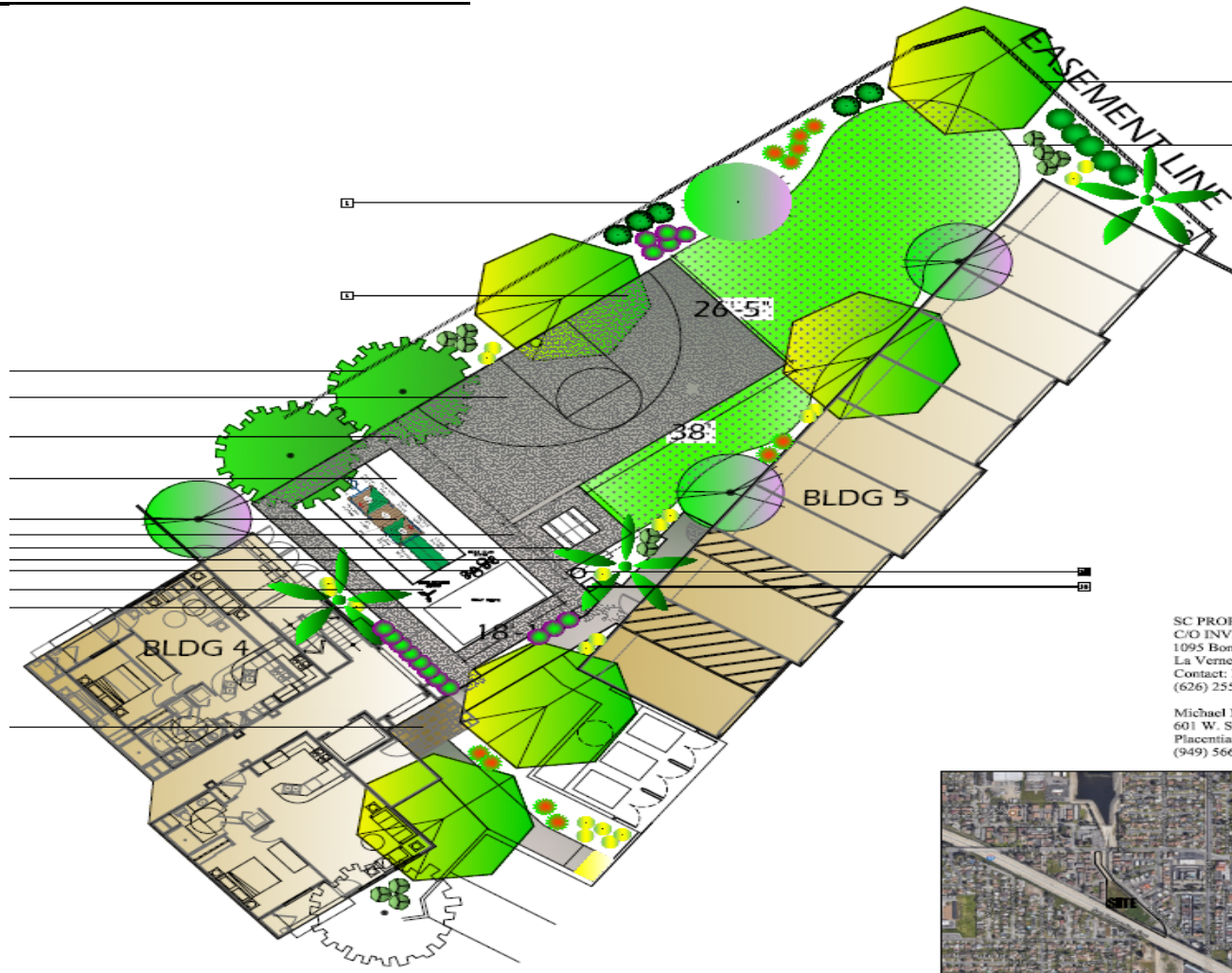


Exhibit F—BUILDING 10 ELEVATIONS

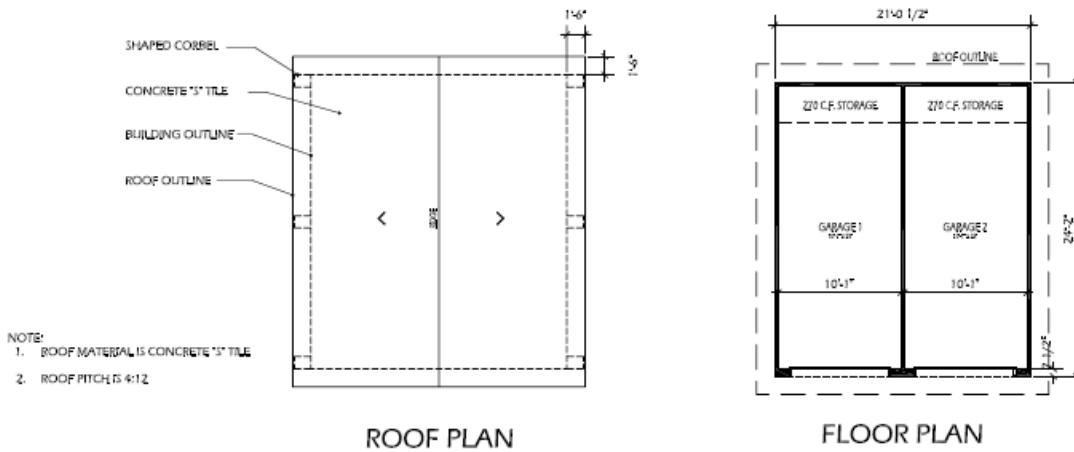
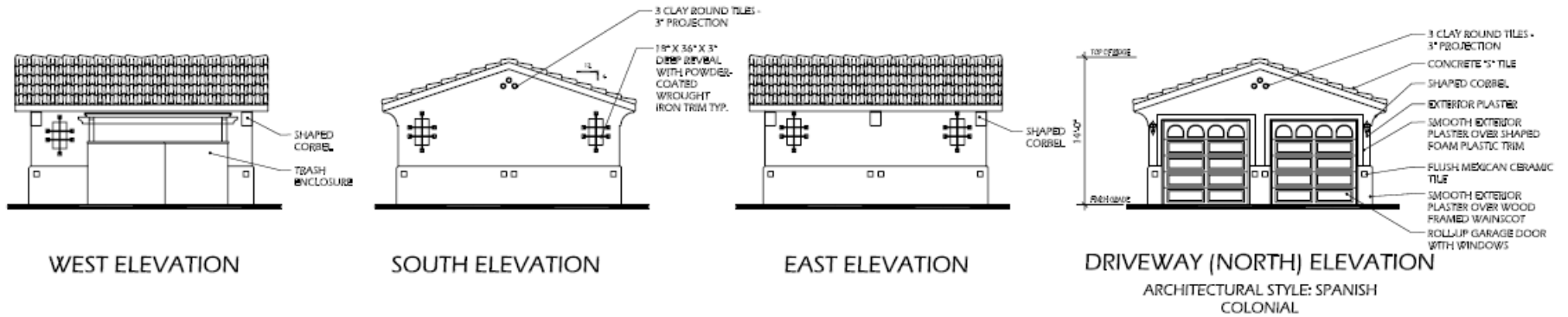


