



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

July 16, 2018

- ▶ **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
Louis Abi-Younes, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Brent Schultz, 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 July 2, 2018, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND REVIEW FOR TENTATIVE PARCEL MAP FILE NO. PMTT17-011 AND DEVELOPMENT PLAN FILE NO. PDEV17-057:

A Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels in conjunction with a Development Plan (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, located within the General Industrial land use district of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), that was adopted and certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18) **submitted by REDA, OLV. Continued from 6/18/18. Planning Commission action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. **File No. PMTT17-011 (Tentative Parcel Map)**

Motion to recommend Approval/Denial

3. **File No. PDEV17-057 (Development Plan)**

Motion to recommend Approval/Denial

C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-003:**

A Tentative Tract Map (File No. PMTT17-003/TTM 20081) to subdivide 44.98 into 76 numbered lots and 62 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookcal Ontario LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of an addendum to previous EIR

2. **File No. PMTT17-003 (Tentative Tract Map)**

Motion to recommend Approval/Denial

D. **ENVIRONMENTAL ASSESSMENT, VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR18-003 & PDEV18-019:**

A Variance (File No. PVAR18-003) for a reduction in the minimum required front and exterior side (corner) setbacks of the California Commerce Center Specific Plan, from 35 feet to 20 feet for the Francis Street (front) setback, and from 35 feet to 12 feet for the Haven Avenue (exterior side) setback, to facilitate a Development Plan (File No. PDEV18-019) to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 33, 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: 0211-281-56); **submitted by RGA Architects for Sares Regis Group. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section §15332

2. File No. PVAR18-003 (Variance)

Motion to recommend Approval/Denial

3. File No. PDEV18-019 (Development Plan)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-037: A Development Plan to add 5,007 square feet addition to an existing Arco AM/PM service station with a convenience store to include: 1) A new 1,369-square foot automated car wash; 2) A 290-square foot addition to the existing convenience store; and 3) A new 3,348-square foot fuel canopy, for property on 0.90 acres of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan. 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1050-491-08); **submitted by Empire Design Group, Inc.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV17-037 (Development Plan)

Motion to Approve / Deny

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 **August 6, 2018**.

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 **July 12, 2018**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Maureen Duran

CITY OF ONTARIO

Development Advisory Board

Minutes

July 2, 2018

BOARD MEMBERS PRESENT

Rudy Zeledon, Acting Chairman, Planning Department
Kevin Shear, Building Department
Charity Hernandez, Economic Development Agency
Lora Gearhart, Fire Department
Elda Zavala, Housing and Municipal Services Agency
Jeff Krizek, Municipal Utilities Company
Doug Sorel, Police Department

BOARD MEMBERS ABSENT

Khoi Do, Chairman, Engineering Department
Ahmed Aly, Municipal Utilities Company
Joe De Sousa, Housing and Municipal Services Agency
Paul Ehrman, Fire Department

STAFF MEMBERS PRESENT

Jeanie Aguilo, Planning Department
Gwen Berendsen, Planning Department
Maureen Duran, Planning Department
Lorena Mejia, Planning Department
Melanie Mullis, Engineering Department
Miguel Sotomayor, Engineering Department

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the June 18, 2018, meeting of the Development Advisory Board was made by Mr. Shear; seconded by Mr. Sorel; and approved unanimously by those present (7-0).

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015:** A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1008-431-21); **submitted by Raising Cane's Chicken Fingers. Planning Commission action is required.**

Representative Ruben Gonzales of PMDG, Inc., was present and stated he agreed to the conditions of approval. There were no further questions or concerns.

Motion recommending approval of **File Nos. PCUP17-015 and PDEV17-033** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Sorel; and approved unanimously by those present (7-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-047:** A Development Plan (File No. PDEV17-47) to construct a 39,056 square foot athletic center (gymnasium and student center) on approximately 26 acres of land within the LDR-5 (Low Density Residential) zoning district, located at 931 West Philadelphia Street (Ontario Christian High School). The environmental impacts of this project were previously reviewed in conjunction with a Conditional Use Permit (PCUP08-028), for which a Mitigated Negative Declaration was adopted by the Planning Commission on August 25, 2009. This project 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: 1015-151-01, 1015-171-01, 1015-141-04, 1015-141-05, 1015-141-06 and 1015-141-12) **submitted by Ontario Christian School Association.**

Representative Michael Bern, Principal Architect of Formillus, was present and stated he had a question regarding the grading permit. He asked if that would restrict or inhibit them from moving forward on the project. Mr. Zeledon stated once they get the entitlements, they would move forward with the grading permit but final inspection would be contingent upon the lot line merger. Mr. Bern understood and had no further questions.

Motion to approve **File No. PDEV17-047** subject to conditions was made by Mr. Shear; seconded by Mr. Sorel; and approved unanimously by those present (7-0).

- D. ENVIRONMENTAL ASSESSMENT AND Development Plan REVIEW FOR FILE NO. PDEV18-004:** A Development Plan (File No. PDEV18-004) to construct a 10,858 square foot office building on 0.71 acres of land within the Sixth Street District land use designation of the Mountain Village Specific Plan, located at the northwest corner of Palmetto Avenue and Sixth Street. 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: 1008-261-47 and 1008-261-48) **submitted by Ken Cheng.**

Representative Robert Chung of Clover Estates was present. Mr. Zeledon asked if there were any questions for the board. Mr. Chung stated there were no questions and agreed to the conditions of approval.

Motion to approve **File No. PDEV18-004** subject to conditions was made by Mr. Shear; seconded by Ms. Gearhart; and approved unanimously by those present (7-0).

- E. ENVIRONMENTAL ASSESSMENT FOR MISSION BLVD. BIKE AND PEDESTRIAN IMPROVEMENTS REVIEW FOR FILE NO. PADV18-004:** Construction of 5 miles of one-way buffered bike lanes (Class IV) and 3 miles of sidewalks on Mission Blvd., from Benson to Bon View Avenues, including curb and gutter, parkway, street lights and bike detection of signalized intersections. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with the project. This project 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) **submitted by City of Ontario.**

There were no questions or concerns regarding this project. No one spoke on the project.

Motion to approve **File No. PADV18-004** subject to conditions was made by Mr. Sorel; seconded by Ms. Gearhart; 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

July 16, 2018

DECISION NO.:

FILE NO.: PMTT17-011/TPM19738

DESCRIPTION: A Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, located within the Business Park and General Industrial land use district of the West Ontario Commerce Center Specific Plan. APNs: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18) **submitted by REDA, OLV.**

RELATED FILES: PDEV17-057

PART I: BACKGROUND & ANALYSIS

REDA, OLV, (herein after referred to as "Applicant") has filed an application requesting Tentative Parcel Map approval, File No. PMTT17-011/TPM19738, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

Project Setting: The project site is comprised of approximately 119 acres of land. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and is depicted in Exhibit A: Aerial Photograph, attached. The project site gently slopes from north to south and is currently developed with agricultural, dairy and single-family residential uses. The majority of the site is currently in agricultural use, including two active dairy farms, row crops, and a hay and alfalfa wholesaler. The remainder of the site is vacant land that was previously used for agriculture. The site is relatively level with the exception of isolated areas where soil and debris from demolished structures have been mounded and an earthen drainage channel that extends along Merrill Avenue on the southern boundary of the site.

(1) 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>
Site	Agriculture/Dairy and Single Family Homes	Business Park/Industrial	West Ontario Commerce Center Specific Plan	Business Park/Industrial

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>North</i>	Agriculture	Medium Density Residential	Parkside Specific Plan	Medium Density Residential
<i>South</i>	Agriculture	Industrial	Colony Commerce Center West Specific Plan	Industrial
<i>East</i>	Cucamonga Creek Channel	Open Space –Non Recreation	Utility Corridor (UC)	n/a
<i>West</i>	Agriculture/Dairy	Business Park/Industrial	Specific Plan/ Agriculture (SP(AG))	n/a

Project Description: The applicant is requesting approval to subdivide approximately 119.31 acres of land into 9 parcels to facilitate the construction of two industrial buildings totaling 2,217,016 square feet. The proposed Tentative Parcel Map (File No. PMTT17-011/TPM 19738) proposes to subdivide 119.31 acres of land into 9 parcels range in size from 1.35 acres to 49.05 acres (**see Tentative Parcel Map 19738 Summary Table Below**).

Parcels 3 through 9 are within the Business Park (Planning 1) land use of the West Ontario Commerce Center Specific Plan, along the south frontage of Eucalyptus Avenue. These parcels range in size from 1.35 acres to 4.13 acres, which exceed the minimum lot area of 0.23 acres (10,000 square feet).

Parcels 1 and 2 are located on the north side Merrill Avenue, between Carpenter Avenue on the west and Cucamonga Creek Flood Control Channel on the east within the General Industrial (Planning 2) land use district of the West Ontario Commerce Center Specific Plan. Parcel 1 is proposed at 49.05 acres and Parcel 2 at 48.96 acres exceeding the minimum lot area requirement of 0.45 acres (20,000 square feet).

<i>Tentative Parcel Map 19738 Summary Table</i>		
<i>Parcel</i>	<i>Acres</i>	<i>Square Feet</i>
1	49.05	2,136,666
2	48.96	2,132,591
3	4.13	180,097
4	3.41	148,661
5	2.76	120,048
6	3.47	151,329
7	3.12	135,891
8	3.05	132,846
9	1.35	58,851

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 an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), that was adopted and certified by the City Council on July 3, 2018. This application is consistent with the EIR and 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and act, or 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 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; and

WHEREAS, a Development Plan application (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet within Planning Area 2 of the West Ontario Commerce Center Specific Plan has been submitted in conjunction with the Tentative Parcel Map Application; and

WHEREAS, 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; and

WHEREAS, on July 16, 2018 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: As the recommending body for the Project, the DAB has reviewed and considered the information contained in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) Environmental Impact Report (SCH#2017041074), and supporting documentation. Based upon the facts and information contained in the EIR and supporting documentation, the DAB finds as follows:

- (1) The approved Environmental Impact Report (EIR) prepared for File No. PSP15-001 contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (3) The EIR reflects the independent judgment of the Development Advisory Board; and
- (4) All EIR adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by this reference.

SECTION 2: Based upon 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 EIR is not required for the Project, as the Project:

- (1) Does not constitute substantial changes to the EIR that will require major revisions 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 EIR was prepared, that will require major revisions to the 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 EIR was adopted/certified, that shows any of the following:
 - (a) The project will have one or more significant effects not discussed in the EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the 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 EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative 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 (TOP), and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the Business Park and Industrial land use district of the Policy Plan Land Use Map, and within the Business Park (Planning Area 1) and General Industrial (Planning Area 2) of the West Ontario Commerce Center Specific Plan. 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 (TOP), under the following goals and policies:

- a. Policy LU1-5, which goal is to coordinate land uses, infrastructure, and transportation planning to achieve a jobs-housing balance; and
- b. Policy LU1-6, which states that we incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community.

Furthermore, 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).

(2) ***The site is physically suitable for the type of development proposed.*** The proposed Tentative Parcel Map is in compliance with the development standards of the West Ontario Commerce Center Specific Plan that requires a minimum parcel size of 10,000 square feet for Business Park (BP) and 20,000 square foot for the General Industrial (IG) land use designations. The parcels range in size from 1.35 acres (58,851

sq. ft.) to 49.05 acres (2,136,666 sq. ft.). As a result, the project will be physically suitable for future development of the business park and industrial developments; and

(3) ***The site is physically suitable for the density/intensity of development proposed.*** The proposed Tentative Parcel Map is in compliance with the development standards of the West Ontario Commerce Center Specific Plan that requires a minimum parcel size of 10,000 square feet for Business Park (BP) and 20,000 square foot for the General Industrial (IG) land use designations. The parcels range in size from 1.35 acres (58,851 sq. ft.) to 49.05 acres (2,136,666 sq. ft.) and meet the minimum lot width dimension of 100 feet and lot depth dimension of 100 feet.

(4) ***The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The environmental impacts for this project were reviewed under the West Ontario Commerce Center Specific Plan (File No. PSP16-002) Environmental Impact Report (SCH#2017041074). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

(5) ***The design of the subdivision or type of improvements thereon, are not likely to cause serious public health problems.*** The environmental impacts for this project were reviewed under the West Ontario Commerce Center Specific Plan (File No. PSP16-002) Environmental Impact Report (SCH#2017041074). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and this application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

(6) ***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 Engineering and Building Department reviewed the proposed project for any conflicts with existing and or proposed easements, and it was determined that the project will not have any conflicts with any existing and or proposed easements. As a result, both the Engineering and Building Departments are in support of the subdivision, subject to the attached conditions of approval.

SECTION 4: Based upon the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission:

(1) Approves the previously adopted mitigation measure of the EIR that was prepared for the West Ontario Commerce Center Specific Plan (File No. PSP16-002); and

(2) 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 5: 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 6: 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.

APPROVED AND ADOPTED this 16th day of July 2018.

