

# CITY OF ONTARIO ZONING ADMINISTRATOR AGENDA

June 21, 2021

Ontario City Council Chambers, 2 PM 303 East "B" Street, Ontario

All documents for public review are on file with the Planning Department located at City Hall, 303 East "B" Street, Ontario, CA 91764

#### **PUBLIC HEARINGS**

A. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP21-006: A Conditional Use Permit to establish a bank (Cathay Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. This application introduces no new significant environmental impacts. 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: 0113-641-15) submitted by Cathay Bank.

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

If you challenge any action of the Zoning Administrator 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 written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **June 17, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Huenbeunden Administrative Assistant



## ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

June 21, 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

DECISION NO.: [insert #]

FILE NO.: PCUP21-006

**DESCRIPTION:** A Conditional Use Permit request to establish a bank (Cathay Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-641-15); **submitted by Cathay Bank**.

#### **PART 1: BACKGROUND & ANALYSIS**

CATHAY BANK, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP21-006, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

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

|        | Existing Land Use             | General Plan<br>Designation     | Zoning Designation            | Specific Plan Land Use |
|--------|-------------------------------|---------------------------------|-------------------------------|------------------------|
| Site:  | Commercial Shopping<br>Center | Business Park (0.6 FAR)         | Grove Avenue Specific Plan    | Business Park          |
| North: | Offices                       | Business Park (0.6 FAR)         | Grove Avenue Specific<br>Plan | Business Park          |
| South: | Retail                        | General Commercial<br>(0.4 FAR) | Grove Avenue Specific<br>Plan | Commercial             |
| East:  | Warehousing                   | Business Park (0.6 FAR)         | Grove Avenue Specific Plan    | Business Park          |
| West:  | Gas Station                   | Business Park (0.6 FAR)         | Grove Avenue Specific Plan    | Commercial             |

#### **PROJECT ANALYSIS:**

(1) <u>Background</u> — On March 26, 2019, the Planning Commission approved File Nos. PDEV18-034 and PCUP18-036, a Development Plan and a Conditional Use Permit to establish a 7,354 square foot multi-tenant retail/restaurant building with drive-thru on the 1.16-acre subject site.

Prepared: AV 5/25/21 Reviewed: CHM 6/8/2021 Decision: [enter initial/date]

On April 15, 2021, the Applicant filed a Conditional Use Permit application requesting to establish a bank on the Project site, within one of the tenant spaces. The Grove Avenue Specific Plan requires Conditional Use Permit review and approval for bank land uses.

(2) <u>Land Use</u> — The Applicant has proposed to establish a Cathay Bank branch within a 2,400 square foot tenant space. The business will provide general bank services and an ATM enclosure. The proposed hours of operation are Monday through Thursday, from 9:00 AM to 5:00 PM; Friday, 9:00 AM to 6:00 PM; and Saturday, 10:00 AM to 2:00 PM. The business will employ five to six staff and anticipates serving approximately 50 customers per day. The ATM will be accessible 24-hours per day, 7 days per week.

The tenant suite will be located alongside an existing Starbucks Coffee and a future fast-casual restaurant tenant and will provide for an added service convenience to the neighborhood.

(3) <u>Parking</u> — The project site was originally established with 76 parking spaces, including parking space credit from the drive-thru lane, to accommodate a variety of retail and fast food restaurant land uses that were anticipated to occupy the tenant spaces. All tenants share the provided parking on the project site.