Exhibit G—ELEVATIONS BLD. 1, 3 & 11

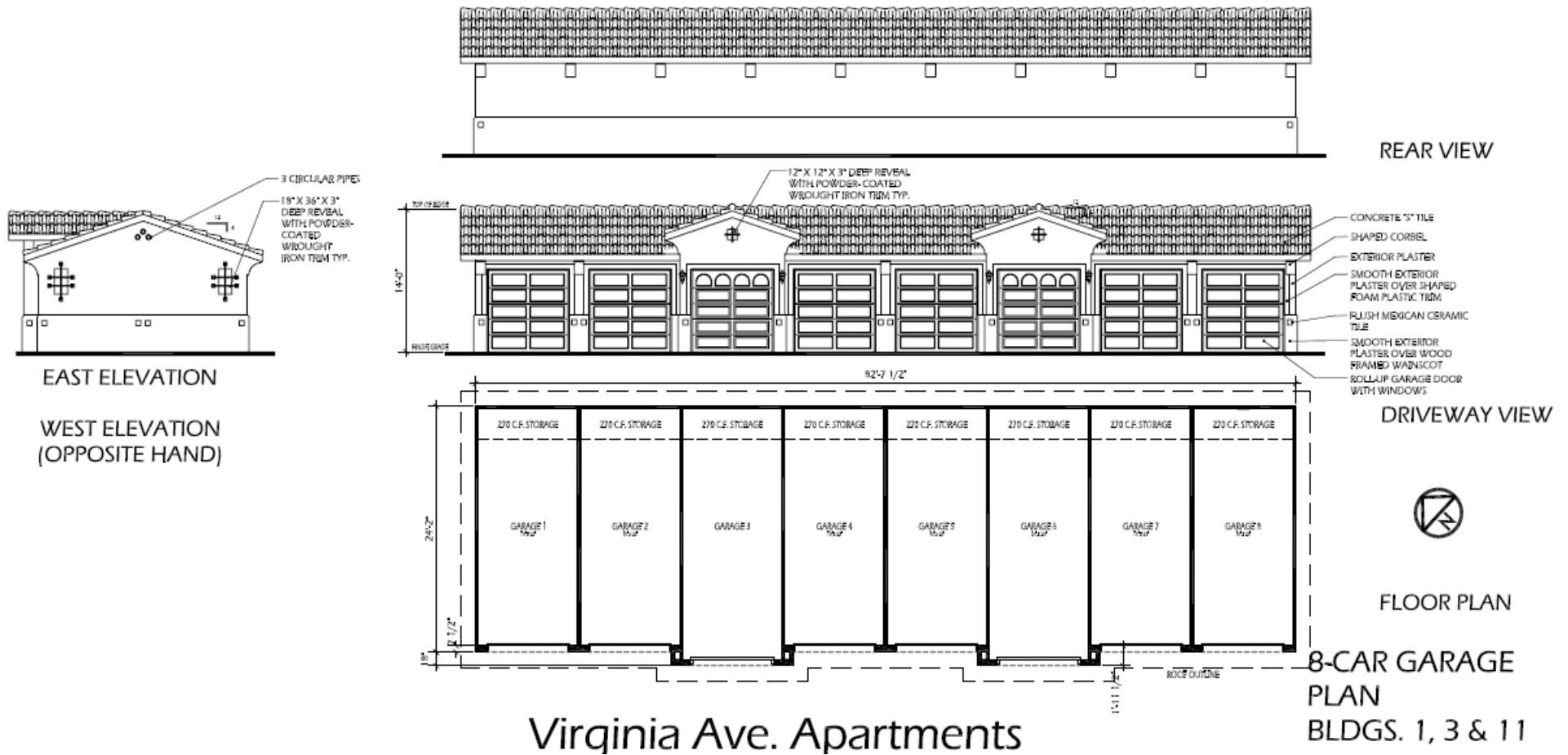


Exhibit H—BUILDING 5 ELEVATIONS

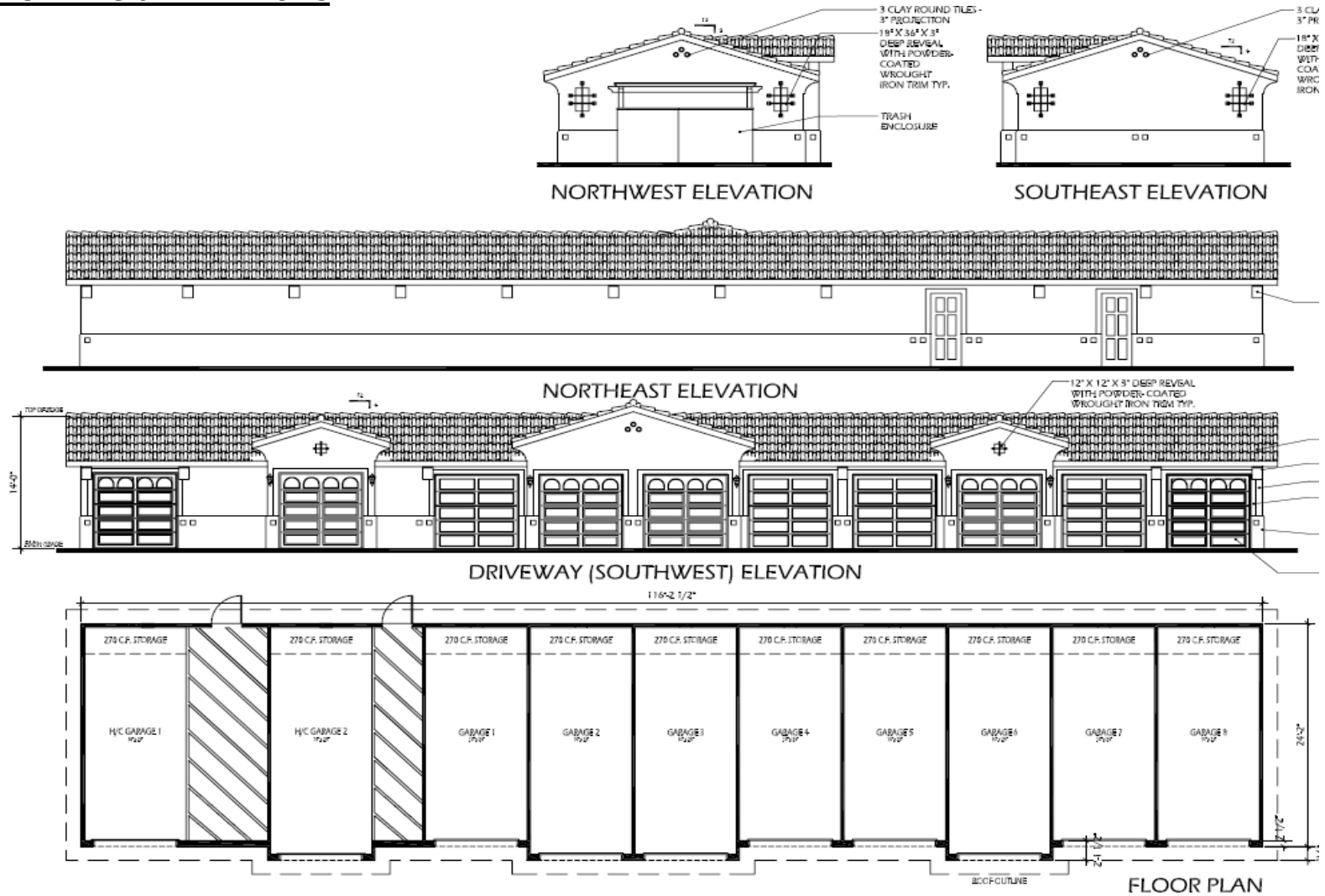


Exhibit I—BUILDING 7 ELEVATIONS

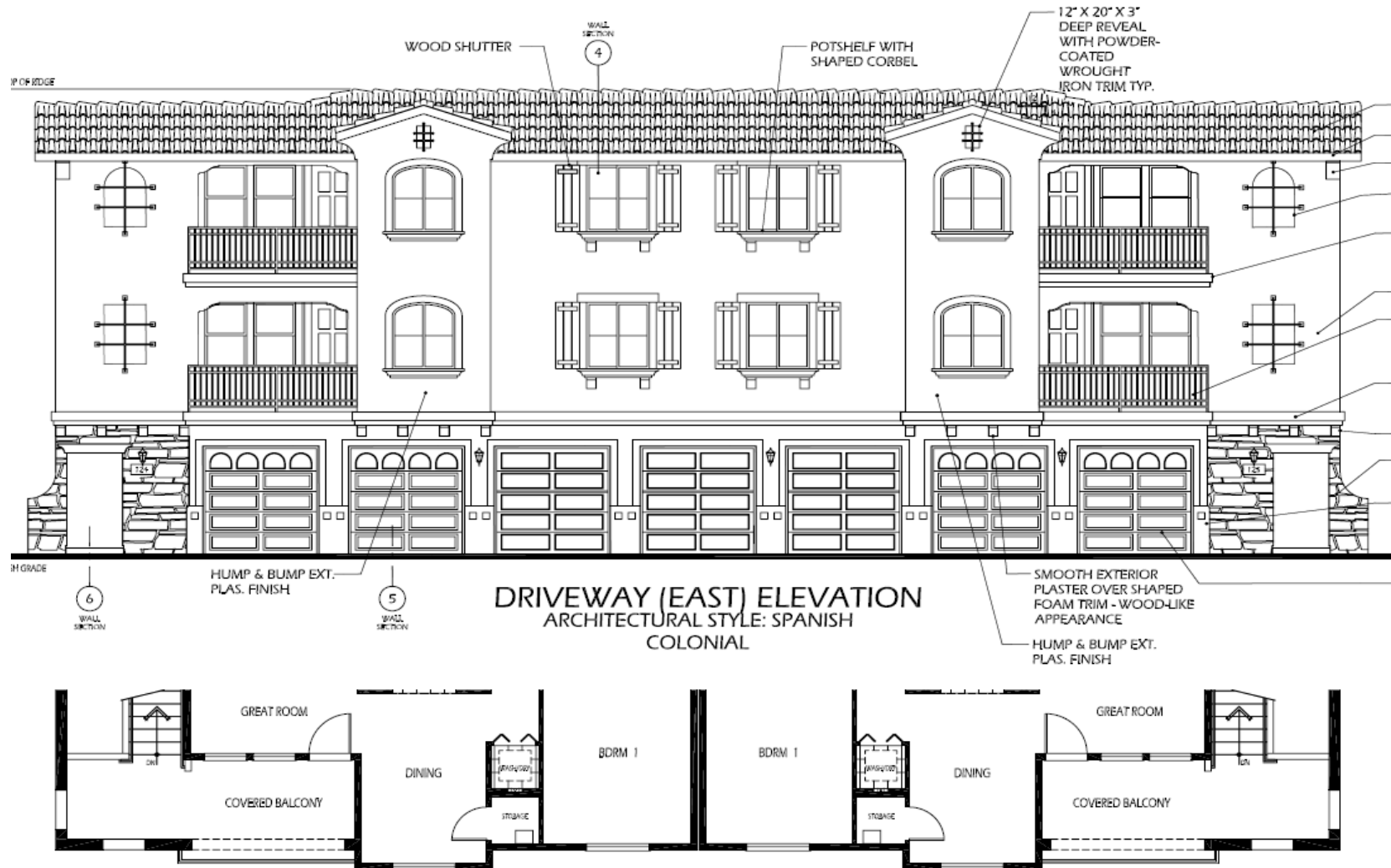
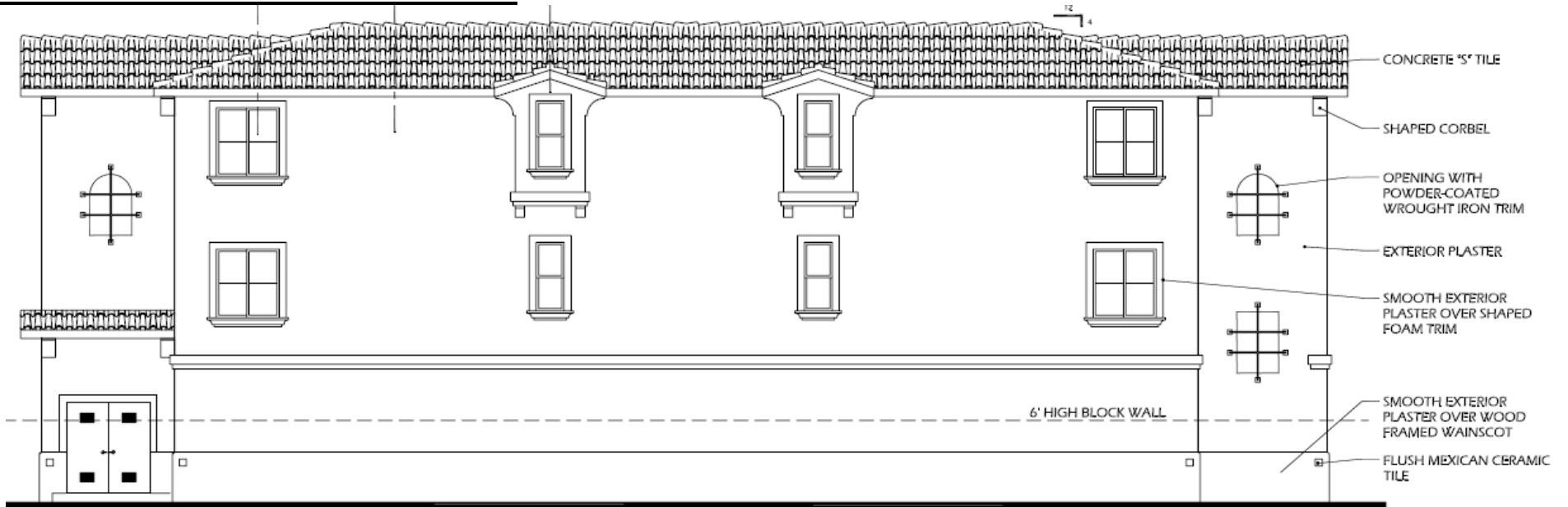