Development Advisory Board Chairman

Exhibit A: Aerial Photograph

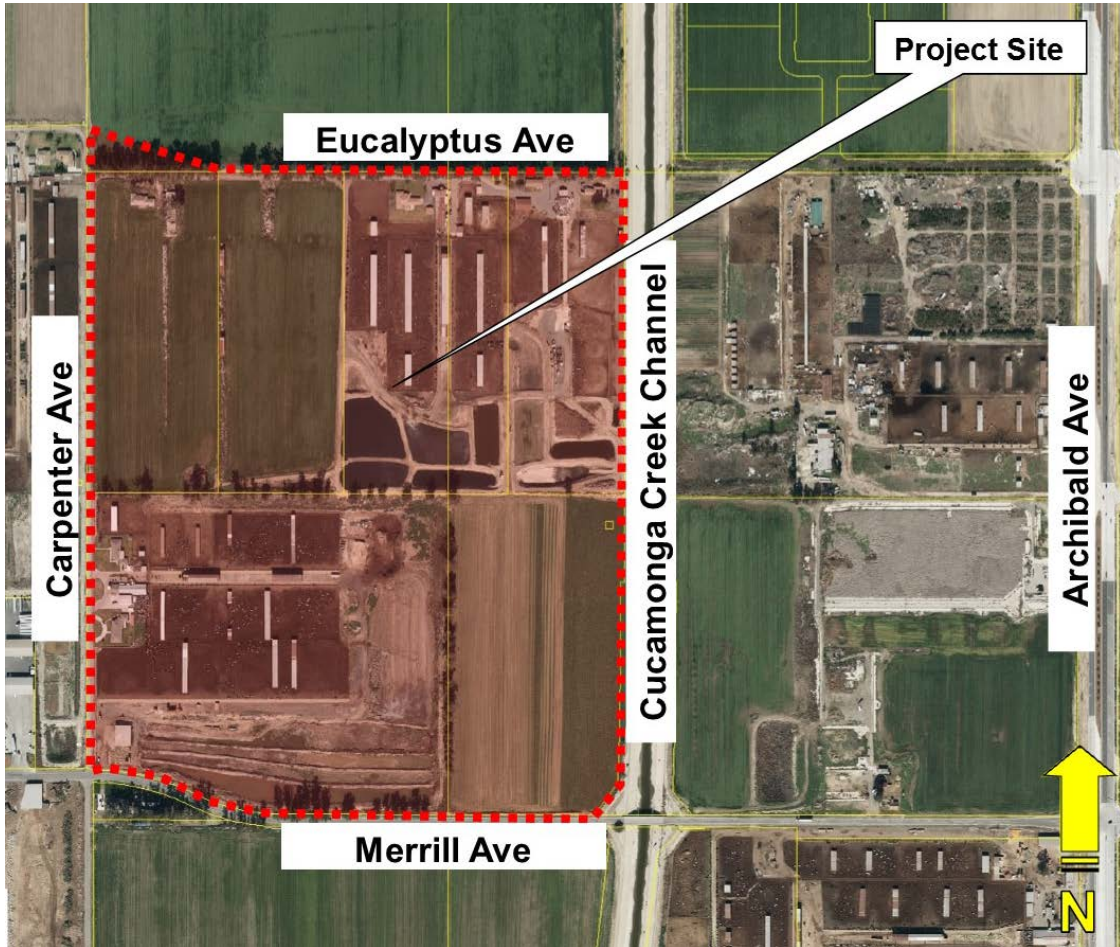


Exhibit B: West Ontario Commerce Center Specific Plan Land Use Map

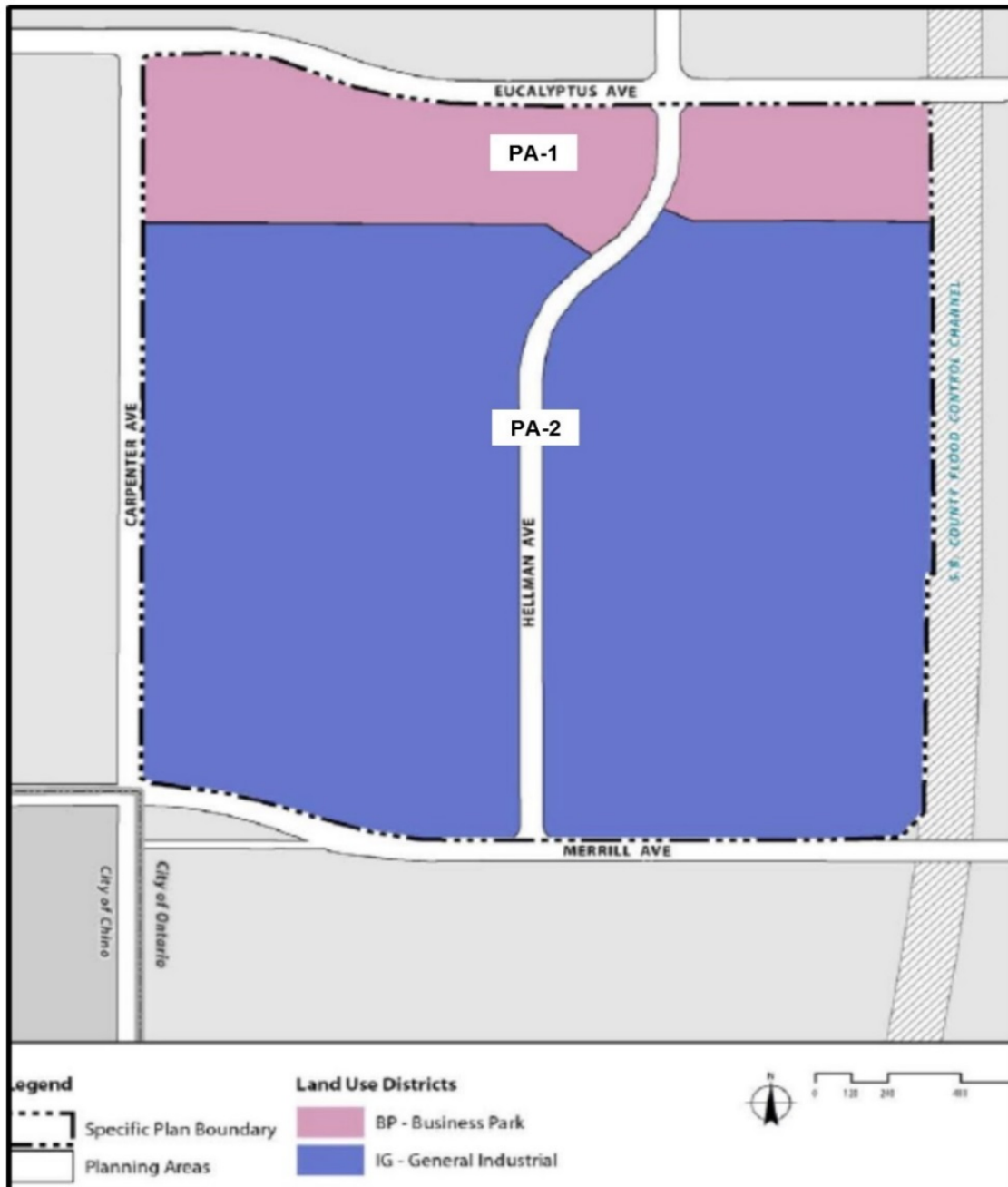
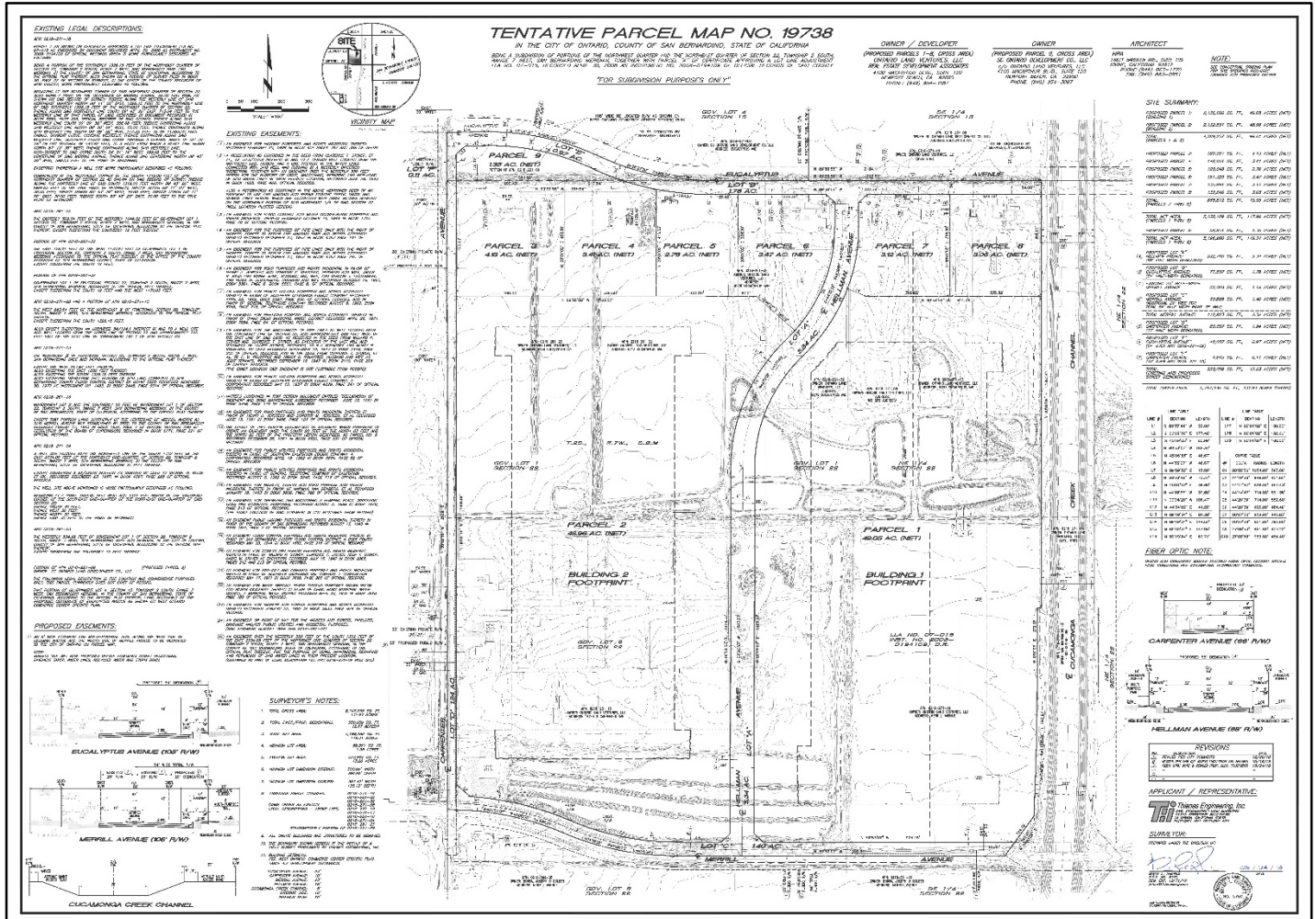


Exhibit C: Tentative Parcel Map



Attachment "A"

FILE NO. PMTT17-011/PM 19738 DEPARTMENTAL CONDITIONS OF APPROVAL

(Departmental conditions of approval to 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: July 16, 2018

File No: PMTT17-011 and PDEV17-057

Related Files:

Project Description: A Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels in conjunction with a Development Plan (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, located within the General Industrial and Business Park land use districts of the West Ontario Commerce Center Specific Plan. APNs: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18; **submitted by REDA, OLV.**

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

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

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

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

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel 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.

(b) 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 Subdivision Map.

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

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

(c) 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 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.

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

2.6 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) The Development Code (Section 6.03.020.B – Low Demand Parking Reduction) allows for a reduction in parking if an alternate off-street parking plan demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. Building 1 – Parking Alternative 1 Site Plan proposed the following parking spaces:

PARKING TABLE SUMMARY						
Type of Use	Building Area	Dock Doors	Parking Ratio	Spaces Required	Spaces Provided	TOTAL
Proposed Parking						
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	343	- 247
Trailer Truck Parking		191	1 space for every 4 dock high door	48	220	+ 172
	Building 2					
Warehouse/ Distribution	1,038,383		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	520	578	+ 58
Trailer Truck Parking		189	1 space for every 4 dock high door	47	229	+ 182
Proposed Parking - Alternative 1						
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	590	+0
Trailer Truck Parking		189	1 space for every 4 dock high door	48	123	+ 75

(c) 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. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

(d) 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.

(e) 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.

(f) 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).

(g) 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).

2.7 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to the West Ontario Commerce Center Specific Plan and the Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of the West Ontario Commerce Center Specific Plan and the Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet

2.8 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to the West Ontario Commerce Center Specific Plan and Ontario Municipal Code 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.

2.9 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.

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

2.11 Signs. All Project signage shall comply with the requirements of the West Ontario Commerce Center Specific Plan and the Ontario Development Code Division 8.1 (Sign Regulations).

2.12 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).

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

(a) CC&Rs shall be prepared for the Project and shall be recorded concurrently with the final map.

(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 reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and 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 parking facilities and access drives; and

(iv) Utility and drainage easements.

(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.

2.14 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-002, the West Ontario Commerce Center Specific Plan for which an Environmental Impact Report (SCH#: 2017041074) was previously adopted by the City Council on July 3, 2018. 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.

2.15 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.

2.16 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.

2.17 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA17-003) shall apply to this development plan and parcel map.

(b) All applicable conditions of approval of the West Ontario Commerce Center Specific Plan shall apply to this development plan and parcel map.

(c) The outdoor break area landscaping and amenities shall be reviewed and approved by the Planning Department prior to issuance of building permits.

(d) All office entry paving shall be provided with an enhanced pavement treatment. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

(e) The future tenant shall provide a copy of the Alternative Parking site plan with the submittal of their Business License to verify that the proposed use meets the required number of parking spaces per the West Ontario Commerce Center Specific Plan.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company
Information Technology and Management Services Department conditions incorporated herein)

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19738 RELATED FILE NO(S). PMTT17-011 / PDEV17-057		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E. (909) 395-2137 ^{6/2}

CITY PROJECT PLANNER & PHONE NO: Henry Noh, (909) 395-2429

DAB MEETING DATE: June 18, 2018

PROJECT NAME / DESCRIPTION: PM-19738, A Tentative Parcel Map (TPM 19738) to subdivide 129.6 acres of land into 9 parcels within the West Ontario Commerce Center Specific Plan (APNs 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18.

LOCATION: Northeast corner of Merrill Avenue and Carpenter Avenue

APPLICANT: Real Estate Development Associates (REDA)

REVIEWED BY: *[Signature]* 6/25/18
Miguel Sofomayor Date
Associate Engineer

APPROVED BY: *[Signature]* 6/26/18
Khoi Do, 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 OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 - 1. North side of Merrill Avenue to achieve the ultimate half street width of 54 feet (full ultimate ROW width is 108 ft) along the project frontage.
 - 2. South side of Eucalyptus Avenue to achieve the ultimate half street width of 54 feet (full ultimate ROW width is 108 ft) along the project frontage.
 - 3. East side of Carpenter Avenue to achieve the ultimate half street width of 33 feet along the project frontage.
 - 4. Hellman Avenue to achieve the ultimate width of 88 feet along the project frontage.
 - 5. Additional 23' on the north and south sides of Merrill and Eucalyptus Avenues respectively for neighborhood edge.
 - 6. Additional 18' on the each side of Hellman Avenue for neighborhood edges.
 - 7. Property line corner cut-back at all street intersections within the project boundaries.
- 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. 20' wide easement as shown on Tentative Parcel Map 19738 (No. 6) for the road purposes and ingress/egress adjacent to APN 0218-221-09.
 - 2. 10' wide public utility easement as shown on Tentative Parcel Map 19738 (No. 10) in favor of Southern California Edison and General Telephone Company.
 - 3. 10', 14' and 15' wide public utility easements as shown on Tentative Parcel Map 19738 (No. 2, 4 & 5) for pipeline, ingress, egress and repair purposes.
 - 4. 358' easement as shown on Tentative Parcel Map 19738 (No. 25) for the purpose of using, maintaining, repairing and replacing of waterlines.
 - 5. Existing southern 25' of Eucalyptus Access Road located between the project site and APN 0218-221-09 ("Not A Part"). Any existing overhead utilities within Eucalyptus Access Road shall be undergrounded per the City of Ontario's Ordinance.
 - 6. All interfering on-site easements shall be vacated and/or obtain non-interference letter from affected owner/utility company.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement across parcels 3-9. 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:
1. Applicant/developer shall provide private easement for cross lot drainage (as needed for Parcels 3-9), blanket emergency access and reciprocal access across all parcels in favor of all parcels.
 2. The Parcel Map shall comply with the approved West Ontario Commerce Center Specific Plan, the Development Agreement and the Conditions of Approval for this Tentative Parcel Map.
 3. Applicant/developer shall obtain all off-site right of way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

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

A. GENERAL

(Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Parcel Map No. 19738 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) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA) - Recycled Water connection/relocation**
- Other: City of Chino – for any improvements encroaching into the City of Chino**

- **Applicant/Developer shall obtain Non-Interference Letters from all affected owner/utility companies having rights of way interests within the project boundary.**

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, approximately \$3,881,780 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan. This amount represents the storm drain DIF for only Buildings 1 & 2, additional storm drain DIF will be required for parcels 3-9.
- 2.16 Other conditions: _____

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	Merrill Avenue	Eucalyptus Avenue	Hellman Avenue	Carpenter Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. N/O C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. S/O C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 32 ft. from C/L (Both Sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. East of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.F)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 60 ft. along project frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 22 ft. east of C/L along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" 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 <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements (see Sec. 2.F)	Widen the north half of the existing Merrill Avenue Bridge	Construct the Eucalyptus Avenue Bridge	_____	_____



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

1. The applicant/developer shall install all master planned utilities to be placed under new roadway designed to the ultimate condition.
- 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).**
 - 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 4,400 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:**

1. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations:** Per Sewer Master Plan Section 4-8, a Sewer Sub-Area Master Plan with Sewer Sizing and Design Calculations (SSAMP) shall be prepared for each Master Plan Sewer Trunk Tributary Area and for each Sub-Area (each Subdivision Map or Development Area). The SSAMP shall demonstrate that the trunk sewer shall be designed in such a way that it is hydraulically and physically capable of sewerage the entire tributary area; and shall demonstrate that the public sewer serving each Sub-Area shall be designed in such a way that it is hydraulically and physically capable of sewerage the entire designated Sub-Area. Design and construction for all sewer mains shall follow the corresponding SSAMP and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval, which may result in sewer design changes and sewer size changes.
 - a. A SSAMP was prepared for the Carpenter Trunk Sewer Tributary Area, which include sizing and design calculations for the Carpenter Trunk Sewer. Design and construction of the Carpenter Trunk Sewer shall follow the City approved SSAMP; and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval.
 - b. A SSAMP was prepared for the PM19738 which included a sewer main in Eucalyptus Avenue serving the west half of the Parkside Specific Plan Sub-Area. Design and construction of the all Sub-Area public sewer shall follow the City approved SSAMP; and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval.



2. **Sewer Improvements:** Prior to the issuance of any permits, the following sewer improvements shall be designed and constructed per City standards and design requirements (sizes may be updated based on revised SSAMP calculations):
 - a. **Carpenter Trunk Sewer:** Install the Sewer Master Plan Carpenter Trunk Sewer from just north of Eucalyptus Avenue and southerly to connect to the Eastern Trunk Sewer at Moon Place. Carpenter Trunk Sewer at minimum consists of: Installing a 21-inch main in Carpenter Avenue from just north of Eucalyptus Avenue to Merrill Avenue; and, installing a 24-inch main in Carpenter Avenue from Merrill Avenue to Remington Avenue; and, installing a 24-inch sewer main in Remington Avenue from Carpenter to Moon Place; and, installing a 24-inch sewer main in Moon Place from Remington Avenue to connect with IEUA's Eastern Trunk Sewer along the County Line.
 - b. Install a 10-inch sewer main in Merrill Avenue from Hellman Avenue west to connect to the Carpenter Trunk Sewer in Carpenter Avenue.
 - c. Install a 10-inch sewer Main in Hellman Avenue from just south of Eucalyptus Avenue to connect to the sewer in Merrill Avenue.
 - d. Install a 15-inch sewer in Eucalyptus Avenue from just west of Hellman Avenue west to connect to the Carpenter Trunk Sewer in Carpenter Avenue.
3. **Private Sewer Servicing Multiple Parcels:** the proposed sewer mains serving Parcels 3 to 6 and Parcels 7 & 8 shall be private and privately operated and maintained.
4. **Onsite Sewer System and Plumbing:** The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:
 - a. The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows can be upgraded in the future to have pretreatment equipment and devices on it, as required by a Wastewater Discharge Permit.
 - b. Each connection from the Onsite Sewer System to the Public Sewer System shall have a monitoring manhole prior to the point of connection with the public sewer system.
5. **Wastewater Discharge:** Each Occupant of the building, or units, 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 not limited to including: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <input type="checkbox"/> 2.27 A _____ inch water main is available for connection by this project in _____
(Ref: Water plan bar code: _____) | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 2,600 feet away. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> 2.29 Other conditions: | <input type="checkbox"/> |
1. **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 a 24-inch 925PZ Potable Water main in Eucalyptus Avenue connecting from existing 24-inch 925PZ Potable Water main in Archibald Avenue and extending to Carpenter Avenue.
 - b. Install a 12-inch 925PZ Potable Water main in Merrill Avenue connecting from existing 12-inch 925PZ Potable Water main in Archibald Avenue and extending to



- Carpenter Avenue.
- c. Install a 12-inch 925PZ Potable Water main in Carpenter Avenue connecting from Eucalyptus Avenue and extending to Merrill Avenue.
 - d. Install a 12-inch 925PZ Potable Water main in Hellman Avenue connecting from Eucalyptus Avenue and extending to Merrill Avenue.