The Ontario Development Code requires 4.6 spaces per 1,000 square feet of gross floor area for banks, savings institutions, and credit unions. The bank would be required to provide 11 spaces, and 10 were provided for this tenant space under the original entitlement. Staff finds that the deficit of one parking space for the tenant use will not create a significant strain on overall parking for the site (see table "Parking Table Summary", below), in that:

- The overall parking provision for all tenant suites is provided on site;
- It is anticipated that the peak times for the neighboring tenant spaces will largely fall outside of the bank's operating hours (prior to 9:00 AM for Starbucks and after 5:00 PM for the future restaurant tenant); and,
- The majority of Starbucks' customers utilize the drive-thru feature rather than park and enter the store, thus reducing the demand for parking stalls for that user.

| Site Entitlement - Parking Table Summary                |                                       |   |                    |  |
|---|---------------------------------------|---|--------------------|--|
| Type of Use   | Building Area                         | Parking Ratio   | Spaces<br>Required | Spaces<br>Provided   |
| Banks, Savings<br>Institutions,<br>and Credit<br>Unions | 2,400 SF                              | 4.6 spaces per 1,000 SF of GFA  | 11                 | 10   |
| Fast Food<br>Restaurants                                | 4,954 SF<br>379 LF of drive-thru lane | 13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window. | 65                 | 51<br>(parking<br>spaces)<br>15 (drive-<br>thru<br>spaces) |
| TOTAL   |                                       |   | 76                 | 76   |

(4) <u>Conditional Use Permit</u> — Pursuant to the Grove Avenue Specific Plan, Conditional Use Permit approval is required for banking institutions within the Business Park land use district. The

intent of a Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties, or improvements in the vicinity. The bank will occupy one of the existing in-line tenant spaces within the shopping center and does not propose to expand the existing building's footprint or to eliminate any parking spaces. The proposed project, implemented in conjunction with the departmental conditions of approval, is consistent with the standards and guidelines of the Grove Avenue Specific Plan and City's Development Code. Therefore, staff supports the granting of the requested Conditional Use Permit.

AIRPORT LAND USE COMPATIBILITY PLAN: This 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"). Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

**DEPARTMENTAL REVIEW:** Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are attached to this report.

**PUBLIC NOTIFICATION:** The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the <u>Inland Valley Daily Bulletin</u> newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

**CORRESPONDENCE:** As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

#### **PART 2: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part I, above; and

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 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; 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 June 21, 2021, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

- (1) Alexis Vaughn, Assistant Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval subject to conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.
- (2) [insert speaker's name], the applicant/representing the applicant, explained the business operation and spoke in favor of the application.
  - (3) [insert additional speaker info]
  - (4) [insert additional speaker info]
- (5) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

#### **PART 3: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

<u>SECTION 1</u>: <u>Environmental Determination and Findings</u>. As the decision-making body for the Project, the Zoning Administrator 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 Zoning Administrator, the Zoning Administrator finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no

expansion, and is consistent with the conditions that the project is in an area where all public services and facilities are available to allow for maximum development permissible in the Policy Plan (General Plan) component of The Ontario Plan, and that the area in which the project is located is not environmentally sensitive.

- (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 Zoning Administrator.
- SECTION 2: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et sea.) 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 Zoning Administrator 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 Zoning Administrator, 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 3: Concluding Facts and Reasons. Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:
- (a) The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Business Park land use district of the Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, with implementation of the project's conditions of approval, the proposed bank land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Business Park land use district of the Grove Avenue Specific Plan. The tenant space in which the business is to be located is intended for service, retail, and food uses to provide a variety of convenient neighborhood commercial land uses, which a bank land use satisfies; and
- (b) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed bank land use will be located within the Business Park land use district of the Policy Plan

Land Use Map, and the Business Park land use district of the Grove Avenue Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan, which intends for a variety of retail, food, and service-based uses in the district; and

- (c) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development. The proposed bank land use is located with the Business Park land use district, and the Business Park land use district of the Grove Avenue Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Grove Avenue Specific Plan; and
- (d) The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The Zoning Administrator has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

<u>SECTION 4</u>: <u>Zoning Administrator Action</u>. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator 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.

-or-

DENIES the Application.

<u>SECTION 5</u>: <u>Indemnification</u>. 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.

<u>SECTION 6</u>: <u>Custodian of Records</u>. 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.