Exhibit J—BUILDING 7 WEST ELEVATION



WEST ELEVATION
ARCHITECTURAL STYLE: SPANISH
COLONIAL

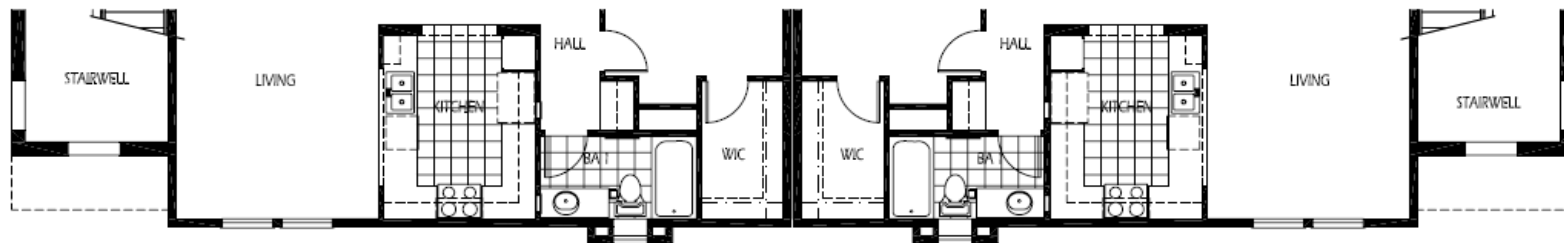
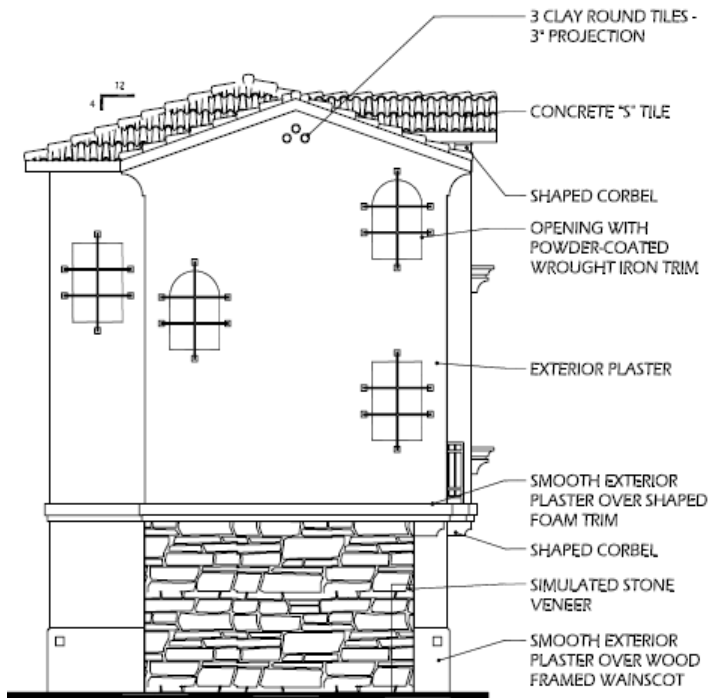
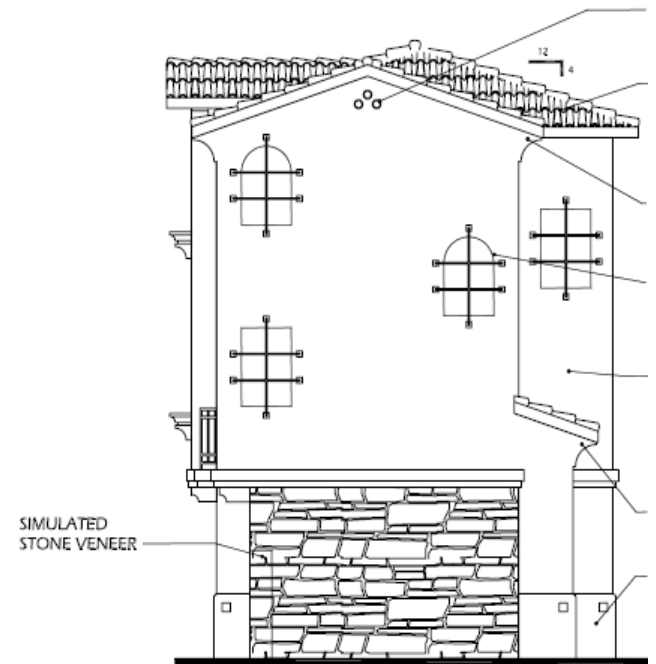


Exhibit K—BUILDING 7 NORTH & SOUTH ELEVATIONS



SOUTH ELEVATION



NORTH ELEVATION
ARCHITECTURAL STYLE: SPANISH
COLONIAL

Exhibit L—BUILDING 8 EAST ELEVATION

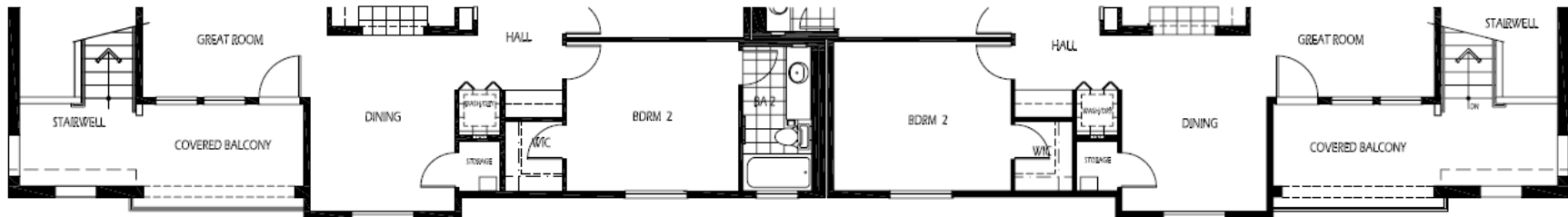
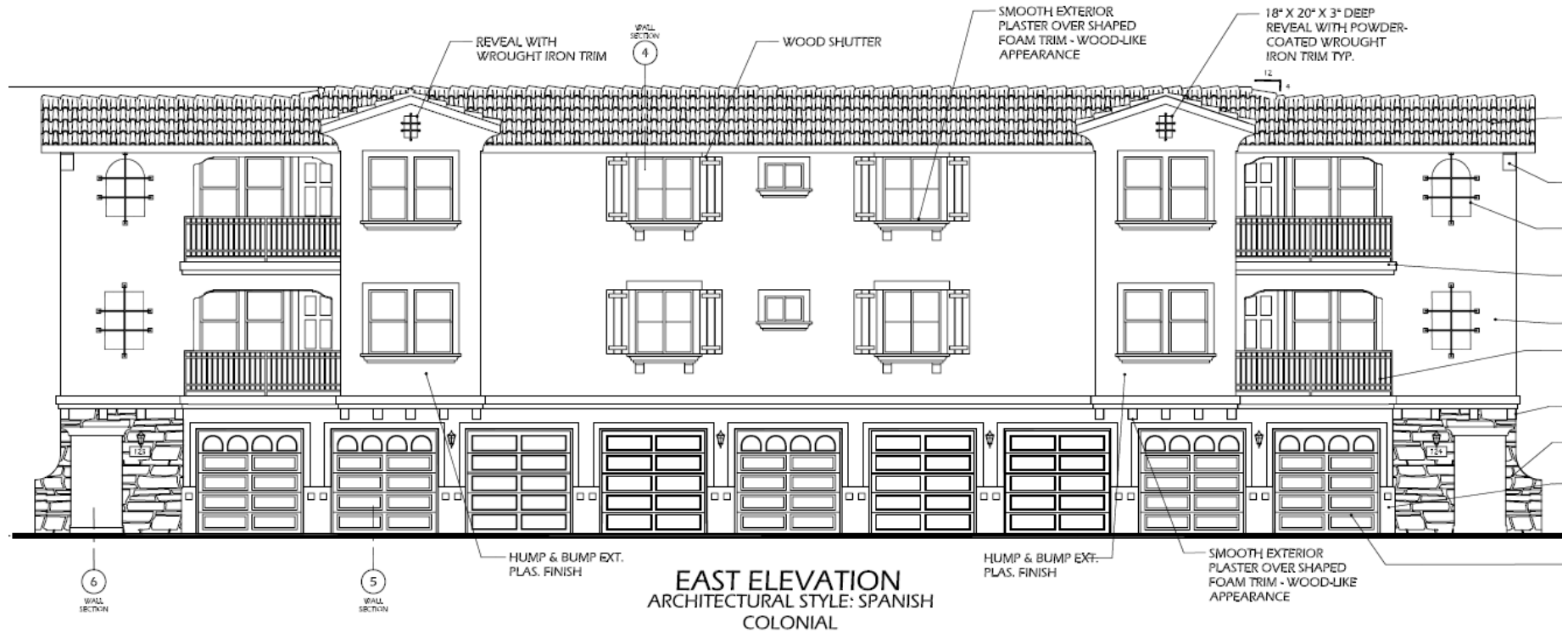