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) 395-2687 regarding this requirement.

- 2.34 Other conditions:
 - 1. **Recycled Water Improvements:** Prior to the issuance of any permits, the following recycled water improvements shall be designed and constructed per City standards and design requirements:
 - a. Install a 16-inch 930PZ Recycled Water main in Eucalyptus Avenue connecting from existing 16-inch 930PZ Recycled Water main in Archibald Avenue and extending to connect to the 30-inch IEUA 930PZ main in Carpenter Avenue.
 - b. Install a 12-inch 930PZ Potable Water main in Merrill Avenue connecting from existing 12-inch 930PZ Recycled Water main in Archibald Avenue and extending past the Carpenter Avenue intersection.
 - c. Install a 12-inch 930PZ Recycled Water main in Hellman Avenue connecting from Eucalyptus Avenue and connecting to Merrill Avenue.
 - d. Relocate existing IEUA Recycled Water Pressure Reducing Station in Carpenter Avenue and south of Eucalyptus to a location along the Carpenter Avenue, per IEUA and City requirements.
 - e. Relocate existing IEUA 30-inch 930PZ & 800PZ Recycled Water Main in Carpenter Avenue from just south of Merrill Avenue, along Carpenter Project frontage, to just north of Eucalyptus Avenue, unless otherwise approved by the City.

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. Design and construct all driveway approaches in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach. No decorative concrete shall be allowed in the public street right-of-way.



2. The applicant/developer shall be responsible to pay their appropriate fair share for traffic impacts identified in Table 1-1 of the approved Traffic Impact Analysis.
3. The applicant/developer shall be responsible to design and construct the ultimate half street improvements along the project frontage as follows:
 - Eucalyptus Avenue (108' R/W, 84' C/C) constructed to ultimate south half plus striped median, westbound circulation lane and 5' paved shoulder.
 - Carpenter Avenue (66' R/W, 48' C/C), constructed to ultimate east half plus the southbound circulation lane and 5' paved shoulder.
 - Merrill Avenue (108' R/W, 84' C/C) constructed to ultimate north half plus striped median, eastbound lane and 5' paved shoulder.

Improvements shall include appropriate pavement transitions and signing and striping as deemed necessary by the City Engineer.
4. The applicant/developer shall design and construct Hellman Avenue to its ultimate configuration. The street section for Hellman Avenue is 88' R/W, 64' C/C.
5. The applicant/developer shall be responsible to design and construct the following traffic signals:
 - Carpenter Avenue at Merrill Avenue (non-DIF)
 - Carpenter Avenue at Eucalyptus Avenue (non-DIF)
 - Hellman Avenue at Eucalyptus Avenue (1/2 Mile DIF)
 - Hellman Avenue at Merrill Avenue (1/2 Mile DIF)

The new traffic signals shall include, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
6. The applicant/developer shall be responsible to design and construct the following bridges:
 - Eucalyptus Avenue Bridge over Cucamonga Creek (DIF). Ultimate south half plus westbound circulation lane.
 - Widen the north half of the existing Merrill Avenue Bridge over Cucamonga Creek (DIF).
7. The applicant/developer shall be responsible to design and construct bus shelter facilities, including furniture and pads in accordance with Omnitrans Transit Design Guidelines. At a minimum, each stop shall include: Shelter, LED lighting, Benches, Map Case and Rear Metal Wall and Trash Receptacles. Locations include:
 - EB Eucalyptus Avenue at Hellman Avenue (DIF)
8. The applicant/developer shall be responsible to design and construct traffic signal interconnect, LED-type street-lighting, and signing & striping, wherever street improvements are required. Interconnect shall include conduit, pull-boxes, fiber, and pull rope. Supplemental communications devices, e.g. radios, etc., may be required to transmit data where new interconnect is not contiguous to existing traffic signal network.
9. Carpenter Avenue, Eucalyptus Avenue, Hellman Avenue and Merrill Avenue shall be posted "No Stopping and/or Parking Anytime".
10. During the development and construction of the Tract, at least two points of access shall be maintained at all times.
11. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing/striping and/or street lighting design.



12. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.

13. 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:**
 - 1. **The applicant/developer shall construct all master planned storm drain lines surrounding the project site and connection to the Cucamonga Creek 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 Other conditions: _____



J. SPECIAL DISTRICTS

- 2.47 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.
- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 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 located at Eucalyptus/Archibald and Merrill/Archibald. Generally located along the Merrill, Eucalyptus, Hellman and Carpenter Avenue project frontage.
- 2.50 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

- 2.51 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>
- 2.52 Other conditions:
1. **Solid Waste Handling Plan (SWHP):** For each Parcel or Site Plan, A SWHP and Report shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company. The SWHP shall follow the SWHP Guidance Document available from OMUC and shall have at minimum all the following elements:
- a. **SWHP Content and Format:** The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>) and shall contain, at a minimum, the following elements:
- i. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial with bins, etc.) and describing the solid waste handling operation (for instance, will there be scouting services, etc.)
 - ii. A table utilizing the metrics of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, organics, etc.).
 - iii. An Engineering Site Plan drawn to scale that shows :
 - A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
 - The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
 - All parking stalls and parallel parking spaces along all streets, alleys, or aisles.



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: PMTT17-011 / PDEV17-057 , and/or Parcel Map/Tract Map No. PM-19738

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: _____



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: Henry Noh, Senior Planner

DATE: May 18, 2018

SUBJECT: FILE #: PDEV17-057

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 **Monday, April 16, 2018**.

PROJECT DESCRIPTION: A Development Plan to construct two industrial buildings totaling 2,220,608 SF on 129.64 acres of land generally located on the north side of Merrill Avenue, south of Eucalyptus Avenue and East of Carpenter Avenue, within the West Ontario Commerce Specific Plan area (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-08, 0218-271-13, and 0218-271-18). Related File: PSP16-002.

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.

5/29/18

Landscape Planning Carolyn Bell Schandscape Architect
 Department Signature Title Date

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

5/29/18
 Date

Reviewer's Name:

Carolyn Bell, Sr. Landscape Planner

Phone:

(909) 395-2237

D.A.B. File No.:

(PSP16-002)

PDEV17-057 Rev 2

Case Planner:

Henry Noh

Project Name and Location:

West Ontario Commerce Center
 N of Merrill, S of Eucalyptus, E of Carpenter

Applicant/Representative:

MIG, Pamela Steele
 1500 Iowa Ave #110
 Riverside, CA 92507



A Preliminary Landscape Plan (dated 5/16/18) 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.

CORRECTIONS REQUIRED

Civil/ Site Plans

1. Show storm water infiltration areas and show basins and swales to be no greater than 50% of the width of the selected basin landscape area to allow for ornamental landscape. Provide a level grade minimum 6' from paving for landscape. **Show any basins or swales proposed.**
2. Dimension a 4' setback for backflows and transformers on plan from paving. **Show backflow devices on private property not in the ROW.**
3. Locate utilities including light standards, fire hydrants, and water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
4. 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. **Revise 2:1 slopes to 3:1**
5. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
6. Correct on plans to match specific plan, sections ok:
 - a. Hellman: Show a 7' parkway, 5' sidewalk and 18' neighborhood edge, landscape buffer, CFD maintained. Show a concrete mowstrip to separate CFD from private maintenance areas.
 - b. Merrill: Show a 7' parkway, 5' sidewalk and 23' neighborhood edge to include an 8' DG multipurpose trail. Move parking lots shown within the 23' neighborhood edge, landscape buffer, and show a concrete mowstrip at 23' setback.
 - c. Carpenter: Show a 7' parkway and 5' sidewalk.
7. Remove Modular Wetlands Units to an approved storm water system per engineering dept.

Landscape Plans

8. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy

width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.

9. Show backflows with 3' high strappy leaf landscape screening. Show transformers with 4' high evergreen shrub screening. **Show fire DCDA and screening**
10. Show all utilities on the landscape plans and coordinate to be clear of required tree locations.
11. Show landscaping in the perimeter planters. Show native trees and mulch along east PI. **Not corrected include** trees in the SE corner and building corners by the offices.
12. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end. **Missing at HC spaces.**
13. Verify recycled water is available and modify MAWA if not. Civil plans show potable water for irrigation.
14. Show accent plant area symbol different from shrubs and groundcover symbol. Tall shrubs noted for screening but not in legend.
15. Show proposed sign locations and accent landscape appropriate for types of signs.
16. Street trees for this project are: on Merrill: Quercus agrifolia and Cercis Forest Pansy; Eucalyptus: Pistache and Magnolia majestic beauty; Hellman: Celtis sinensis and Pinus eldarica and Cercis occidentalis. See the Ontario Ranch Streetscape Master Plan for street tree layout, typically 30' oc with double rows.
17. Show concrete mowstrips, **Remove note for mow- curb to be placed at street PL. See item #6 above for mow curb locations.**
18. **Show walls and call out height and material. Coordinate with civil plan and mow curb locations.**
19. 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. Use large box size for larger trees. Note additional tree bubblers for large box trees.
20. Show 25% of trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations. **Not corrected.**
21. Provide several varieties of shade trees (30' dia) in parking lots such as larger tree types in the larger planters to a monoculture.
22. Plans shall meet all the requirements of the Landscape Development Guidelines.
23. 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. Typical fees are:

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

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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-057
 Address: Southeast corner Eucalyptus Avenue & Carpenter Avenue
 APN: 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18
 Existing Land Use: Vacant
 Proposed Land Use: A Development Plan to construct two industrial buildings totaling 2,220,608 SF
 Site Acreage: 129.64 Proposed Structure Height: 40 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: 6/11/18
 CD No.: 2017-086 Rev. 3
 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 type="radio"/> 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: 110-130 ft

CONSISTENCY DETERMINATION

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

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The proposed project is located within the Airport Influence Area of Chino Airport and found to be consistent with the California Airport Land Use Planning Handbook provided the following conditions are met:

See Attached.

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING

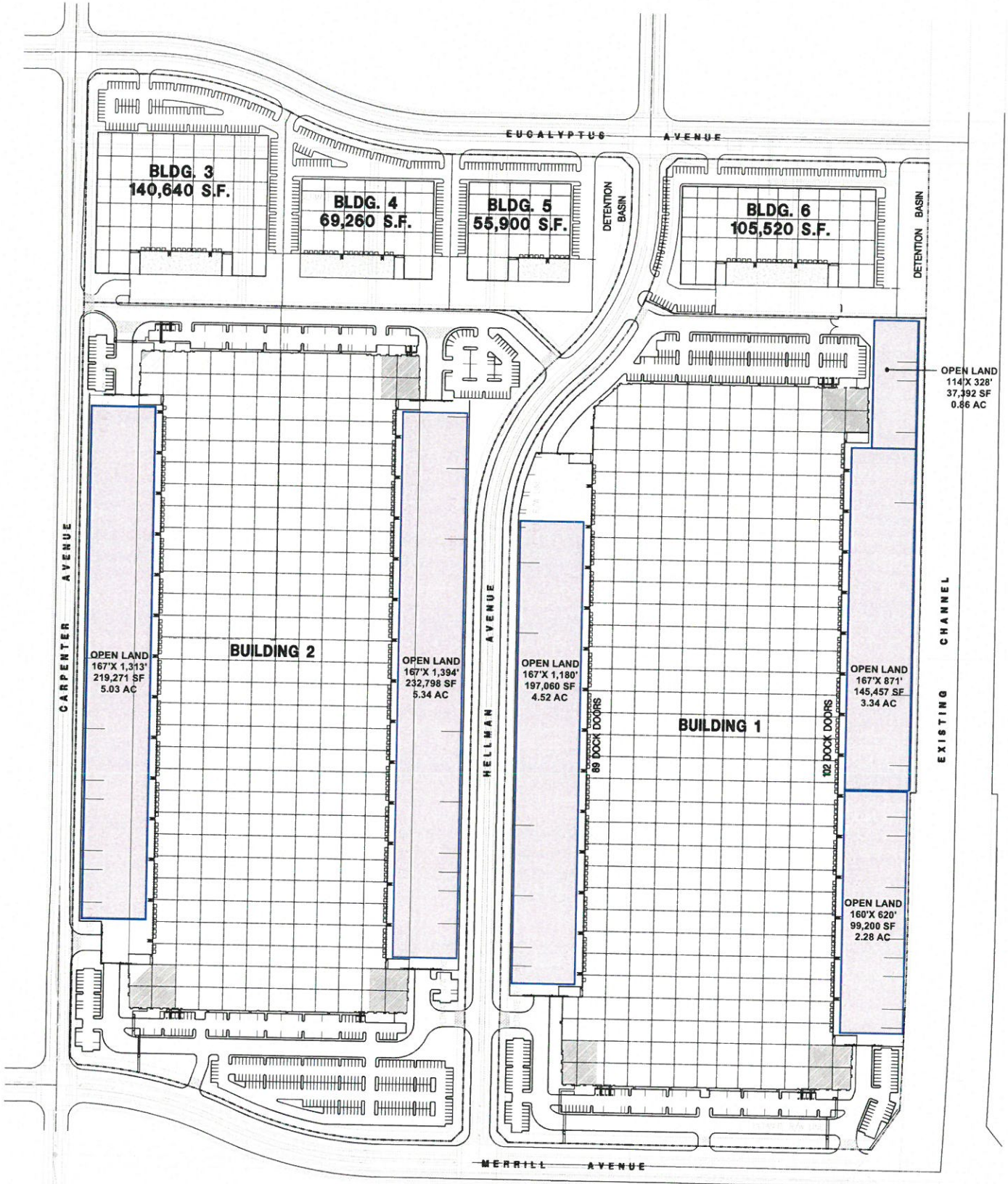
CONSISTENCY DETERMINATION REPORT

CD No.: 2017-086

PALU No.: _____

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 129.6 acres, 12.9 acres of open land is required and 21.3 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.



OPEN LAND AREA DATA TABLE

	BLDG (SF)	PARCEL (SF)	PARCEL (AC)	OPEN LAND (SF)	OPEN LAND (AC)	% OPEN LAND
TOTAL	2,220,608	4,273,513	98.1	931,178	21.3	21.8%



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

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

DATE: December 13, 2017

SUBJECT: PDEV17-057 - A Development Plan to construct two industrial buildings totaling 2,220,608 SF on 129.64 acres of land generally located on the north side of Merrill Avenue, south of Eucalyptus Avenue and East of Carpenter Avenue, within the West Ontario Commerce Specific Plan area (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-08, 0218-271-13, and 0218-271-18). Related File: PSP16-002.

-
- 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: III
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Building #1 – 1.18 MSF
Building #2 – 1.04 MSF
- D. Number of Stories: 1
- E. Total Square Footage: 2.22 MSF
- F. 2016 CBC Occupancy Classification(s): S

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 4000 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.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 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.
- 4.5 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.
- ☒ 4.9 Hose valves with one and one half inch (1 ½") connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

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.
- ☒ 5.6 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.
- ☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

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.

- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: Henry Noh, Planning Department

FROM: Douglas Sorel, Police Department

DATE: December 19, 2017

SUBJECT: PDEV17-057 – A DEVELOPMENT PLAN TO AN ADDITION TO AN EXISTING TWO INDUSTRIAL BUILDING AT EUCALYPTUS AND MERRILL

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. Due to the size of the proposed buildings, each number shall be at a minimum 6’ tall by 2’ wide. All other requirements stated in the Standard Conditions shall apply.
- 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) 395-2873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 16, 2018
SUBJECT: PDEV17-057

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

Conditions of Approval

1. Building 2 Address: 4810 S Hellman Avenue
2. Building 1 Address: 4815 S Hellman Avenue

KS:lm



DEVELOPMENT ADVISORY BOARD DECISION

July 16, 2018

DECISION NO.:

FILE NO.: PDEV17-057

DESCRIPTION: A Development Plan (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, located within the General Industrial land use district of the West Ontario Commerce Center Specific Plan. APNs: (0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18) **submitted by REDA, OLV.**

RELATED FILE: PMTT17-011/TPM19738

PART I: BACKGROUND & ANALYSIS

REDA, OLV, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV17-057, 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 approximately 119 acres of land. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, and is depicted in Exhibit A: Aerial Photograph, attached. The project site gently slopes from north to south and is currently developed with agricultural, dairy and single-family residential uses. The majority of the site is currently in agricultural use, including two active dairy farms, row crops, and a hay and alfalfa wholesaler. The remainder of the site is vacant land that was previously used for agricultural uses. The site is relatively level with the exception of isolated areas where soil and debris from demolished structures have been mounded and an earthen drainage channel that extends along Merrill Avenue on the southern boundary of the site.

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>
Site	Agriculture/Dairy and Single Family Homes	Industrial	West Ontario Commerce Center Specific Plan	General Industrial

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>North</i>	Agriculture	Medium Density Residential	Parkside Specific Plan	Medium Density Residential
<i>South</i>	Agriculture	Industrial	Colony Commerce Center West Specific Plan	Industrial
<i>East</i>	Cucamonga Creek Channel	Open Space –Non Recreation	Utility Corridor (UC)	n/a
<i>West</i>	Agriculture/Dairy	Business Park/Industrial	Specific Plan/ Agriculture (SP(AG))	n/a

(2) Project Description: The applicant is requesting approval of a Development Plan (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet (**Exhibit C: Development Site Plan**) within Planning Area 2 of the West Ontario Commerce Center Specific Plan. The Development Plan has been submitted in conjunction with a Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels.