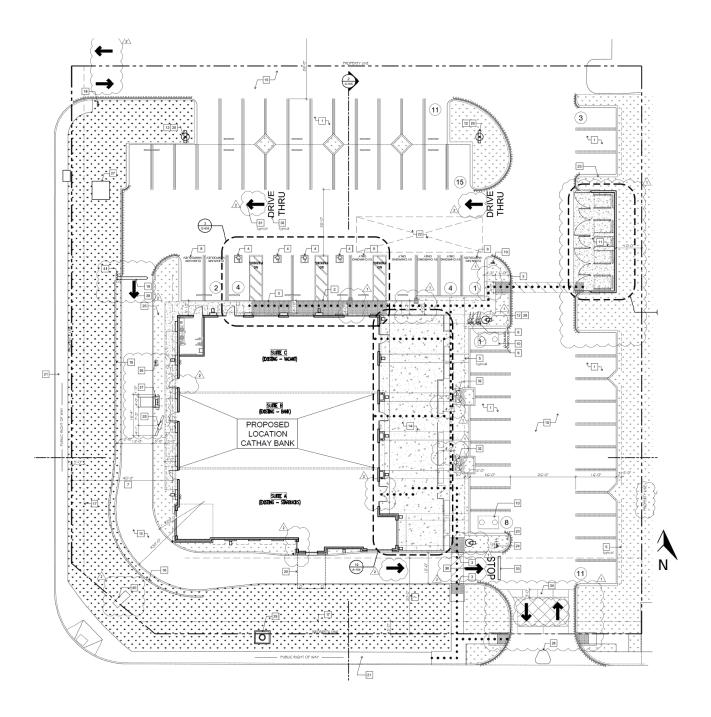
\_\_\_\_\_

| APPROVED AND ADOPTED this | day of, 2021.                        |  |
|---------------------------|--------------------------------------|--|
|                           |                                      |  |
|                           |                                      |  |
|                           | Rudy Zeledon<br>Zoning Administrator |  |

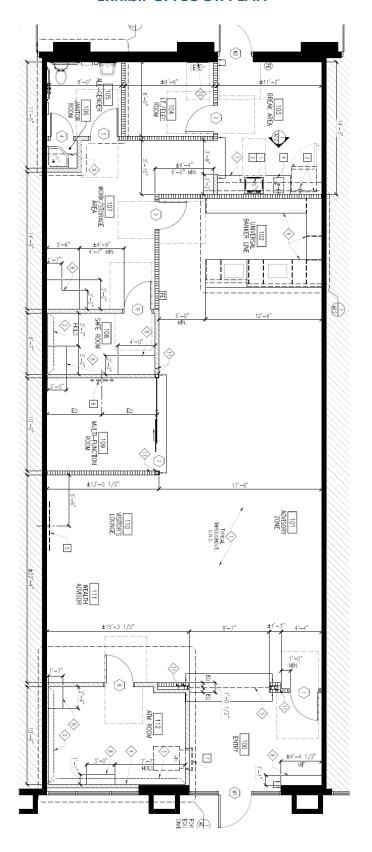
#### Exhibit A: AERIAL PHOTOGRAPH



**Exhibit B: SITE PLAN** 



#### **Exhibit C: FLOOR PLAN**





(Department Reports containing 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: June 21, 2021

File No: PCUP21-006

Related Files: PDEV18-034

**Project Description:** A Conditional Use Permit request to establish a bank (Cathay Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-641-15); **submitted by Cathay Bank** 

**Prepared By:** Alexis Vaughn, Assistant Planer

<u>Phone</u>: 909.395.2416 (direct) <u>Email</u>: avaughn@ontarioca.gov

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

- **1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.
- **2.0 Special Conditions of Approval.** In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

#### **2.1** Time Limits.

- (a) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.
  - **2.2** 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PCUP21-006

Page 2 of 4

- (c) If, in the future, the City's Planning Department, Engineering Department and/or Police Department determine that a parking and/or traffic problem exists on the site or in the vicinity as a result of the facility, the City may require that the applicant prepare a parking demand analysis and/or traffic study and the applicant shall bear all associated costs. If said study indicates that there is inadequate parking or a traffic problem, the applicant shall be required to provide measures to be reviewed and approved by the Planning, Engineering and/or Police Departments. Such measures may include, but are not limited to, the following:
  - (i) Implement staggered work hours.
  - (ii) Provide additional parking.
  - (iii) Implement traffic control measures.
- (d) 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) and pursuant to all conditions of previously approved File No. PDEV18-034.
- **(b)** 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** <u>Walls and Fences</u>. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions), pursuant to conditions of previously approved File No. PDEV18-034.