Exhibit M—BUILDING 8 WEST ELEVATION

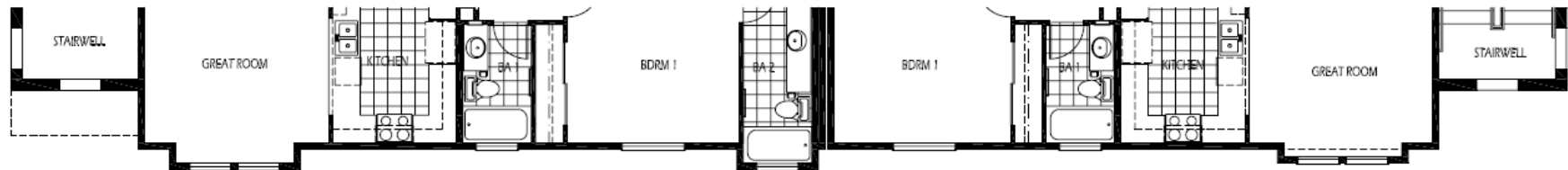
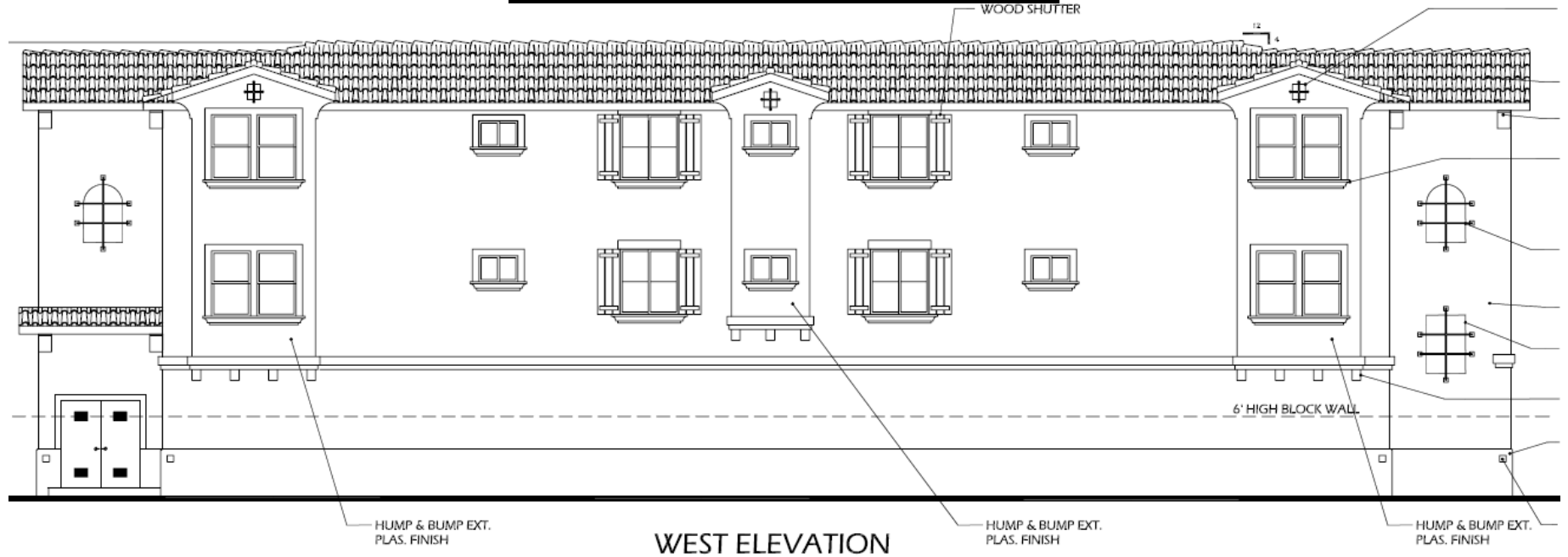
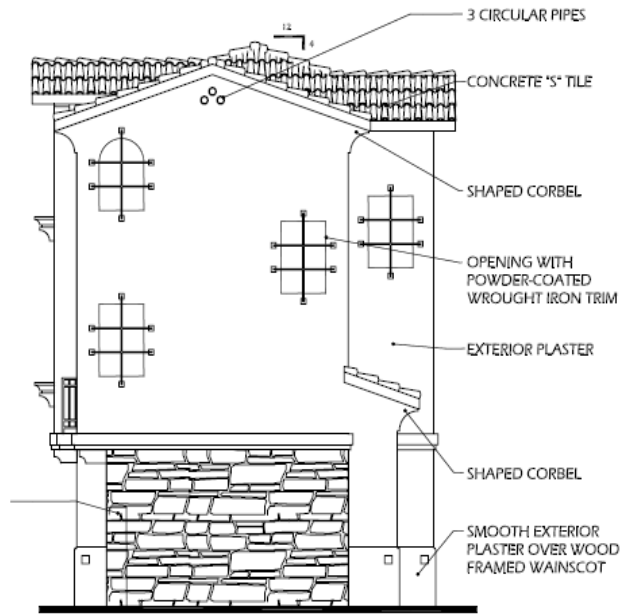
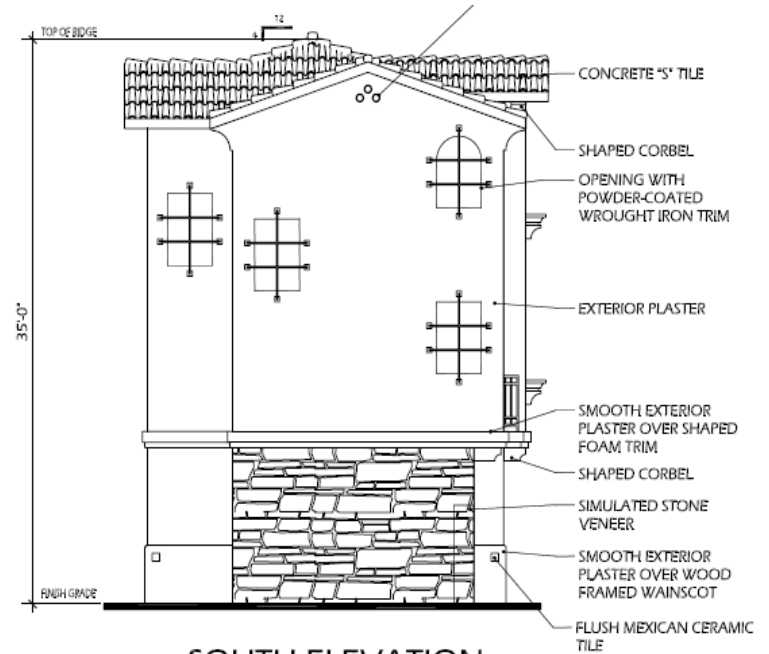


Exhibit N—BUILDING 8 NORTH AND SOUTH ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