The West Ontario Commerce Center Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on July 3, 2018. The West Ontario Commerce Center Specific Plan established the land use designations, development standards, and design guidelines for 119 acres of land, which includes the potential development of 2,905,510 square feet of industrial development (**Figure 1: Specific Plan Land Use Summary Table below and Exhibit B: Specific Plan Land Use Map**).

Planning Area	Zoning District	Ontario Plan Land Use Designation	Existing Acreage (Net)	Maximum SF per Existing TOP (The Ontario Plan)	Proposed Acreage	Maximum SF per Proposed
1	AG Specific Plan	Business Park (0.6 FAR)	61	1,600,933	21	555,505
2	AG Specific Plan	Industrial (0.55 FAR)	58	1,391,641	98	2,350,005
TOTAL			119	2,992,634	119	2,905,510

Planning Area 1 of the Specific Plan, has a land use designation of Business Park with a maximum development intensity of 555,505 square feet of business park development at a maximum Floor Area Ratio (FAR) of 0.60. At this time the four parcels within Planning Area 1 are not proposed to be developed. The development plans for the business park development will be submitted at a future time.

The project proposes the construction of two industrial buildings totaling 2,217,016 square feet, within Planning Area 2 of the Specific Plan. Planning Area 2 of the Specific Plan has a maximum development intensity of 2,350,005 square feet at a maximum FAR of 0.55. Planning Area 2 will be bisected with the construction of Hellman Avenue, which is proposed to run north and south between Eucalyptus Avenue and Merrill Avenue.

Building 1:

Building 1 consist of a 1,178,633 square-foot warehouse/distribution building, located east of Hellman Avenue and west of the Cucamonga Creek Flood Control Channel, just south of Eucalyptus Avenue and north of Merrill Avenue. Building 1 will be orientated north to south with cross-dock loading areas facing east and west. The building has been designed with three potential office areas located at the northeast, southeast and southwest corners of the building.

Access to the project site for visitors, employees and the truck loading areas will be provided with two drive approaches along Merrill Avenue, and two drive approaches along Hellman Avenue within the northwestern and southwestern portions of the project site. Due to the buildings width of 645 feet and length of 1,799 feet, a 26-foot wide fire emergency access lane will be provided around the entire building.

The building will provide setbacks of 149-feet along Merrill Avenue, 185-feet along the eastern property line (Cucamonga Creek Flood Control Channel), 49-feet along Hellman Avenue, and 180-feet along the north interior line. To ensure adequate screening for the buildings western loading areas along the Hellman Avenue frontage, a 14-foot tall concrete tilt-up screen wall will be constructed along Hellman Avenue. The finished grade of the truck loading area along Hellman Avenue, will be approximately 6-feet below the street finished grade along Hellman Avenue. Therefore, only an 8-foot portion of the 14-foot wall will be exposed to public view. The screen wall will be designed to complement the architecture of the building. The eastern loading areas that front onto the Cucamonga Creek Flood Control Channel, will be secured by an 8-foot high wrought iron fence. The wrought iron fence will provide visibility from the channel for safety and security purpose.

Building 2:

Building 2 consist of a 1,038,383 square-foot warehouse/distribution building, located north of Merrill Avenue, east of Carpenter Avenue and west of Hellman Avenue. Similar to the layout of Building 1, Building 2 will be orientated north to south with cross-dock loading areas facing east and west. The building has been designed with four potential office areas located at each corner of the building.

Access to the project site for visitors, employees and truck loading areas will be provided with two drive approaches along Carpenter Avenue within the northwestern and southwestern portions of the project site, one drive approach along Merrill Avenue and two drive approaches along Hellman Avenue within the northeastern and southeastern portions of the project site. A 26-foot wide fire emergency access lane will be provided around the entire building.

A minimum building setback of 149-feet will be provided along Merrill Avenue, a minimum building setback of 145-feet will be provided along Carpenter Avenue, a minimum building

setback of 150-feet will be provided along Hellman Avenue and a minimum building setback of 118-feet will be provided along the northern interior property line. To ensure adequate screening for the loading areas along Carpenter Avenue and Hellman Avenue frontages, a 14-foot tall concrete tilt-up screen wall will be constructed along both frontages. The finished grade within the eastern and western truck loading areas, will be approximately 6-feet below the street finished grade along Carpenter Avenue and Hellman Avenue. Therefore, only an 8-foot portion of the 14-foot wall will be exposed to public view. The screen wall will be designed to complement the architecture of the building.

Parking:

The Specific Plan requires Building 1 to provide 590 vehicular parking spaces and 48 trailer parking spaces and Building 2 to provide 520 vehicular parking spaces and 47 trailer parking spaces for Building 2 (**See Parking Summary Table below**).

Building 2 provides 578 vehicular parking spaces (+58 vehicular parking spaces) and 229 trailer parking spaces (+182 trailer parking spaces), therefore Building 2 is consistent with the parking requirements. As demonstrated in the parking summary table below, Building 1 proposes a total of 343 vehicular parking spaces, which is 247 parking spaces less than the requirement. However, the project proposes a parking layout alternative for Building 1 to provide flexibility for a future tenant. In the event that a future tenant of Building 1 requires 590 parking spaces, Parking Alternative 1 could be implemented to add 247 additional parking spaces within the east and west trailer parking areas of the building. The additional 247 standard parking spaces within the trailer park areas and the 343 standard parking spaces, provided within the northern and southern parking lots of the site plan, would total 590 parking spaces which would comply with the Specific Plan parking requirement (**see Exhibits C & D: Site Plan and Building 1 - Alternative Parking Site Plan**).

The Development Code (Division 6.03, Section 6.03.020) allows for a reduction in parking if an alternate off-street parking plan demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. The alternative parking plan approach has been successfully implemented on other existing industrial projects throughout the City. Staff is in support of the proposed Building 1 - Alternative 1 Parking site plan, with the condition that the future tenant shall provide a copy of the Alternative Parking site plan with the submittal of their Business License to verify that the proposed use meets the required number of parking spaces per the West Ontario Commerce Center Specific Plan.

PARKING TABLE SUMMARY						
Type of Use	Building Area	Dock Doors	Parking Ratio	Spaces Required	Spaces Provided	TOTAL
Proposed Parking						
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	343	- 247
Trailer Truck Parking		191	1 space for every 4 dock high door	48	220	+ 172
Proposed Parking - Alternative 1						
	Building 2					
Warehouse/ Distribution	1,038,383		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	520	578	+ 58
Trailer Truck Parking		189	1 space for every 4 dock high door	47	229	+ 182
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	590	+0
Trailer Truck Parking		189	1 space for every 4 dock high door	48	123	+ 75

Landscape:

The West Ontario Commerce Center Specific Plan requires the project to provide a 10% landscape coverage. Building 1 (215,855 sq. ft.) and Building 2 (216,433 sq. ft.) are consistent with the landscape coverage requirement and will provide a total of 10.1% (432,288 sq. ft.) landscape coverage. Landscaping will be provided in the form of a 10-foot landscape setback along Carpenter Avenue, 23-foot landscape setback along Merrill Avenue (including an 8-foot multipurpose trail), an 18-foot landscape setback along Hellman Avenue and a minimum 5-foot landscape setback along the northern interior property line and the eastern property line (Cucamonga Creek Flood Control Channel). A 9-foot wide parkway (4-foot landscaped area and 5-foot sidewalk) will be provided along Carpenter Avenue. A 12-foot wide parkway (7-foot landscaped area and 5-foot sidewalk) will be provided along Merrill Avenue and Hellman Avenue. In addition to the landscape areas on the site, portions of the east and west truck court areas of each building will be utilized as infiltration areas (underground detention systems) to comply with the National Pollutant Discharge Elimination System (NPDES) requirement (*see Exhibit E: Landscape Plan*).

Landscaping in the form of ground cover, shrubs and trees will also be provided along the interior parking lot areas of both buildings, to further enhance the project. The office entry areas will feature large landscape areas. Additionally, a condition of approval has been placed on the project to provide enhanced paving within the office entry plaza areas. In addition, three employee break areas will be incorporated adjacent to the office areas. The outdoor break area will feature accent planting, accent shade trees and decorative weather resistant outdoor furniture.

Architecture:

The project is proposing a concrete tilt-up building with a contemporary modern architectural style. The project is consistent with the West Center Commerce Center West Specific Plan design guidelines and the Development Code - Industrial Design Guidelines (Reference F). Both buildings have a length of over 1,500 feet and therefore special articulation was provided to the office areas, as well as, the overall scale and massing of the buildings (*see Exhibit F and G: Building Elevations and Floor Plans*). Special attention has been given to the use of colors, massing, building forms, materials and architectural details. This is exemplified through the use of:

- Articulated office areas at key corners of each building with extensive use of glazing (Blue reflective glazing) and clear anodized mullions on the storefronts, vertical key panels with Coronado Stone Barn Woodstone Veneer, and unique metal canopies that function as a key architecture element;
- Articulation in building foot print, building roof lines and elevations that feature tower elements with spandrel windows at key areas along the truck court elevations that front onto a public street;
- Incorporation of vertical and horizontal reveal patterns, spandrel window glazing and varying color pallet scheme on all elevations;
- Detailed concrete tilt-up screen walls and pilasters with vertical and horizontal reveals patterns and color scheme that complement the architectural designs of the buildings.

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 an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), that was adoption and certified by the City Council on July 3, 2018. This application is consistent with the EIR and 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and act, or 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 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; and

WHEREAS, a Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels within Planning Areas 1 and 2 of the West Ontario Commerce Center Specific Plan has been submitted in conjunction with the Development Plan Application (File No. PDEV17-057); and

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT; and

WHEREAS, on July 16, 2018 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: As the recommending body for the Project, the DAB has reviewed and considered the information contained in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) Environmental Impact Report (SCH#2017041074), and supporting documentation. Based upon the facts and information contained in the EIR and supporting documentation, the DAB finds as follows:

(1) The approved Environmental Impact Report (EIR) prepared for File No. PSP16-002 contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Development Advisory Board; and

(4) All EIR adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by this reference.

SECTION 2: Based upon 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 EIR is not required for the Project, as the Project:

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

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

(b) Significant effects previously examined will be substantially more severe than shown in the 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 EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 and 2, 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 Development Plan is located within the Industrial land use district of the Policy Plan Land Use Map, and within the General Industrial (Planning Area 2) of the West Ontario Commerce Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 2 of the West Ontario Commerce Center Specific Plan, including standards relative to the particular land use proposed (Industrial), 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 development has been designed to maximize the subject property, in addition, the proposed development will comply with all the setbacks, parking and landscape requirements for the zone. The proposed project is not requesting any Variances, therefore, it complies with all the Specific Plan development requirements. The development and design of the project will enhance the surrounding neighborhood and add value to current site and adjacent developments. In addition, all the City departments such as traffic, police, engineering, utilities, planning and building and safety have reviewed the proposed development and they are in support of the project subject to the attached conditions of approval; 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. The proposed location of the Project, and the proposed conditions under which it will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Code. In addition, an Environmental Impact Report

(EIR) was prepared for the project under File No. PSP16-002, and all the mitigation measures for any impacts were identified and adopted by City Council. No new impacts are anticipate as a result of the proposed development; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code or applicable Specific Plan.*** The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code and West Ontario Commerce Center Specific Plan, which are applicable to the Project, including those related to the industrial land use being proposed, as well as 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. With approval of the Building 1 – Alternative 1 Parking Site Plan, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code and the West Ontario Commerce Center Specific Plan requirements.

SECTION 4: Based upon the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission:

(1) Approves the previously adopted mitigation measures of the EIR that was prepared for the West Ontario Commerce Center Specific Plan (File No. PSP16-002); and

(2) 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 5: 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 6: 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.

APPROVED AND ADOPTED this 16th day of July 2018.