#### **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), pursuant to conditions of previously approved File No. PDEV18-034.
- **(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. While the original entitlement for the site planned for a retail land use for the suite which only required 10 parking spaces, and while the proposed bank land use will require 11 parking spaces, staff finds that the deficit of one parking space and under-parking of the bank land use will incur negligible impacts on the site as a whole, as outlined in the agenda report for File No. PCUP21-006.
- (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).

Planning Department; Land Development Division: Conditions of Approval

File No.: PCUP21-006

Page 3 of 4

#### 2.6 <u>Mechanical and Rooftop Equipment.</u>

(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** <u>Security Standards</u>. 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).
- **2.9** <u>Sound Attenuation</u>. 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 Project is categorically exempt from environmental review pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion, and is consistent with the following conditions:
- (i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the Policy Plan (General Plan) component of The Ontario Plan; and
  - (ii) The area in which the project is located is not environmentally sensitive.
- **(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 Exemption (NOE) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to

Planning Department; Land Development Division: Conditions of Approval

File No.: PCUP21-006

Page 4 of 4

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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

#### 2.13 Additional Requirements.

- (a) All conditions of approval from other City departments shall be followed.
- **(b)** The ATM room and exterior of the premises shall be maintained in a tidy and orderly manner on a daily basis. All trash and customer receipts shall be properly disposed of, and convenient trash receptacles shall be provided to reduce littering.



# CITY OF ONTARIO MEMORANDUM

TO: Alexis Vaughn, Assistant Planner

FROM: Officer Bill Lee, Police Department

**DATE:** May 19, 2021

SUBJECT: PCUP21-006- A CONDITIONAL USE PERMIT REQUEST TO

ESTABLISH A BANK AT 2195 SOUTH GROVE AVENUE. RELATED

**FILE: PDEV18-084** 

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 at the prescribed footcandle levels. Photometrics shall be provided to the Police Department. Photometrics shall
  include the types of fixtures proposed and demonstrate that such fixtures meet the vandalresistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- 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 business shall maintain a security camera surveillance system in proper working order. Cameras should be positioned to maximize the coverage of the interior and exterior of the bank, as well as the parking lot (and any drive-thru lane if constructed). Cameras should be positioned to provide the best possible view of people's faces and clothing. Cameras shall record at least 15 frames per second and at a minimum of 720p of resolution. Recorded video will be stored for a minimum of 30 days and made available to the Ontario Police Department upon request.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- If the business intends to have security personnel, they are required to follow Ontario Municipal Code Chapter 1, Section 3-1.601-621 governing the use of a private patrol system in the City of Ontario

| The Applicant i concerns. | is invited to call Offic | cer Bill Lee at (909 | 9) 408-1672 regarding | any questions or |
|---------------------------|--------------------------|----------------------|-----------------------|------------------|
|                           |                          |                      |                       |                  |
|                           |                          |                      |                       |                  |
|                           |                          |                      |                       |                  |
|                           |                          |                      |                       |                  |
|                           |                          |                      |                       |                  |
|                           |                          |                      |                       |                  |



## CITY OF ONTARIO MEMORANDUM

TO: Alexis Vaughn, Assistant Planner Planning Department

FROM: Michelle Starkey, Deputy Fire Marshal

**Bureau of Fire Prevention** 

**DATE:** April 29, 2021

SUBJECT: PCUP21-006 A Conditional Use Permit request to establish a bank (Cathay

Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within Business Park land use district of the Grove Avenue Specific Plan (APN:

0113-641-15). Zoning Administrator action is required.

| $\boxtimes$ | The plan <u>does</u> adequately address the departmental concerns at this time. |
|-------------|---|
|             | _   |

- ☐ No comments
- ⊠ Report below.
- 1. Any modification to the fire sprinkler or fire alarm systems will require a plans submittal to the fire department.
- 2. Any additions of walls and/or partitions that impact the fire sprinkler or fire alarm systems will require a plans submittal to the fire department.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at <a href="https://www.ontarioca.gov">www.ontarioca.gov</a>, click on Fire Department and then on forms.



### 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)

ZA MEETING DATE: May 11, 2021

PROJECT: PCUP21-006, a Conditional Use Permit request to establish a bank

(Cathay Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove

Avenue Specific Plan.

APN: 0113-641-15

LOCATION: 2195 South Grove Avenue

PROJECT ENGINEER: Nathan S. Pino, Engineering Assistant (909) 395-2389

PROJECT PLANNER: Alexis Vaughn, Assistant Planner (909) 395-2416

The Engineering Department has no conditions for the latest submittal of the subject project.

Raymond Lee, P.E. Assistant City Engineer



### CITY OF ONTARIO

### **MEMORANDUM**

| TO:          | Scott Murphy, Community Development Director Rudy Zeledon, Planning Director (Copy of memo only) Diane Ayala, Advanced Planning Division (Copy of memo only) Charity Hernandez, Economic Development Matt Montieth, Building Department Raymond Lee, Engineering Department Jamie Richardson, Landscape Planning Division Dennis Mejia, Municipal Utility Company Gabriel Gutierrez, Police Department Mike Gerken, Deputy Fire Chief/Fire Marshal Jay Bautista, T. E., Traffic/Transportation Manager Lorena Mejia, Airport Planning Eric Woosley, Engineering/NPDES Angela Magana, Community Improvement (Copy of memo only) Jimmy Chang, IPA Department |  |
|--------------|--|--|
| FROM:        | Alexis Vaughn, Assistant Planner   |  |
| DATE:        | April 20, 2021   |  |
| SUBJECT:     | FILE #: PCUP21-006 Finance Acct#:  |  |
|              | g project has been submitted for review. Please send one (1) copy and email one (1) copy of port 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   |  |
| acres of lan | <b>DESCRIPTION:</b> A Conditional Use Permit request to establish a bank (Cathay Bank) on 1.16 d located at 2195 South Grove Avenue, within the Business Park land use district of the Grove ecific Plan (APN: 0113-641-15). Zoning Administrator action is required.  |  |
| The pla      | n does adequately address the departmental concerns at this time.  |  |
|              | No comments  |  |
|              | Report attached (1 copy and email 1 copy)  |  |
| $\checkmark$ | Standard Conditions of Approval apply  |  |
| The pla      | an 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
Department

Associate Landscape Planner 5/13/21

Title Date

Date

Date Item A - 20 of 21

### **CITY OF ONTARIO** LANDSCAPE PLANNING DIVISION

Sign Off mano 05/07/21

**CONDITIONS OF APPROVAL** 

303 East "B" Street, Ontario, CA 91764

Philip Marino, Associate Landscape Planner Date Reviewer's Name: Phone: Philip Marino, Associate Landscape Planner (909) 395-2237 D.A.B. File No.: Related Files: Case Planner: PCUP21-006 B2019-2167 Alexis Vaughn Project Name and Location: Establish a bank 2195 South Grove Ave, Suite B Applicant/Representative: Pacific Interior Designs kstolle@pacdesign.com 8171 E. Kaiser Blvd. Anaheim, Ca 92808 A site plan dated 04/20/21 meets the Standard Conditions for New Development and  $\boxtimes$ has been approved with the consideration that the following conditions below be met. A site plan dated () has not been approved. Corrections noted below are required prior to DAB approval.