Exhibit O—BUILDING 2 AND 6 ELEVATIONS

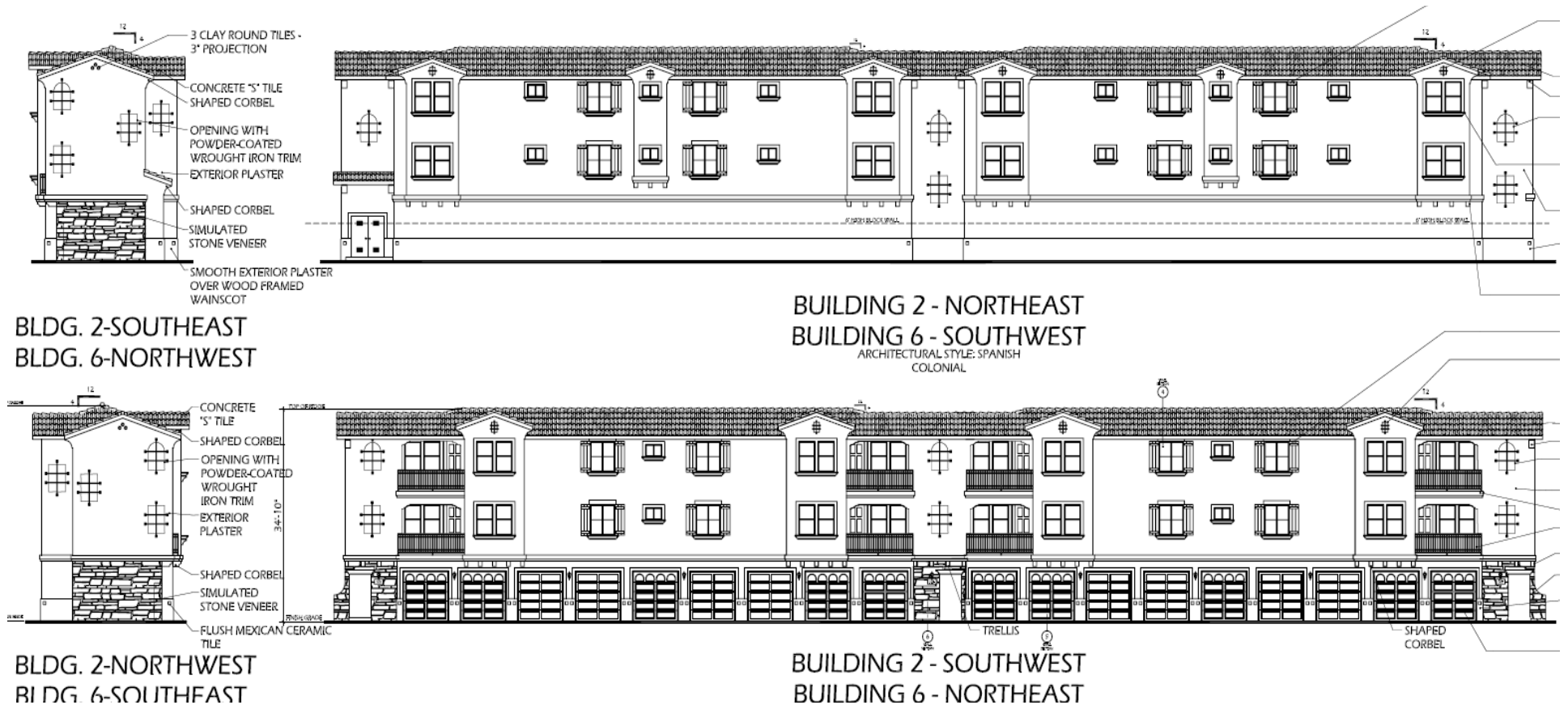


Exhibit P—BUILDING 9 EAST ELEVATION

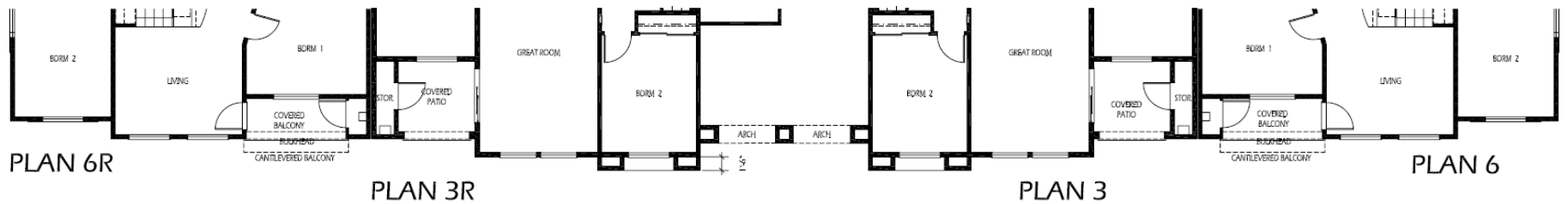
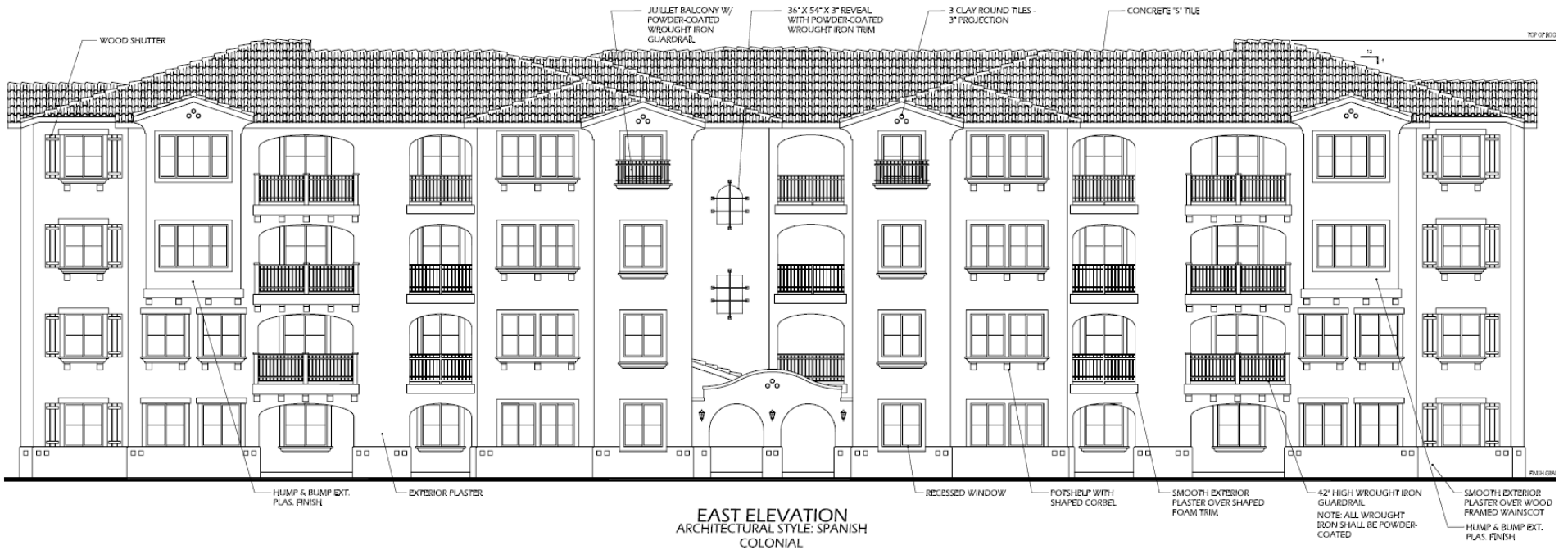