Development Advisory Board Chairman

Exhibit A: Aerial Photograph

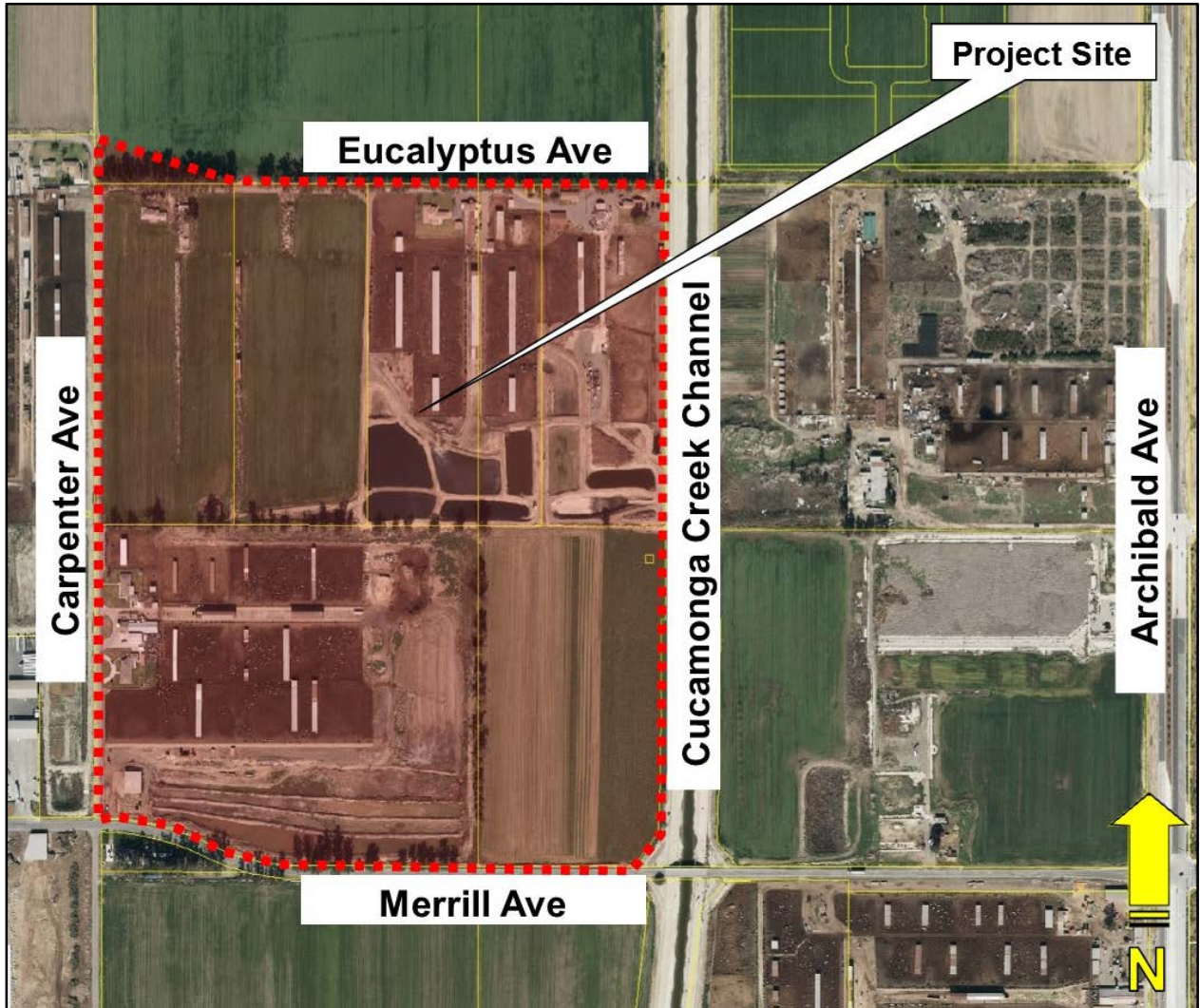


Exhibit B: West Ontario Commerce Center Specific Plan Land Use Map

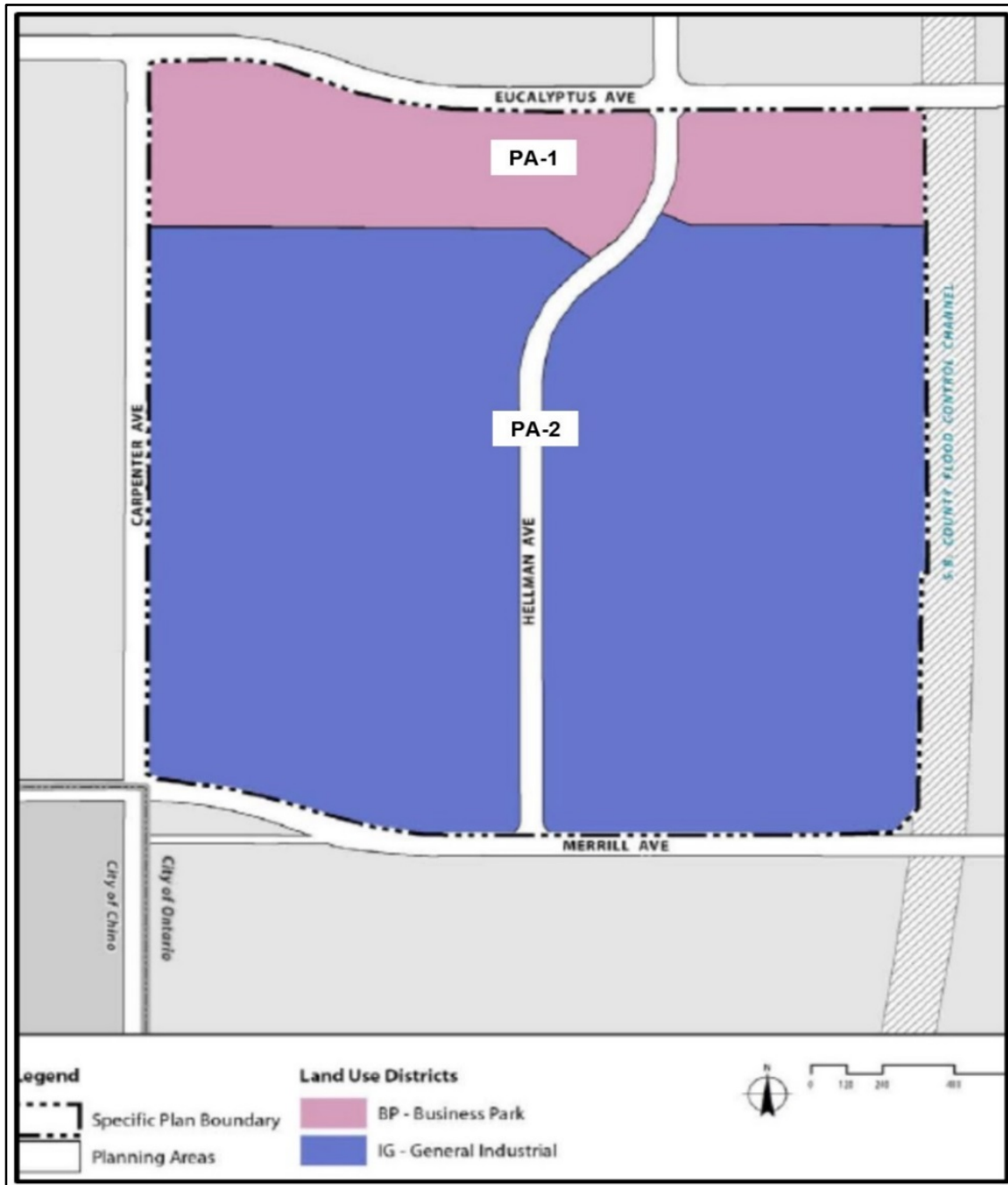


Exhibit C: Site Plan

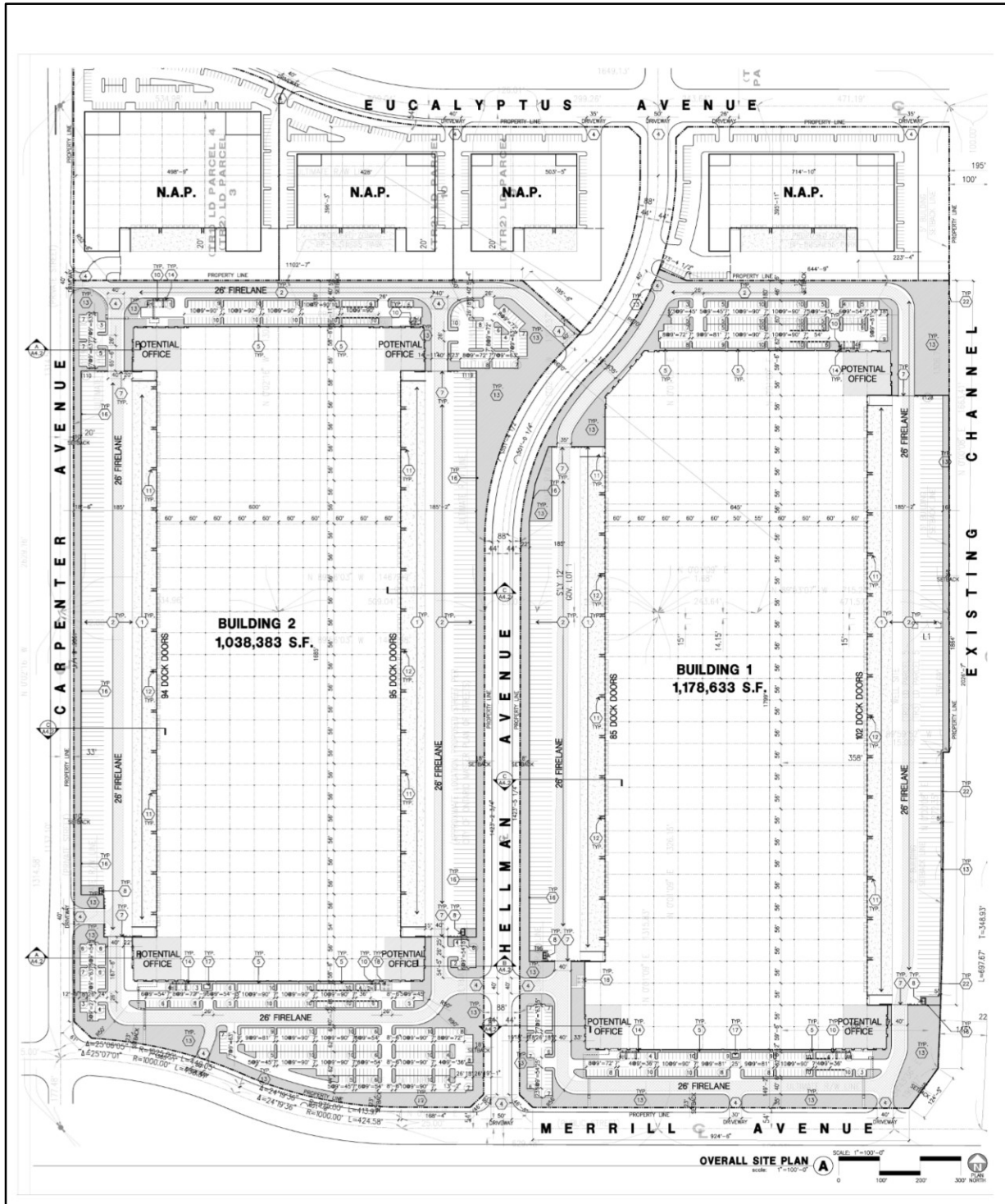


Exhibit D: Building 1 - Alternative Parking Layout

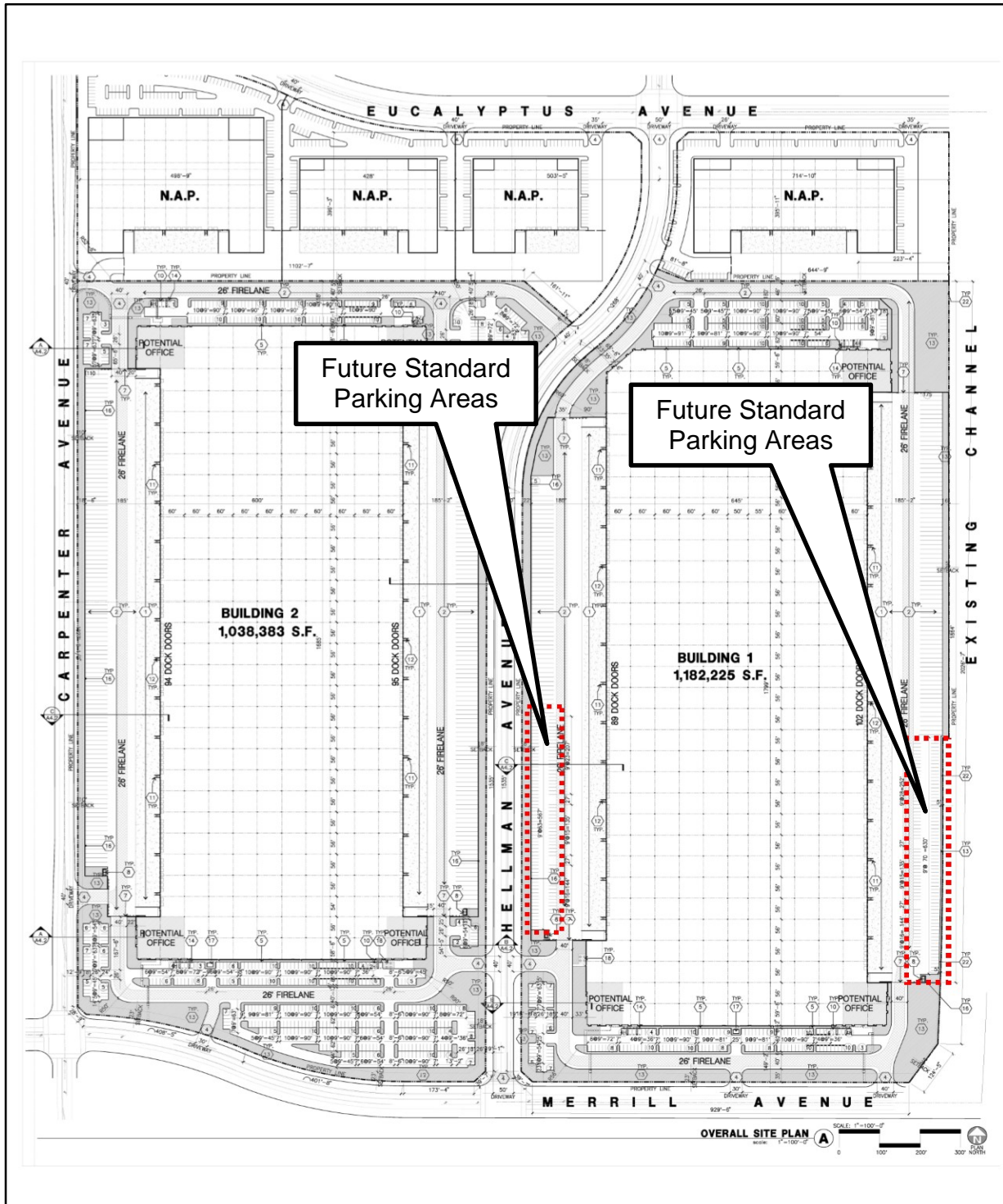


Exhibit E: Landscape Plans

Exhibit F: Building 1 Elevation

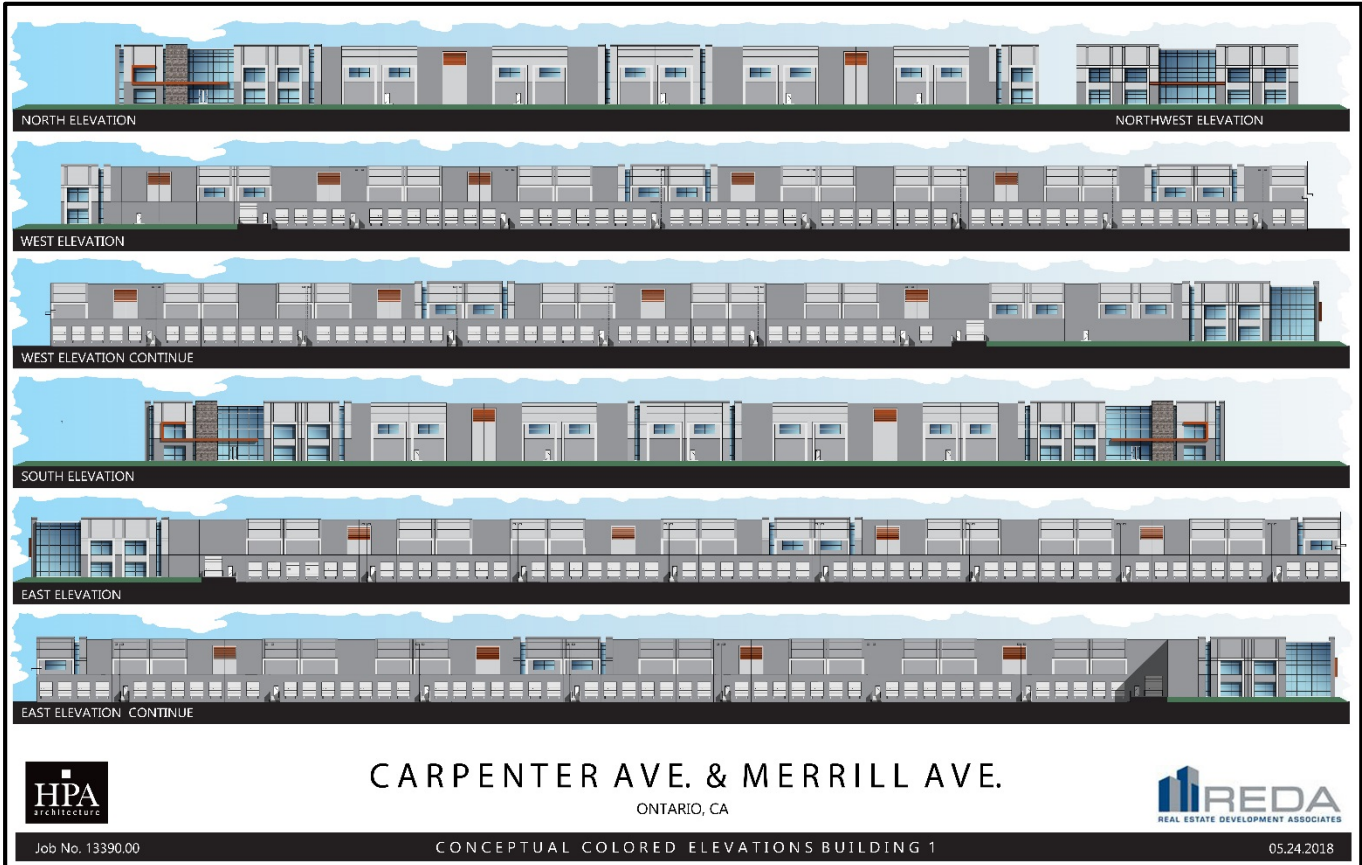


Exhibit F: Building 1 Floor Plan

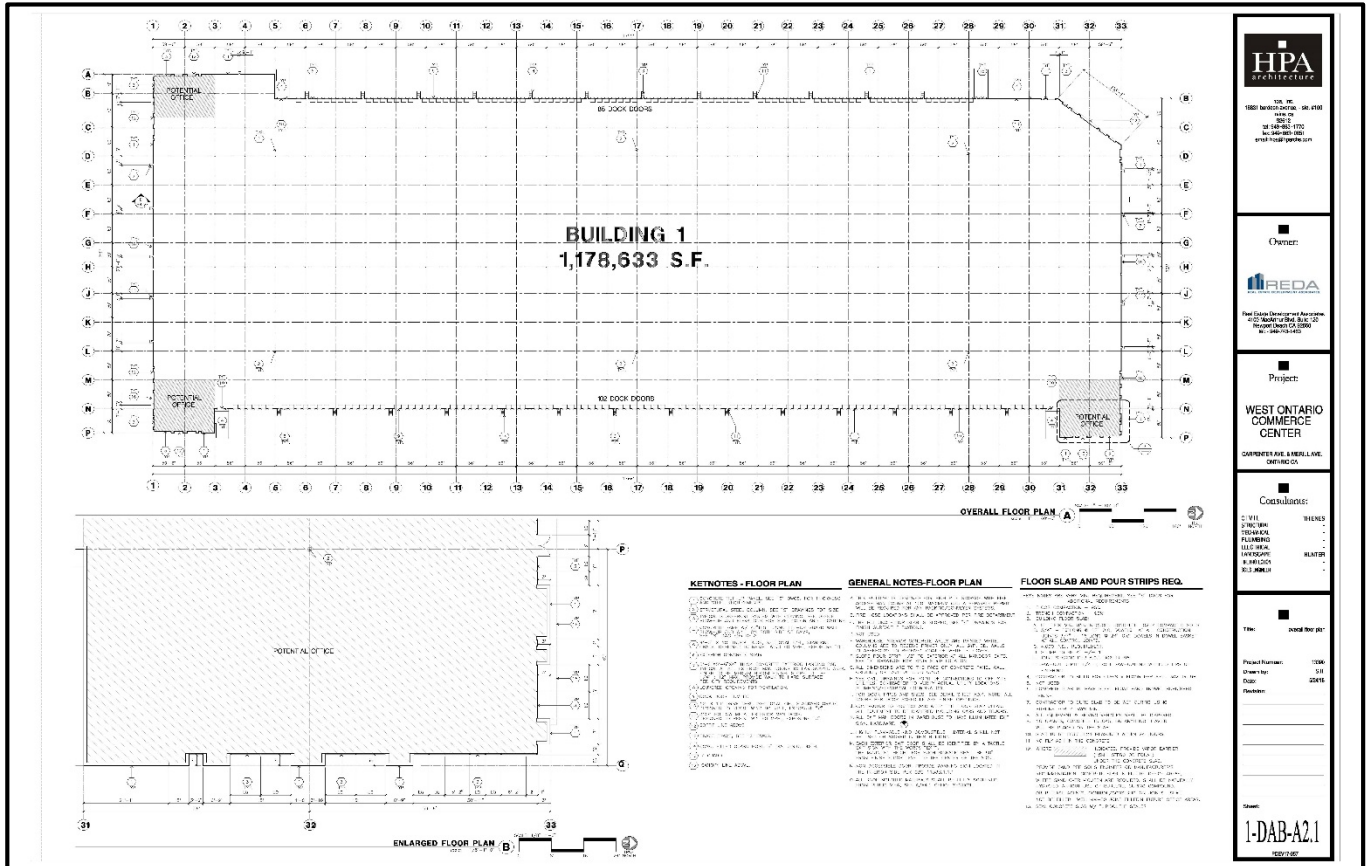


Exhibit G: Building 2 Elevation

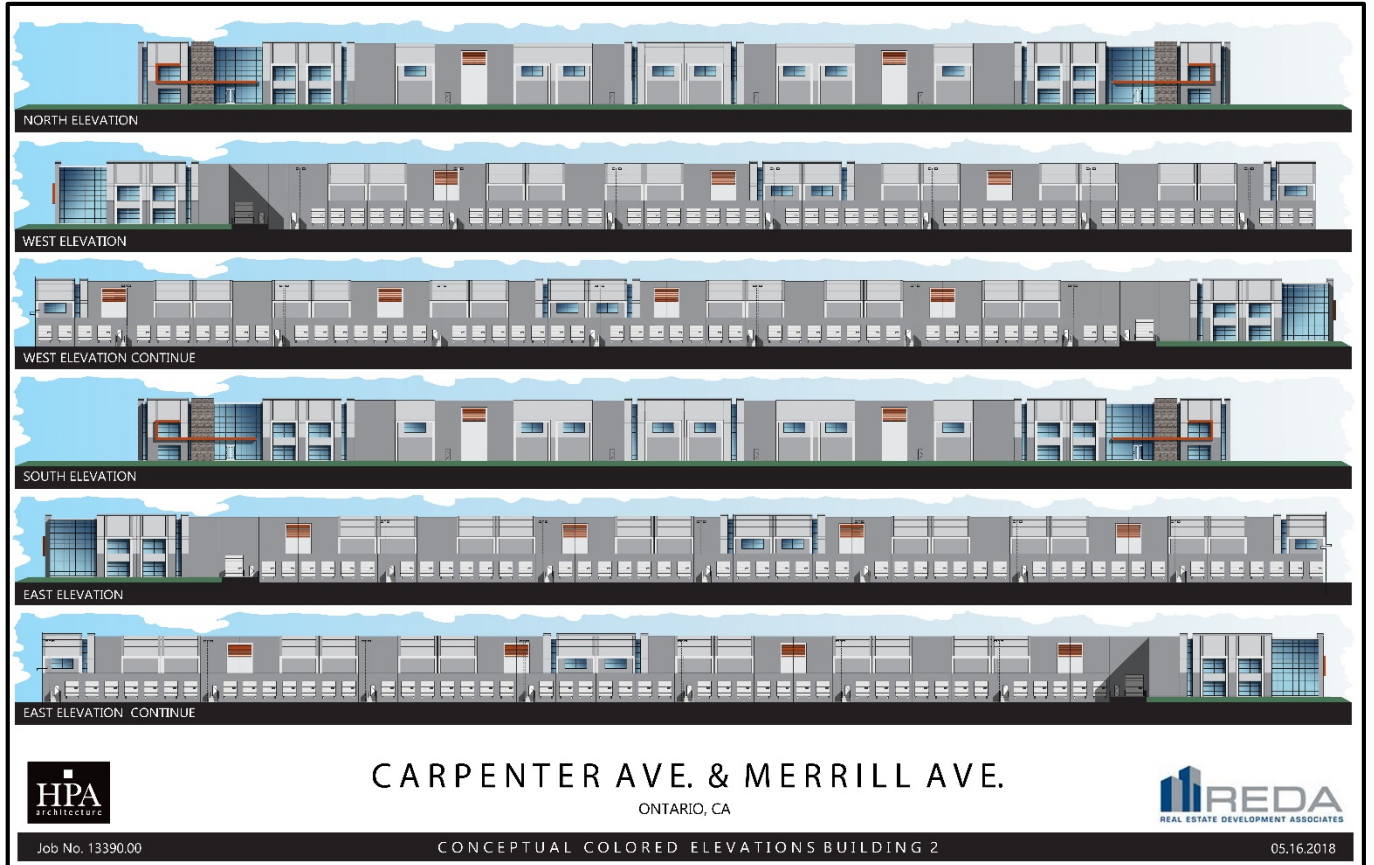
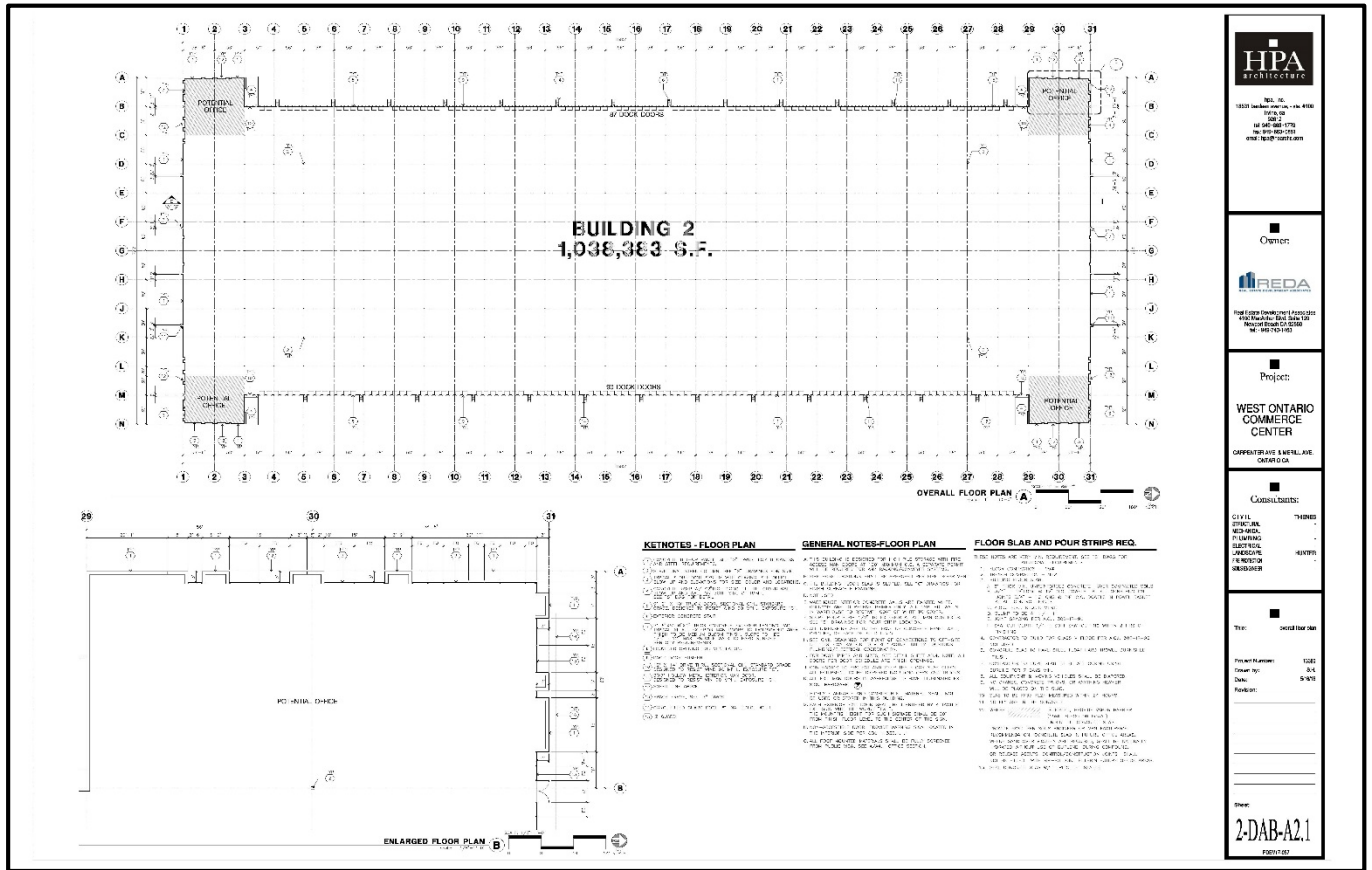


Exhibit G: Building 2 Floor Plan



Attachment "A"

FILE NO. PDEV17-057
DEPARTMENTAL CONDITIONS OF APPROVAL

(Departmental conditions of approval to 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: July 16, 2018

File No: PMTT17-011 and PDEV17-057

Related Files:

Project Description: A Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels in conjunction with a Development Plan (File No. PDEV17-057) to construct two industrial buildings totaling 2,217,016 square feet. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, located within the General Industrial and Business Park land use districts of the West Ontario Commerce Center Specific Plan. APNs: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18, **submitted by REDA, OLV.**

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

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

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

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

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel 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.

(b) 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 Subdivision Map.

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

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

(c) 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 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.

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

2.6 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) The Development Code (Section 6.03.020.B – Low Demand Parking Reduction) allows for a reduction in parking if an alternate off-street parking plan demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. Building 1 – Parking Alternative 1 Site Plan proposed the following parking spaces:

PARKING TABLE SUMMARY						
Type of Use	Building Area	Dock Doors	Parking Ratio	Spaces Required	Spaces Provided	TOTAL
Proposed Parking						
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	343	- 247
Trailer Truck Parking		191	1 space for every 4 dock high door	48	220	+ 172
	Building 2					
Warehouse/ Distribution	1,038,383		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	520	578	+ 58
Trailer Truck Parking		189	1 space for every 4 dock high door	47	229	+ 182
Proposed Parking - Alternative 1						
	Building 1					
Warehouse/ Distribution	1,178,633		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	590	590	+0
Trailer Truck Parking		189	1 space for every 4 dock high door	48	123	+ 75

(c) 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. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

(d) 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.

(e) 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.

(f) 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).

(g) 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).

2.7 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to the West Ontario Commerce Center Specific Plan and the Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of the West Ontario Commerce Center Specific Plan and the Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet

2.8 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to the West Ontario Commerce Center Specific Plan and Ontario Municipal Code 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.

2.9 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.

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

2.11 Signs. All Project signage shall comply with the requirements of the West Ontario Commerce Center Specific Plan and the Ontario Development Code Division 8.1 (Sign Regulations).

2.12 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).

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

(a) CC&Rs shall be prepared for the Project and shall be recorded concurrently with the final map.

(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 reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and 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 parking facilities and access drives; and

(iv) Utility and drainage easements.

(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.

2.14 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-002, the West Ontario Commerce Center Specific Plan for which an Environmental Impact Report (SCH#: 2017041074) was previously adopted by the City Council on July 3, 2018. 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.

2.15 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.

2.16 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.

2.17 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA17-003) shall apply to this development plan and parcel map.

(b) All applicable conditions of approval of the West Ontario Commerce Center Specific Plan shall apply to this development plan and parcel map.

(c) The outdoor break area landscaping and amenities shall be reviewed and approved by the Planning Department prior to issuance of building permits.

(d) All office entry paving shall be provided with an enhanced pavement treatment. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

(e) The future tenant shall provide a copy of the Alternative Parking site plan with the submittal of their Business License to verify that the proposed use meets the required number of parking spaces per the West Ontario Commerce Center Specific Plan.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company
Information Technology and Management Services Department conditions incorporated herein)

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19738 RELATED FILE NO(S). PMTT17-011 / PDEV17-057		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E. (909) 395-2137 ^{6/2}

CITY PROJECT PLANNER & PHONE NO: Henry Noh, (909) 395-2429

DAB MEETING DATE: June 18, 2018