Exhibit Q—BUILDING 9 WEST ELEVATION

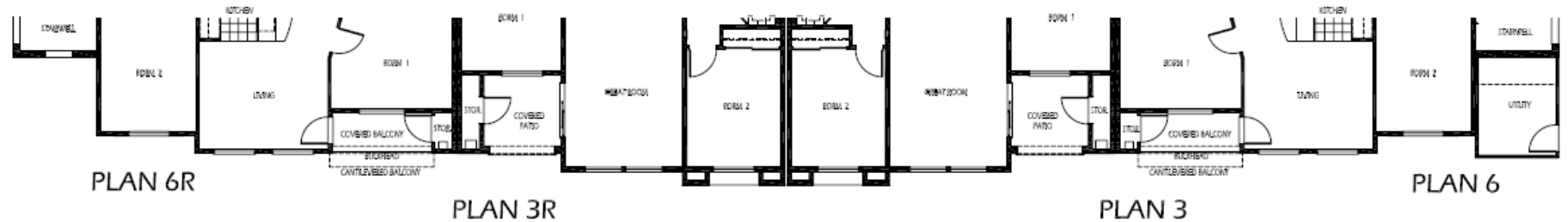


Exhibit R—BUILDING 9 SOUTH ELEVATION

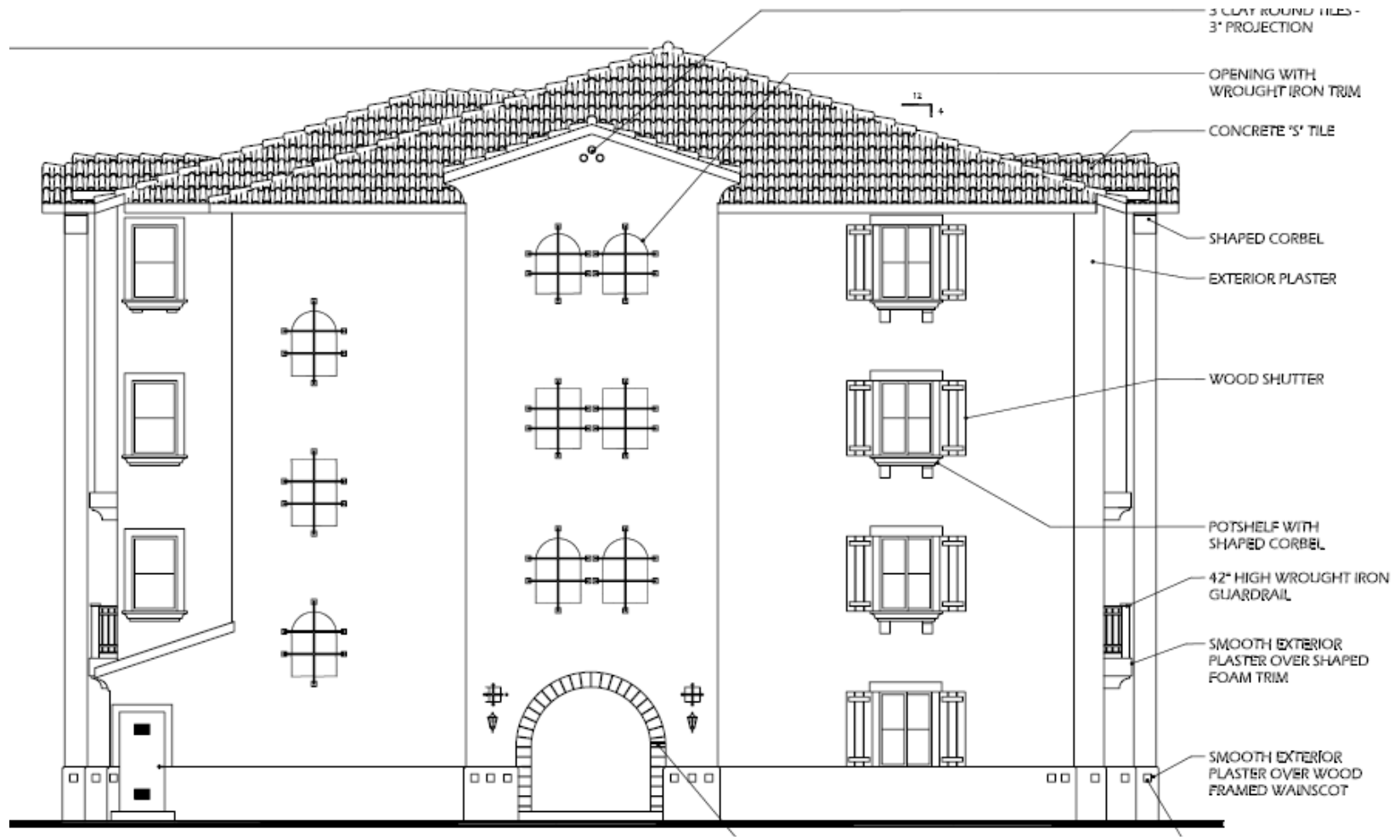


Exhibit S—BUILDING 9 NORTH ELEVATION

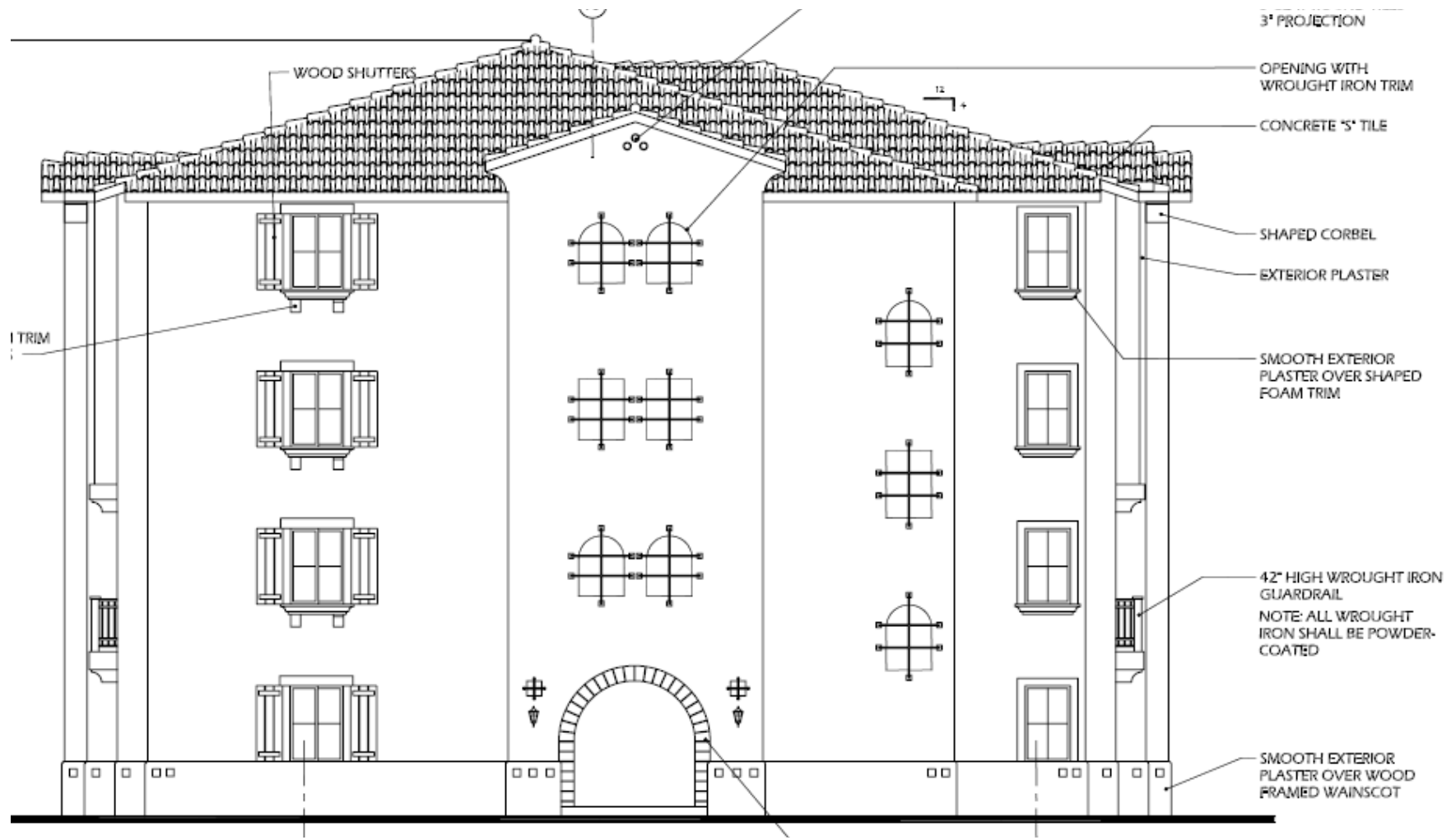


Exhibit T—BUILDING 4 EAST ELEVATION



Exhibit U—BUILDING 4 WEST ELEVATION



Exhibit V—BUILDING 4 NORTH ELEVATION

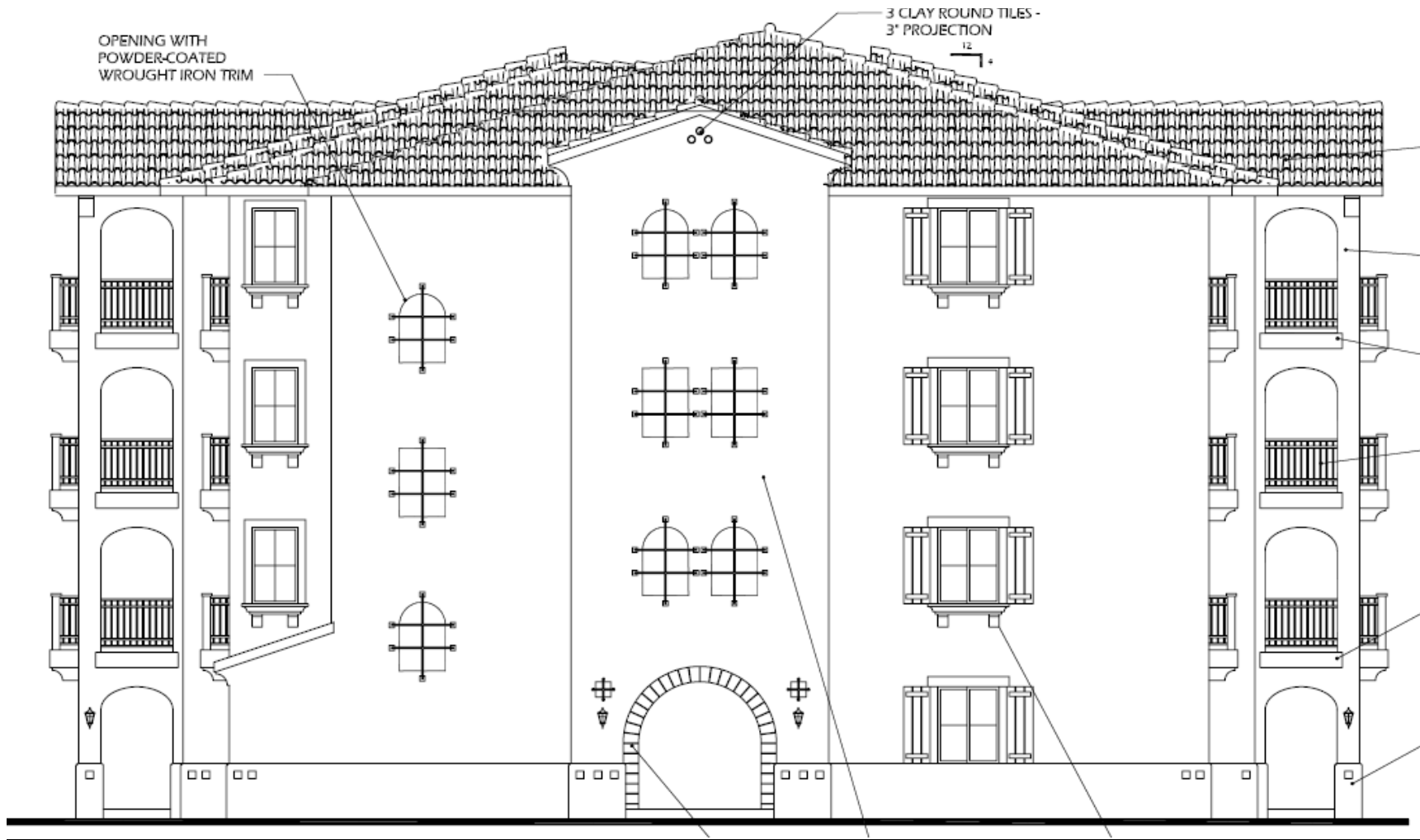


Exhibit W—BUILDING 4 SOUTH ELEVATION

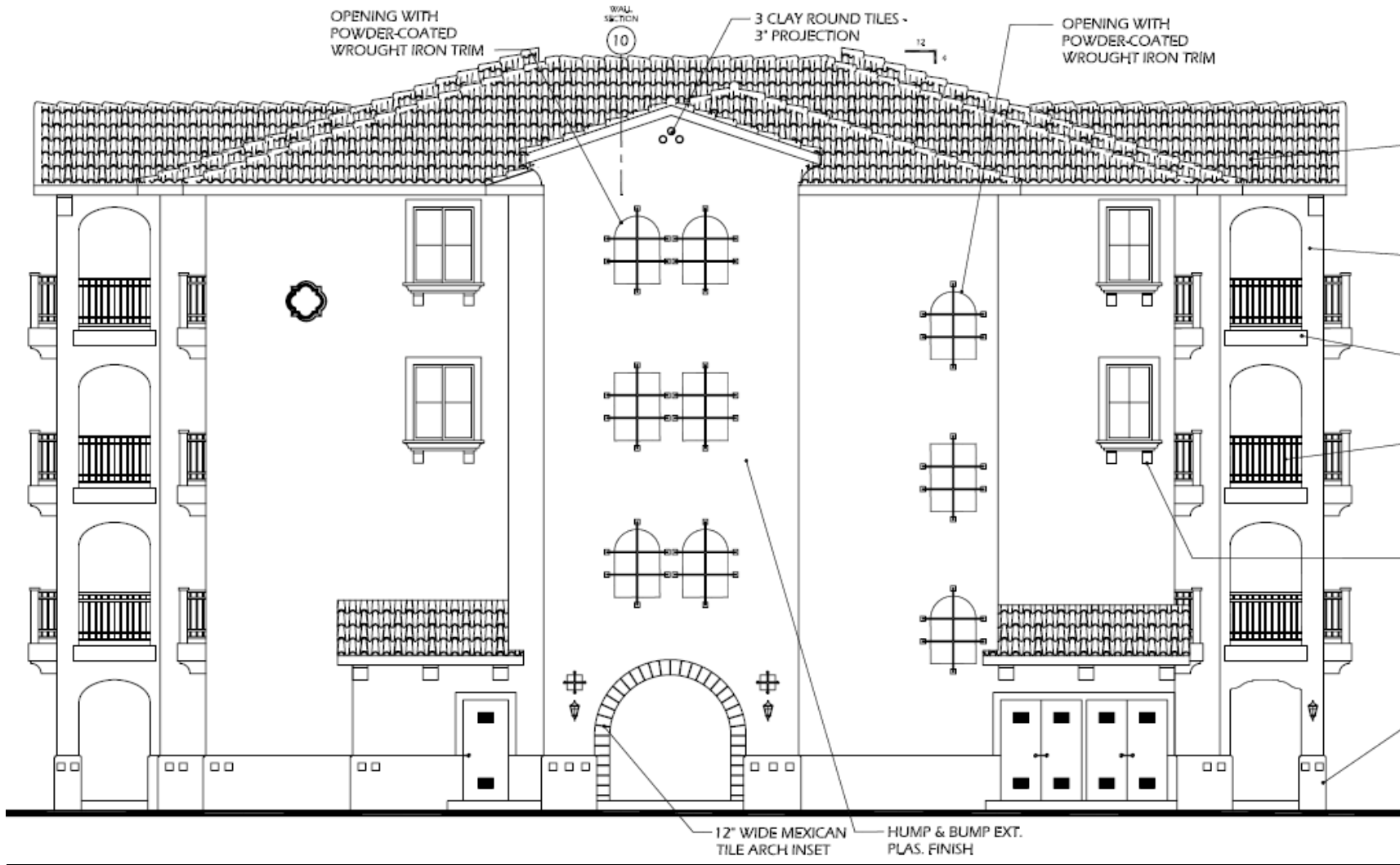


Exhibit X—CLUB HOUSE SOUTH ELEVATION

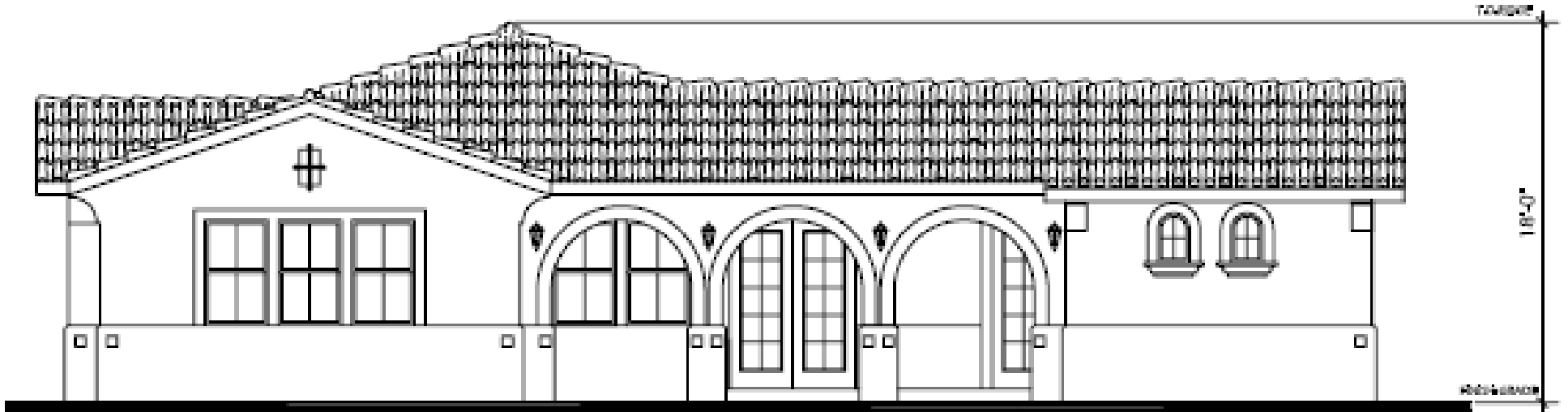


Exhibit Y—CLUB HOUSE WEST ELEVATION (FRONT)

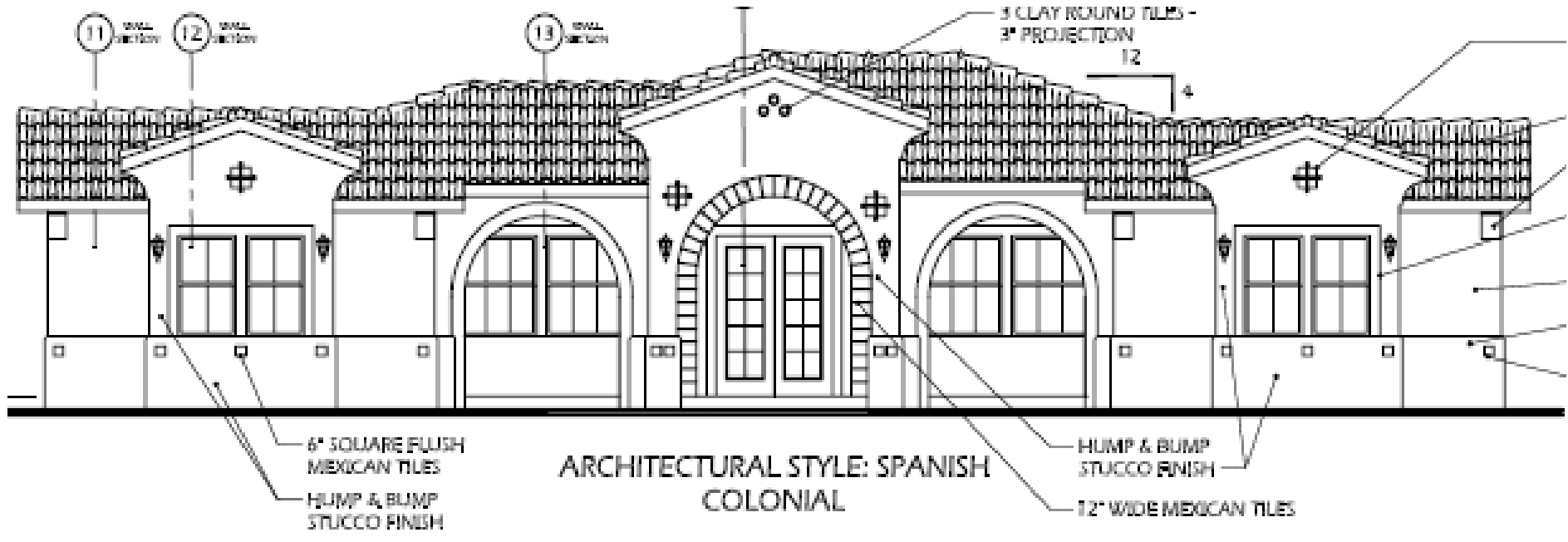