PROJECT NAME / DESCRIPTION: PM-19738, A Tentative Parcel Map (TPM 19738) to subdivide 129.6 acres of land into 9 parcels within the West Ontario Commerce Center Specific Plan (APNs 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18.

LOCATION: Northeast corner of Merrill Avenue and Carpenter Avenue

APPLICANT: Real Estate Development Associates (REDA)

REVIEWED BY: Miguel Sofomayor 6/25/18
Associate Engineer Date

APPROVED BY: Khoi Do 6/26/18
Assistant City Engineer 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 PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 1. North side of Merrill Avenue to achieve the ultimate half street width of 54 feet (full ultimate ROW width is 108 ft) along the project frontage.
 2. South side of Eucalyptus Avenue to achieve the ultimate half street width of 54 feet (full ultimate ROW width is 108 ft) along the project frontage.
 3. East side of Carpenter Avenue to achieve the ultimate half street width of 33 feet along the project frontage.
 4. Hellman Avenue to achieve the ultimate width of 88 feet along the project frontage.
 5. Additional 23' on the north and south sides of Merrill and Eucalyptus Avenues respectively for neighborhood edge.
 6. Additional 18' on the each side of Hellman Avenue for neighborhood edges.
 7. Property line corner cut-back at all street intersections within the project boundaries.
- 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. 20' wide easement as shown on Tentative Parcel Map 19738 (No. 6) for the road purposes and ingress/egress adjacent to APN 0218-221-09.
 2. 10' wide public utility easement as shown on Tentative Parcel Map 19738 (No. 10) in favor of Southern California Edison and General Telephone Company.
 3. 10', 14' and 15' wide public utility easements as shown on Tentative Parcel Map 19738 (No. 2, 4 & 5) for pipeline, ingress, egress and repair purposes.
 4. 358' easement as shown on Tentative Parcel Map 19738 (No. 25) for the purpose of using, maintaining, repairing and replacing of waterlines.
 5. Existing southern 25' of Eucalyptus Access Road located between the project site and APN 0218-221-09 ("Not A Part"). Any existing overhead utilities within Eucalyptus Access Road shall be undergrounded per the City of Ontario's Ordinance.
 6. All interfering on-site easements shall be vacated and/or obtain non-interference letter from affected owner/utility company.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement across parcels 3-9. 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:
1. Applicant/developer shall provide private easement for cross lot drainage (as needed for Parcels 3-9), blanket emergency access and reciprocal access across all parcels in favor of all parcels.
 2. The Parcel Map shall comply with the approved West Ontario Commerce Center Specific Plan, the Development Agreement and the Conditions of Approval for this Tentative Parcel Map.
 3. Applicant/developer shall obtain all off-site right of way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

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

A. GENERAL

(Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Parcel Map No. 19738 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) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA) - Recycled Water connection/relocation**
- Other: City of Chino – for any improvements encroaching into the City of Chino**

- **Applicant/Developer shall obtain Non-Interference Letters from all affected owner/utility companies having rights of way interests within the project boundary.**

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, approximately \$3,881,780 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan. This amount represents the storm drain DIF for only Buildings 1 & 2, additional storm drain DIF will be required for parcels 3-9.
- 2.16 Other conditions: _____

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	Merrill Avenue	Eucalyptus Avenue	Hellman Avenue	Carpenter Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. N/O C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. S/O C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 32 ft. from C/L (Both Sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. East of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.F)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 60 ft. along project frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 22 ft. east of C/L along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" 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 <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements (see Sec. 2.F)	Widen the north half of the existing Merrill Avenue Bridge	Construct the Eucalyptus Avenue Bridge	_____	_____



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

1. The applicant/developer shall install all master planned utilities to be placed under new roadway designed to the ultimate condition.
- 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).**
 - 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 4,400 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:**

1. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations:** Per Sewer Master Plan Section 4-8, a Sewer Sub-Area Master Plan with Sewer Sizing and Design Calculations (SSAMP) shall be prepared for each Master Plan Sewer Trunk Tributary Area and for each Sub-Area (each Subdivision Map or Development Area). The SSAMP shall demonstrate that the trunk sewer shall be designed in such a way that it is hydraulically and physically capable of sewerage the entire tributary area; and shall demonstrate that the public sewer serving each Sub-Area shall be designed in such a way that it is hydraulically and physically capable of sewerage the entire designated Sub-Area. Design and construction for all sewer mains shall follow the corresponding SSAMP and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval, which may result in sewer design changes and sewer size changes.
 - a. A SSAMP was prepared for the Carpenter Trunk Sewer Tributary Area, which include sizing and design calculations for the Carpenter Trunk Sewer. Design and construction of the Carpenter Trunk Sewer shall follow the City approved SSAMP; and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval.
 - b. A SSAMP was prepared for the PM19738 which included a sewer main in Eucalyptus Avenue serving the west half of the Parkside Specific Plan Sub-Area. Design and construction of the all Sub-Area public sewer shall follow the City approved SSAMP; and any changes to the design assumption shall require the SSAMP to be revised and submitted for City approval.