Exhibit Z—CLUB HOUSE EAST ELEVATION

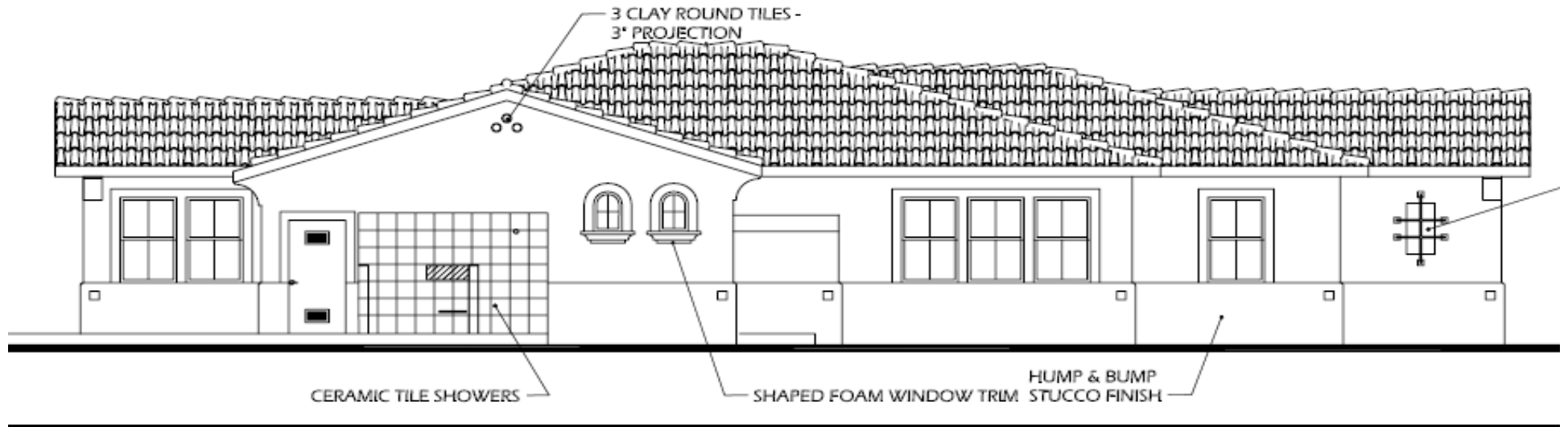
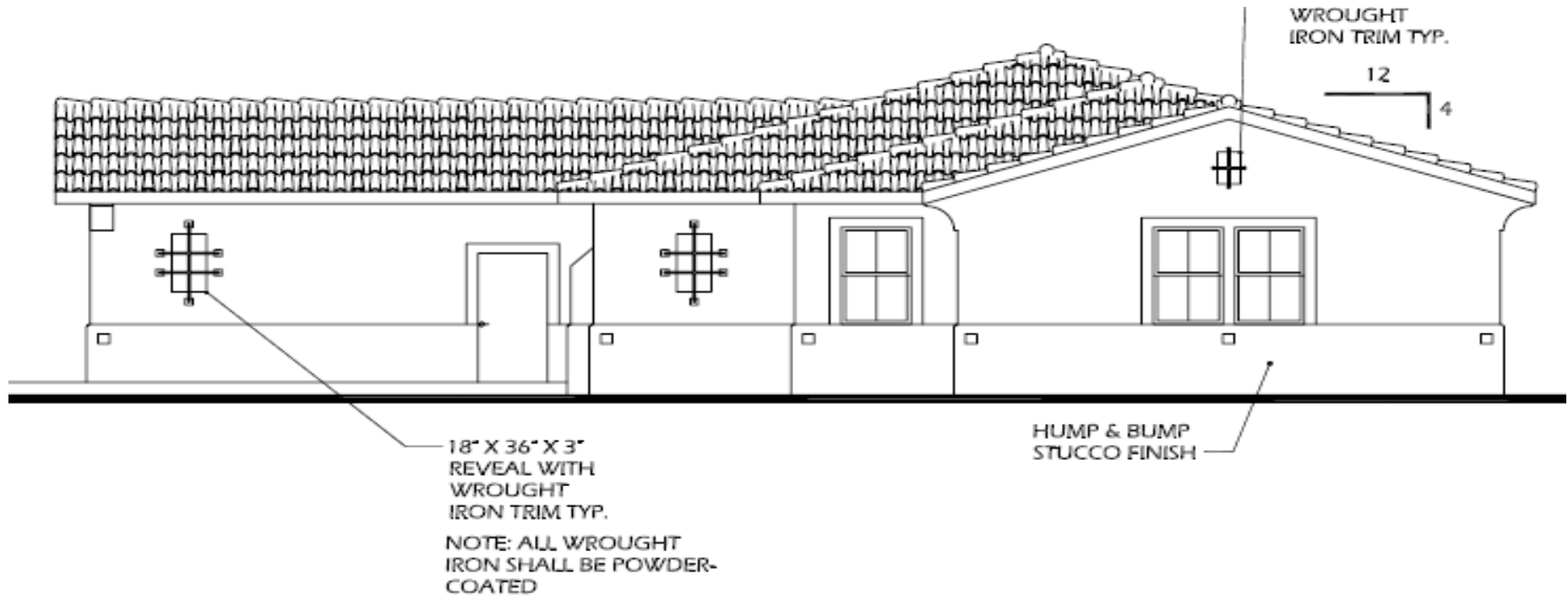


Exhibit Z-1—CLUB HOUSE NORTH ELEVATION



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: September 4, 2019

File No: PDEV18-006

Related Files: n/a

Project Description: A Development Plan for the construction of an 88-Unit apartment complex on 3.5 acres of land, located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district; (APNs: 1047-432-22 & 1047-443-01) **submitted by SC Property Fund LLC.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@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.

(e) Applicant shall work with staff during the plan check process to add small landscape planters in between the garage units, to enhance the look of the drive aisle.

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).

2.6 Outdoor Loading and Storage Areas.

(a) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

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.

(c) Project shall feature decorative lighting fixtures to match the architectural style proposed. Project shall also incorporate up and down lighting at key architectural and landscape areas to enhance the project in the evening hours. Color cut sheets shall be submitted during the plan check process for all exterior light fixtures proposed.

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).

2.12 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.13 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, meeting 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.

2.14 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.

2.15 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.

2.16 Additional Requirements.

(a) Vine pockets shall be planter along the interior of the freeway sound wall area, to be trained to climb on wall. Applicant shall work with staff during plan check to add them.

- (b) Vine pockets shall be planted adjacent to all trash enclosures, to be trained to climb on walls.
- (c) All walls need to be decorative walls and shall provide a decorative cap that overhang a minimum of 1-inch. Walls shall be constructed of split face block, slump stone or they can be plastered, textured and painted to match the main structures.
- (d) Wall along the existing multi-family residential development to the west and the County Flood Control Channel shall measure 6-feet from finished grade. Any damage to existing walls shall be repaired to industry standards, and shall be plastered/stucco and painted to match new buildings.
- (e) Building 9- The applicant shall work with staff during the plan check process to add the hump and bump treatment to the north, west and east elevations. In addition, applicant shall work with staff to remove some of the proposed window shutters along the south and north elevations.
- (f) Club House- The arched trim areas where you are proposing to add the 12-inch Mexican Tile, shall be furred out a minimum of 12-inches. The furred out trim area shall all feature the Mexican Tile on all sides.
- (g) For all buildings, the proposed Mexican Tile detail shall be flush with the plaster/stucco finish.
- (h) Any damage to existing walls shall be repaired to industry standards. Double walls are prohibited. The minimum height from finish grade shall be 6-feet for any existing wall. If you propose to keep any existing property line walls, the wall(s) shall be plastered and painted to match the project.
- (i) All sidewalks to and from Club House area shall feature decorative paving.
- (j) All parking spaces around the Club House shall feature decorative paving.
- (k) The basketball court surface shall feature decorative paving and shall be a contrasting color to the adjacent areas.
- (l) Pool area shall incorporate shade structures/cabanas. Applicant shall work with staff during the plan check process to add them.
- (m) When completed, the parking lot surface area shall not have any patches.
- (n) During plan check, a separate landscape plan shall be submitted that shows/calls out all the locations where up and down lighting fixtures will be provided. Applicant shall work with staff during plan check to add any additional lighting that may be required.
- (o) All downspouts shall be carefully located so that they don't stand out and they shall be painted to match the wall colors next to them.
- (p) All wrought iron work shall be powder coated to prevent rust.
- (q) All outdoor furniture shall be attractive, of high quality and durability and shall complement the development in architectural style.
- (r) Prior to occupancy of this project, an exhibit (parking management plan) shall be submitted and approved by the Planning Department illustrating what parking space(s) will be assigned to each unit. The exhibit shall include the unit number and the parking space(s) number(s) that will be assigned

to the unit. All parking spaces shall be numbered so that they can be coordinated with the parking management plan.

(s) All units shall be rented with their required parking space(s) per the Ontario Development Code.

(t) Restroom(s) within the Club House shall provide baby changing tables.

(u) Management shall conduct regular garage parking inspections to make sure that spaces are not being used for the storage of inoperative vehicles and materials. Required parking areas shall not be used for the storage of goods and or equipment. Only operational motorized vehicles shall be stored within these areas.

(v) During the plan check process, the applicant/architect shall coordinate that all electrical meters/gas meters are not located within any public views. In addition, they shall not displaced any required architectural treatments or landscaping that have been approved with the project. The project architect/applicant shall coordinate with all the various trades, including Edison.

(w) Location of AC Units shall not displaced any required architectural treatment. Applicant/Architect shall coordinate plans with the various trades.

(x) During construction, any necessary field modifications to the project needs to first be approved by the Planning Department.

(y) A final inspection from the Planning Department is required prior to occupancy of any structure. Prior to the occupancy inspection, the projects architect shall submit a certification stating that the project was completed according to the approved plans.

(z) Once the construction plans have been approved by the City and permits have been issued, the applicant shall submit two (2) reduced copies (11" x 17") of the approved plans to the Planning Department.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV18-006 RELATED FILE NO(S). None	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

CITY PROJECT ENGINEER & PHONE NO: **Matthew Holmes** (909) 395-2155 *MH*

CITY PROJECT PLANNER & PHONE NO: **Luis Batres** (909) 395-2431

DAB MEETING DATE: **September 4, 2019**

PROJECT NAME / DESCRIPTION: **PDEV18-006 – A plan to construct an 88 unit apartment complex on 3.5 acres.**

LOCATION: **South of 6th Street, northeast of Interstate 10, west of the West Cucamonga Channel,**

APPLICANT: **SC Property Fund LLC**

REVIEWED BY: *[Signature]* **Bryan Lirley, P.E.** **Principal Engineer** 8/7/19
Date

APPROVED BY: *[Signature]* **Raymond Lee, P.E.** **Assistant City Engineer** 8/7/19
Date



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://aceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
(1) _____
(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario as determined by review and shown to exist prior to 1972 on Tract Number 6800, MB 88/4-5.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans) – as necessary**
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD) – as necessary**
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA) – Connection approval**
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, calculated per dwelling unit, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions:
The applicant/developer shall process and complete the vacation of Cucamonga Avenue between Sixth Street and Interstate 10.



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	6 th Street	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- Existing driveway approach shall be removed and replaced per City of Ontario Standard Drawing Number 1204 – Commercial Driveway Approach. Street light shall be upgraded and relocated as necessary to comply with City of Ontario Standards.
- Driveway/fire truck turnaround at southeasterly boundary with the Flood Control District easement shall be gated and locked. Gate shall be signed as “Emergency Access Only.”



- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Sixth Street along the property frontage.**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing Number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303 e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8 inch sewer main is available for connection by this project in Sixth Street (Ref: Sewer plan bar code: S12580). Connection to IEUA 18" main if approved by IEUA. (Ref: Sewer plan bar code: S12597)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 **An 8 inch water main is available for connection by this project in Sixth Street (Ref: Water plan bar code: No Plan)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - 1. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing Number 1309.**
 - 2. **The applicant/developer has been notified of the pending Interstate 10 projects along the I-10 corridor that will have future impacts on the subject project. Caltrans is working on the I-10 High-Occupancy Toll (HOT) lanes project, and the City of Ontario has an interchange project at Grove Avenue and the I-10 Freeway.**
 - 3. **Street light shall be upgraded and relocated as necessary to comply with City of Ontario Standards.**

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**

Project is located along the West Cucamonga Creek Channel operated by San Bernardino County Flood Control District. It is the developer's responsibility to coordinate and obtain any permits/approvals needed to connect to the channel.



H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.



L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: _____



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 18-006, and/or Parcel Map/Tract Map No. _____

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per City of Ontario Standard Drawing Number 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
18. One (1) copy of Hydrology/Drainage study
19. **One (1) copy of Soils/Geology report**
20. Payment for Final Map/Parcel Map processing fee
21. Three (3) copies of Final Map/Parcel Map



- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Planning Department

FROM: Douglas Sorel, Police Department

DATE: March 7, 2018

SUBJECT: PDEV18-006 – A DEVELOPMENT PLAN TO CONSTRUCT AN 88 UNIT APARTMENT COMPLEX AT SIXTH STREET AND THE FLOOD CONTROL CHANNEL

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, hallways, stairwells, 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 numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- First floor stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The development shall participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.

The Applicant is invited to contact Douglas Sorel at (909) 395-2873 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: July 6, 2018

SUBJECT: PDEV18-006 - A Development Plan to construct an 88-unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Ave, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district (APNs: 1047-443-01 and 1047-432-22); submitted by SC Property Fund LLC.

-
- 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: V
- B. Type of Roof Materials: Ordinary
- C. Total Square Footage: Varies 5,000 – 34,000 Sq. Ft
- D. Number of Stories: 3
- E. 2016 CBC Occupancy Classification(s): R

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.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-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 2500 gallons per minute (g.p.m.) for 4 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

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. 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.
- 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.
- 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.

- ☒ 4.7 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.

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.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-006
 Address: 1402 North Virginia Avenue
 APN: 1047-443-01 & 1047-432-22
 Existing Land Use: Vacant
 Proposed Land Use: Development Plan to construct an 88-unit apartment complex
 Site Acreage: 3.5 Proposed Structure Height: 45FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 3/19/18
 CD No.: 2018-009
 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 checked="" type="checkbox"/> 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: 70 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:

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-009
PALU No.: _____

PROJECT CONDITIONS

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 Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 7, 2018
SUBJECT: PDEV18-006

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

Conditions of Approval

1. The Site address for this project will be 1098 E Sixth St
2. Standard conditions of approval apply.

KS:lm