2. **Sewer Improvements:** Prior to the issuance of any permits, the following sewer improvements shall be designed and constructed per City standards and design requirements (sizes may be updated based on revised SSAMP calculations):
 - a. **Carpenter Trunk Sewer:** Install the Sewer Master Plan Carpenter Trunk Sewer from just north of Eucalyptus Avenue and southerly to connect to the Eastern Trunk Sewer at Moon Place. Carpenter Trunk Sewer at minimum consists of: Installing a 21-inch main in Carpenter Avenue from just north of Eucalyptus Avenue to Merrill Avenue; and, installing a 24-inch main in Carpenter Avenue from Merrill Avenue to Remington Avenue; and, installing a 24-inch sewer main in Remington Avenue from Carpenter to Moon Place; and, installing a 24-inch sewer main in Moon Place from Remington Avenue to connect with IEUA's Eastern Trunk Sewer along the County Line.
 - b. Install a 10-inch sewer main in Merrill Avenue from Hellman Avenue west to connect to the Carpenter Trunk Sewer in Carpenter Avenue.
 - c. Install a 10-inch sewer Main in Hellman Avenue from just south of Eucalyptus Avenue to connect to the sewer in Merrill Avenue.
 - d. Install a 15-inch sewer in Eucalyptus Avenue from just west of Hellman Avenue west to connect to the Carpenter Trunk Sewer in Carpenter Avenue.
3. **Private Sewer Servicing Multiple Parcels:** the proposed sewer mains serving Parcels 3 to 6 and Parcels 7 & 8 shall be private and privately operated and maintained.
4. **Onsite Sewer System and Plumbing:** The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:
 - a. The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows can be upgraded in the future to have pretreatment equipment and devices on it, as required by a Wastewater Discharge Permit.
 - b. Each connection from the Onsite Sewer System to the Public Sewer System shall have a monitoring manhole prior to the point of connection with the public sewer system.
5. **Wastewater Discharge:** Each Occupant of the building, or units, 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 not limited to including: possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <input type="checkbox"/> 2.27 A _____ inch water main is available for connection by this project in _____
(Ref: Water plan bar code: _____) | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 2,600 feet away. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> 2.29 Other conditions: | <input type="checkbox"/> |
1. **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 a 24-inch 925PZ Potable Water main in Eucalyptus Avenue connecting from existing 24-inch 925PZ Potable Water main in Archibald Avenue and extending to Carpenter Avenue.
 - b. Install a 12-inch 925PZ Potable Water main in Merrill Avenue connecting from existing 12-inch 925PZ Potable Water main in Archibald Avenue and extending to



- Carpenter Avenue.
- c. Install a 12-inch 925PZ Potable Water main in Carpenter Avenue connecting from Eucalyptus Avenue and extending to Merrill Avenue.
 - d. Install a 12-inch 925PZ Potable Water main in Hellman Avenue connecting from Eucalyptus Avenue and extending to Merrill Avenue.

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) 395-2687 regarding this requirement.

- 2.34 Other conditions:
 - 1. **Recycled Water Improvements:** Prior to the issuance of any permits, the following recycled water improvements shall be designed and constructed per City standards and design requirements:
 - a. Install a 16-inch 930PZ Recycled Water main in Eucalyptus Avenue connecting from existing 16-inch 930PZ Recycled Water main in Archibald Avenue and extending to connect to the 30-inch IEUA 930PZ main in Carpenter Avenue.
 - b. Install a 12-inch 930PZ Potable Water main in Merrill Avenue connecting from existing 12-inch 930PZ Recycled Water main in Archibald Avenue and extending past the Carpenter Avenue intersection.
 - c. Install a 12-inch 930PZ Recycled Water main in Hellman Avenue connecting from Eucalyptus Avenue and connecting to Merrill Avenue.
 - d. Relocate existing IEUA Recycled Water Pressure Reducing Station in Carpenter Avenue and south of Eucalyptus to a location along the Carpenter Avenue, per IEUA and City requirements.
 - e. Relocate existing IEUA 30-inch 930PZ & 800PZ Recycled Water Main in Carpenter Avenue from just south of Merrill Avenue, along Carpenter Project frontage, to just north of Eucalyptus Avenue, unless otherwise approved by the City.

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. Design and construct all driveway approaches in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach. No decorative concrete shall be allowed in the public street right-of-way.



2. The applicant/developer shall be responsible to pay their appropriate fair share for traffic impacts identified in Table 1-1 of the approved Traffic Impact Analysis.
3. The applicant/developer shall be responsible to design and construct the ultimate half street improvements along the project frontage as follows:
 - Eucalyptus Avenue (108' R/W, 84' C/C) constructed to ultimate south half plus striped median, westbound circulation lane and 5' paved shoulder.
 - Carpenter Avenue (66' R/W, 48' C/C), constructed to ultimate east half plus the southbound circulation lane and 5' paved shoulder.
 - Merrill Avenue (108' R/W, 84' C/C) constructed to ultimate north half plus striped median, eastbound lane and 5' paved shoulder.

Improvements shall include appropriate pavement transitions and signing and striping as deemed necessary by the City Engineer.
4. The applicant/developer shall design and construct Hellman Avenue to its ultimate configuration. The street section for Hellman Avenue is 88' R/W, 64' C/C.
5. The applicant/developer shall be responsible to design and construct the following traffic signals:
 - Carpenter Avenue at Merrill Avenue (non-DIF)
 - Carpenter Avenue at Eucalyptus Avenue (non-DIF)
 - Hellman Avenue at Eucalyptus Avenue (1/2 Mile DIF)
 - Hellman Avenue at Merrill Avenue (1/2 Mile DIF)

The new traffic signals shall include, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
6. The applicant/developer shall be responsible to design and construct the following bridges:
 - Eucalyptus Avenue Bridge over Cucamonga Creek (DIF). Ultimate south half plus westbound circulation lane.
 - Widen the north half of the existing Merrill Avenue Bridge over Cucamonga Creek (DIF).
7. The applicant/developer shall be responsible to design and construct bus shelter facilities, including furniture and pads in accordance with Omnitrans Transit Design Guidelines. At a minimum, each stop shall include: Shelter, LED lighting, Benches, Map Case and Rear Metal Wall and Trash Receptacles. Locations include:
 - EB Eucalyptus Avenue at Hellman Avenue (DIF)
8. The applicant/developer shall be responsible to design and construct traffic signal interconnect, LED-type street-lighting, and signing & striping, wherever street improvements are required. Interconnect shall include conduit, pull-boxes, fiber, and pull rope. Supplemental communications devices, e.g. radios, etc., may be required to transmit data where new interconnect is not contiguous to existing traffic signal network.
9. Carpenter Avenue, Eucalyptus Avenue, Hellman Avenue and Merrill Avenue shall be posted "No Stopping and/or Parking Anytime".
10. During the development and construction of the Tract, at least two points of access shall be maintained at all times.
11. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing/striping and/or street lighting design.



12. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.

13. 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:**
 - 1. **The applicant/developer shall construct all master planned storm drain lines surrounding the project site and connection to the Cucamonga Creek 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 Other conditions: _____



J. SPECIAL DISTRICTS

- 2.47 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.
- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 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 located at Eucalyptus/Archibald and Merrill/Archibald. Generally located along the Merrill, Eucalyptus, Hellman and Carpenter Avenue project frontage.
- 2.50 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

- 2.51 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>
- 2.52 Other conditions:
1. **Solid Waste Handling Plan (SWHP):** For each Parcel or Site Plan, A SWHP and Report shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company. The SWHP shall follow the SWHP Guidance Document available from OMUC and shall have at minimum all the following elements:
- a. **SWHP Content and Format:** The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>) and shall contain, at a minimum, the following elements:
- i. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial with bins, etc.) and describing the solid waste handling operation (for instance, will there be scouting services, etc.)
 - ii. A table utilizing the metrics of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, organics, etc.).
 - iii. An Engineering Site Plan drawn to scale that shows :
 - A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
 - The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
 - All parking stalls and parallel parking spaces along all streets, alleys, or aisles.



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: PMTT17-011 / PDEV17-057 , and/or Parcel Map/Tract Map No. PM-19738

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: _____



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: Henry Noh, Senior Planner

DATE: May 18, 2018

SUBJECT: FILE #: PDEV17-057

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 **Monday, April 16, 2018**.

PROJECT DESCRIPTION: A Development Plan to construct two industrial buildings totaling 2,220,608 SF on 129.64 acres of land generally located on the north side of Merrill Avenue, south of Eucalyptus Avenue and East of Carpenter Avenue, within the West Ontario Commerce Specific Plan area (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-08, 0218-271-13, and 0218-271-18). Related File: PSP16-002.

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.

5/29/18

Landscape Planning Carolyn Bell Schandscape Architect
 Department Signature Title Date

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

5/29/18
 Date

Reviewer's Name:

Carolyn Bell, Sr. Landscape Planner

Phone:

(909) 395-2237

D.A.B. File No.:

(PSP16-002)

PDEV17-057 Rev 2

Case Planner:

Henry Noh

Project Name and Location:

West Ontario Commerce Center
 N of Merrill, S of Eucalyptus, E of Carpenter

Applicant/Representative:

MIG, Pamela Steele
 1500 Iowa Ave #110
 Riverside, CA 92507



A Preliminary Landscape Plan (dated 5/16/18) 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.

CORRECTIONS REQUIRED

Civil/ Site Plans

1. Show storm water infiltration areas and show basins and swales to be no greater than 50% of the width of the selected basin landscape area to allow for ornamental landscape. Provide a level grade minimum 6' from paving for landscape. **Show any basins or swales proposed.**
2. Dimension a 4' setback for backflows and transformers on plan from paving. **Show backflow devices on private property not in the ROW.**
3. Locate utilities including light standards, fire hydrants, and water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
4. 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. **Revise 2:1 slopes to 3:1**
5. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
6. Correct on plans to match specific plan, sections ok:
 - a. Hellman: Show a 7' parkway, 5' sidewalk and 18' neighborhood edge, landscape buffer, CFD maintained. Show a concrete mowstrip to separate CFD from private maintenance areas.
 - b. Merrill: Show a 7' parkway, 5' sidewalk and 23' neighborhood edge to include an 8' DG multipurpose trail. Move parking lots shown within the 23' neighborhood edge, landscape buffer, and show a concrete mowstrip at 23' setback.
 - c. Carpenter: Show a 7' parkway and 5' sidewalk.
7. Remove Modular Wetlands Units to an approved storm water system per engineering dept.

Landscape Plans

8. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy

width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.

9. Show backflows with 3' high strappy leaf landscape screening. Show transformers with 4' high evergreen shrub screening. **Show fire DCDA and screening**
10. Show all utilities on the landscape plans and coordinate to be clear of required tree locations.
11. Show landscaping in the perimeter planters. Show native trees and mulch along east PI. **Not corrected include** trees in the SE corner and building corners by the offices.
12. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end. **Missing at HC spaces.**
13. Verify recycled water is available and modify MAWA if not. Civil plans show potable water for irrigation.
14. Show accent plant area symbol different from shrubs and groundcover symbol. Tall shrubs noted for screening but not in legend.
15. Show proposed sign locations and accent landscape appropriate for types of signs.
16. Street trees for this project are: on Merrill: Quercus agrifolia and Cercis Forest Pansy; Eucalyptus: Pistache and Magnolia majestic beauty; Hellman: Celtis sinensis and Pinus eldarica and Cercis occidentalis. See the Ontario Ranch Streetscape Master Plan for street tree layout, typically 30' oc with double rows.
17. Show concrete mowstrips, **Remove note for mow- curb to be placed at street PL. See item #6 above for mow curb locations.**
18. **Show walls and call out height and material. Coordinate with civil plan and mow curb locations.**
19. 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. Use large box size for larger trees. Note additional tree bubblers for large box trees.
20. Show 25% of trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations. **Not corrected.**
21. Provide several varieties of shade trees (30' dia) in parking lots such as larger tree types in the larger planters to a monoculture.
22. Plans shall meet all the requirements of the Landscape Development Guidelines.
23. 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. Typical fees are:

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

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-057

Address: Southeast corner Eucalyptus Avenue & Carpenter Avenue

APN: 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct two industrial buildings totaling 2,220,608 SF

Site Acreage: 129.64 Proposed Structure Height: 40 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: 6/11/18

CD No.: 2017-086 Rev. 3

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 type="radio"/> 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: 110-130 ft

CONSISTENCY DETERMINATION

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

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The proposed project is located within the Airport Influence Area of Chino Airport and found to be consistent with the California Airport Land Use Planning Handbook provided the following conditions are met:

See Attached.

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING

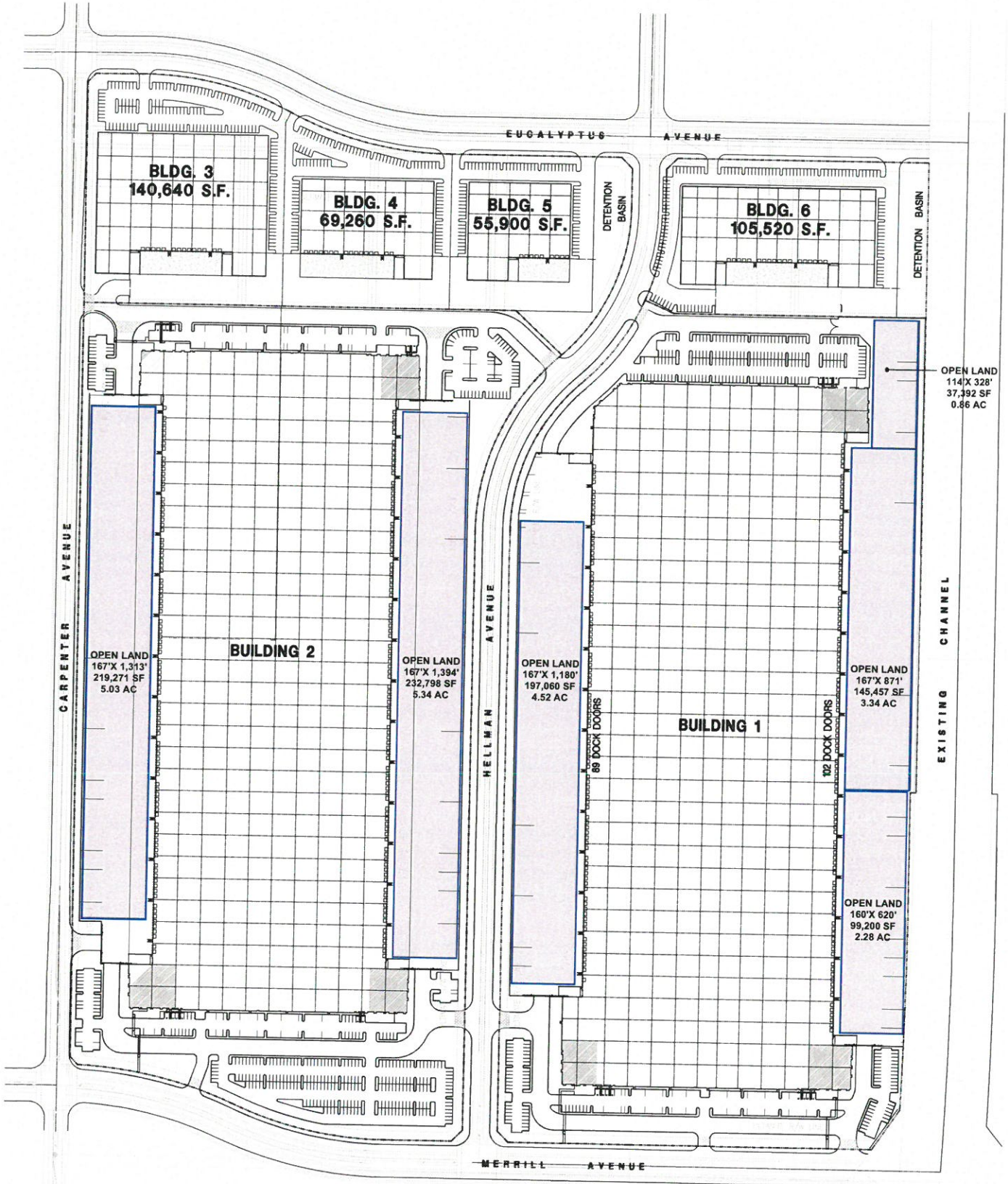
CONSISTENCY DETERMINATION REPORT

CD No.: 2017-086

PALU No.: _____

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 129.6 acres, 12.9 acres of open land is required and 21.3 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.



OPEN LAND AREA DATA TABLE

	BLDG (SF)	PARCEL (SF)	PARCEL (AC)	OPEN LAND (SF)	OPEN LAND (AC)	% OPEN LAND
TOTAL	2,220,608	4,273,513	98.1	931,178	21.3	21.8%



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

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

DATE: December 13, 2017

SUBJECT: PDEV17-057 - A Development Plan to construct two industrial buildings totaling 2,220,608 SF on 129.64 acres of land generally located on the north side of Merrill Avenue, south of Eucalyptus Avenue and East of Carpenter Avenue, within the West Ontario Commerce Specific Plan area (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-08, 0218-271-13, and 0218-271-18). Related File: PSP16-002.

-
- 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: III
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Building #1 – 1.18 MSF
Building #2 – 1.04 MSF
- D. Number of Stories: 1
- E. Total Square Footage: 2.22 MSF
- F. 2016 CBC Occupancy Classification(s): S

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 4000 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.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 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.
- 4.5 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.
- ☒ 4.9 Hose valves with one and one half inch (1 ½") connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

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.
- ☒ 5.6 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.
- ☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

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.

- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: Henry Noh, Planning Department

FROM: Douglas Sorel, Police Department

DATE: December 19, 2017

SUBJECT: PDEV17-057 – A DEVELOPMENT PLAN TO AN ADDITION TO AN EXISTING TWO INDUSTRIAL BUILDING AT EUCALYPTUS AND MERRILL

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. Due to the size of the proposed buildings, each number shall be at a minimum 6’ tall by 2’ wide. All other requirements stated in the Standard Conditions shall apply.
- 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) 395-2873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 16, 2018
SUBJECT: PDEV17-057

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

Conditions of Approval

1. Building 2 Address: 4810 S Hellman Avenue
2. Building 1 Address: 4815 S Hellman Avenue

KS:lm



Development Advisory Board Decision

July 16, 2018

DECISION NO.: [insert #]

FILE NO.: PMTT17-003 (TTM 20081)

DESCRIPTION: A Tentative Tract Map (File No. PMTT17-003/TTM 20081) to subdivide 44.98 into 76 numbered lots and 62 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan. APNs: 218-211-02 and 218-211-05; **submitted by Brookcal Ontario LLC.**

Part I—BACKGROUND & ANALYSIS

BROOKCAL ONTARIO, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PMTT17-003 (TTM 20081), 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 44.98 acres of land located at northeast corner of Ontario Ranch Road and Haven Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand Alone Residential Overlay)
<i>North</i>	Vacant/SCE Corridor	Open Space – Non Recreational	Rich Haven Specific Plan	SCE Easement/Gas Easement
<i>South</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 9A & 9B (Mixed-Use Overlay and Stand Alone Residential Overlay)
<i>East</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6B (Regional Commercial and Stand Alone Residential Overlay)
<i>West</i>	Residential Subdivision	Medium Density Residential	The Avenue Specific Plan	Medium Density Residential

(2) **Project Description:** A Tentative Tract Map PMTT17-003 (TTM 20081) to subdivide 44.98 into 76 numbered lots and 62 lettered lots for residential and commercial uses, public/private

streets, landscape neighborhood edges and common open space purposes. The commercial portion of the project is located at the southwest corner of the site and is 4.13 acres in size. The majority of the project site is being subdivided for residential purposes and accommodates 3 product types that include 6-pack cluster, Row Town Homes and Courtyard Town Homes totaling 485 units that are discussed further below:

- **6-pack Cluster** – The cluster product is concentrated along on eastern portion of the project site and include lots 5 thru 41 and lots 52 thru 75 for a total of 61 units;
- **Row Town Homes** – The Row Town Homes are located along the Haven Avenue and Ontario Ranch Road street frontages and include lots 3, 4 and 46 thru 51 for a total of 214 units; and
- **Court Town Homes** – The Court Town Homes are concentrated in the center and northern half of the project site and include lots 1, 2 and 42 thru 45 for a total of 210 units.

(3) **Site Access/Circulation** — The project site will have one access point from Haven Avenue which runs north and south along the western frontage of the site and two access points from Ontario Ranch Road, which runs east and west along the southern frontage of the site. The Tentative Tract Map will also construct the interior tract streets and private lanes that will provide access to the future residential development north and east of the project site.

(4) **Open Space** — The Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide a 3.4 acres parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61 acre neighborhood park that is centrally located within the tract and 3 pocket parks totaling 0.9 acres that are a ¼ acre or larger in size.

(5) **Rich Haven Specific Plan Consistency** — The Rich Haven Specific Plan allows the averaging of units between Planning Areas 6A and 9A to meet residential density requirements (14.0 – 50 du/ac). At 14 dwelling units per acre Planning Area 6A is required to construct 551 units. However, the project is proposing 485 units and is deficient by 66 units. As a result, any future development of Planning Area 9A shall be required to incorporate and additional 66 units from Planning 6A to maintain a minimum of 14 du/ac between the two planning 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 environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

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

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

WHEREAS, on July 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR Addendums and supporting documentation. Based upon the facts and information contained in the previous Certified EIR Addendums and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

(3) The previous Certified EIR Addendums 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 Addendums 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 Addendums, and all mitigation measures previously adopted with the Certified EIR Addendums, 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 Addendums that will require major revisions to the Certified EIR Addendums 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 Addendums were prepared, that will require major revisions to the Certified EIR Addendums 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 Addendums were certified/adopted, that shows any of the following:

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

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR Addendums; 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 Addendums would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 485 units within Moderate Income range consistent and within the specified ranges and unit counts allowed within the Available Land Inventory.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth

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

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

(1) **The proposed Tentative Tract/Parcel 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/Parcel Map is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan. 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*).

(2) **The design or improvement of the proposed Tentative Tract/Parcel 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 Mixed Use land use district of the Policy Plan Land Use Map, and the Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan. The proposed design 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; and
- 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 Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and is physically suitable for the type of residential and commercial development proposed in terms of zoning, land use and development activity proposed, and proposed site conditions.

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for residential and commercial development at a density of 14 DUs/acre and a floor area ratio of 0.70. The project site meets the minimum lot area and dimensions of the Rich Haven Specific Plan, and is physically suitable for this proposed density / intensity of development.

(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. In addition, the environmental impacts of this project were previously reviewed in conjunction with an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) and The Ontario Plan EIR (SCH# 2008101140). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(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 residential and commercial infrastructure 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, nor are there any 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.

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

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

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

APPROVED AND ADOPTED this 16th day of July 2018.

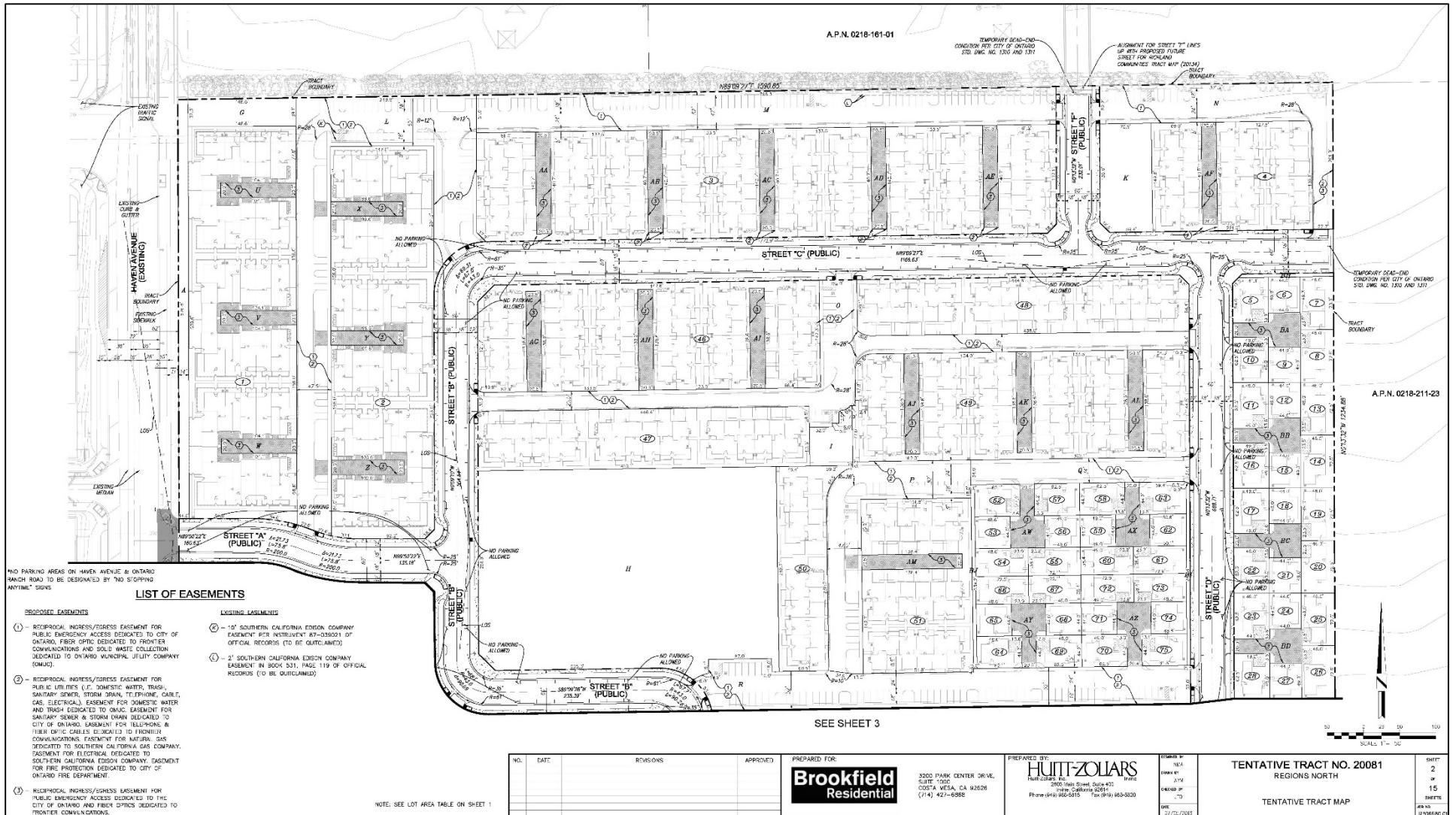
Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—ILLUSTRATIVE SITE PLAN





LIST OF EASEMENTS

- PROPOSED EASEMENTS**
- ① - RECIPROCAL INGRESS/EGRESS EASEMENT FOR PUBLIC EMERGENCY ACCESS DEDICATED TO CITY OF ONTARIO, FROM OPTIC DEDICATED TO FRONTIER COMMUNICATIONS AND SOLID WASTE COLLECTION DEDICATED TO ONTARIO MUNICIPAL UTILITY COMPANY (OMUC).
 - ② - RECIPROCAL INGRESS/EGRESS EASEMENT FOR PUBLIC UTILITIES (I.E. DOMESTIC WATER, TRASH, SANITARY SEWER, STORM DRAIN, TELEPHONE, CABLE, GAS, ELECTRICAL). EASEMENT FOR DOMESTIC WATER AND TRASH DEDICATED TO OMUC. EASEMENT FOR SANITARY SEWER & STORM DRAIN DEDICATED TO CITY OF ONTARIO. EASEMENT FOR TELEPHONE & FIBER OPTIC CABLES DEDICATED TO FRONTIER COMMUNICATIONS. EASEMENT FOR NATURAL GAS DEDICATED TO SOUTHERN CALIFORNIA GAS COMPANY. EASEMENT FOR ELECTRICAL DEDICATED TO SOUTHERN CALIFORNIA EDISON COMPANY. EASEMENT FOR FIRE PROTECTION DEDICATED TO CITY OF ONTARIO FIRE DEPARTMENT.
 - ③ - RECIPROCAL INGRESS/EGRESS EASEMENT FOR PUBLIC EMERGENCY ACCESS DEDICATED TO THE CITY OF ONTARIO AND FIBER OPTICS DEDICATED TO FRONTIER COMMUNICATIONS.
- EXISTING EASEMENTS**
- ④ - 10' SOUTHERN CALIFORNIA EDISON COMPANY EASEMENT PER INSTRUMENT 87-038021 OF OFFICIAL RECORDS (TO BE OBTAINED).
 - ⑤ - 2' SOUTHERN CALIFORNIA EDISON COMPANY EASEMENT IN BOOK 331, PAGE 119 OF OFFICIAL RECORDS (TO BE OBTAINED).
- NOTE: SEE LOT AREA TABLE ON SHEET 1

NO.	DATE	REVISIONS	APPROVED

PREPARED FOR:
Brookfield Residential
 2000 PARK CENTER DRIVE,
 SUITE 1000
 COSTA MESA, CA 92626
 (714) 447-0385

PREPARED BY:
HUNT-ZOLARS
 3000 GARDEN STREET, SUITE 400
 COSTA MESA, CA 92626
 (714) 447-0385

TENTATIVE TRACT NO. 20081
 REGIONS NORTH
 TENTATIVE TRACT MAP

DATE: 07/27/2018

SCALE: 1" = 30'

4834
 140865826.CD

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: July 16, 2018
File No: PMTT17-003 (TTM 20081)
Related Files: N/A

Project Description: A Tentative Tract Map (File No. PMTT17-003/TTM 20081) to subdivide 44.98 into 76 numbered lots and 62 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A (Regional Commercial and Stand Alone Residential Overlay) of the Rich Haven Specific Plan. (APNs: 218-211-02 and 218-211-05); **submitted by Brookcal Ontario LLC.**

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) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/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/Parcel 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 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 Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract 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 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.

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

2.6 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).

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

2.8 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).

2.9 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 reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and 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 parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&R's shall provide a communitywide plan for the following: 1) Garage inspection and enforcement; 2) Parking provisions and 3) Trash bin pick-up location (for each dwelling unit) that will be administered and enforced by the Home Owners Association.

(f) 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.

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

(h) 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.

2.10 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.

2.11 Environmental Review.

(a) The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. 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.

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) The Rich Haven Specific Plan allows the averaging of units between Planning Areas 6A and 9A to meet residential density requirements (14.0 – 50 du/ac). At 14 dwelling units per acre Planning Area 6A is required to construct 551 units. Any future development of Planning Area 9A shall be required to incorporate and additional 66 units from Planning 6A and maintain an overall minimum density 14 du/ac between Planning Areas 6A and 9A.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT17-003
 Address: NEC Ontario Ranch Road & Haven Ave
 APN: 0218-211-02 & 05
 Existing Land Use: Vacant/Dairy Farms
 Proposed Land Use: Tentative Tract Map for 70 numbered residential lots and 24 lettered lots
 Site Acreage: 45 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: Lorena Mejia
 Date: 4/18/17
 CD No.: 2017-018
 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 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.

See Attached

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-018
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: Lorena Mejia, Senior Planner
Planning Department

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

DATE: April 10, 2018

SUBJECT: PMTT17-003 – A Tentative Tract Map to subdivide approximately 45 acres of land into 70 numbered lots and 24 lettered lots located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the Rich Haven Specific Plan (APN(s): 0218-211-02 and 05).

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

See previous report dated April 27, 2017, for conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: April 27, 2017

SUBJECT: PMTT17-003 - A Tentative Tract Map To Subdivide Approximately 45 Acres Of Land Into 70 Numbered Lots And 24 Lettered Lots Located At The Northeast Corner Of Haven Avenue And Ontario Ranch Road, Within The Mixed Use Land Use District Of The Rich Haven Specific Plan (APN(S): 0218-211-02 And 05.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
-

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 (20) 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.

3.0 WATER SUPPLY

- ☒ 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.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 11, 2018
SUBJECT: PMTT17-003

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

Conditions of Approval

1. See previous report for conditions

KS:lm



CITY OF ONTARIO

MEMORANDUM

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

FROM: Lorena Mejia, Senior Planner

DATE: April 05, 2018

SUBJECT: FILE #: PMTT17-003

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 **Thursday, April 19, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide approximately 45 acres of land into 70 numbered lots and 24 lettered lots located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the Rich Haven Specific Plan (APN(s): 0218-211-02 and 05).

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.

5/9/18
Landscape Planning Carolyn Bell Sr. Landscape Architect
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: "Vacant", Development Director
Scott Murphy, Planning 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
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director
Jimmy Chang , IT Department
David Simpson, Development/IT (Copy of memo only)

FROM: Lorena Mejia, Senior Planner

DATE: February 22, 2017

SUBJECT: FILE #: PMTT17-003

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, March 8, 2017**.

- 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 approximately 45 acres of land into 70 numbered lots and 24 lettered lots, located at the northeast corner of Haven Avenue and Ontario Ranch Road within the Mixed Use land use district of the Rich Haven Specific Plan (APN(s): 0218-211-02 & 05.

- 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

3/13/17
Date

Engineering Department Conditions of Approval were not available at time of report distribution and will be provided at the Development Advisory Board meeting.



Development Advisory Board Decision

July 16, 2018

DECISION NO.: [insert #]

FILE NO.: PVAR18-003

DESCRIPTION: A Variance for a reduction in the minimum required front and exterior side (corner) setbacks of the California Commerce Center Specific Plan, from 35 feet to 20 feet for the Francis Street (front) setback, and from 35 feet to 12 feet for the Haven Avenue (exterior side) setback, to facilitate the construction of a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 East Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan (APN: 0211-281-56); **submitted by RGA Architects for Sares Regis Group.**

Part I—BACKGROUND & ANALYSIS

RGA ARCHITECTS FOR SARES REGIS GROUP, (herein after referred to as "Applicant") has filed an application requesting Variance approval, File No. PVAR18-003, 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 2.05 acres of land located at the southeast corner of Haven Avenue and Francis Street, at 3500 East Francis Street, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Industrial	SP (Specific Plan)	Rail Industrial (CCCSP)
<i>North</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>South</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>East</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>West</i>	Commercial Office & Very Light Industrial	Industrial	SP	Business Park (Acco Airport Center SP)

(2) **Project Description:** Proposed, is a Variance for the project site that would reduce the minimum required front and exterior side (corner) setbacks required by the California Commerce Center Specific Plan, from 35 feet to 20 feet for the project's Francis Street (front) setback, and from 35 feet to 12 feet for the project's Haven Avenue (exterior side) setback. The City's authority to grant a Variance from established development regulations is authorized by Government Code Section 65906, which provides that in cases where special circumstances applicable to a property exist, and the strict application of the development regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, the City may allow deviation from the strict application of the development regulations. To this end, the Development Code establishes five findings that must be clearly established by the Planning Commission, based on [a] information provided in the submitted application, [b] supporting evidence provided in the Planning Department's written report, and [c] testimony provided during the public hearing.

At first blush, a lot having an area in excess of two acres would seem to be of sufficient size to accommodate industrial development without the need for setback variances. Upon closer inspection, however, the configuration of the project site provides significant obstacles to development consistent with the standards and guidelines of the California Commerce Center Specific Plan (CCCSP). This is borne out by the fact that the project site is a triangular shaped lot having street frontages of approximately 515 feet on Haven Avenue and 390 feet on Francis Street, and a curving rear lot line that abuts a rail spur line, resulting in lots depths ranging from 30 feet at the south end of the site, 220 feet at the Haven/Francis intersection, and 160 feet at the site's east end. The project site is further constrained by:

- A dedicated right turn lane previously installed for northbound Haven Avenue traffic, further reducing the site's lot depth along the Haven Avenue leg of the triangle;
- An access restriction along the Francis Street frontage;
- Previous grading of the site to accommodate the Haven Avenue railroad underpass;
- Storm drain easements at the Haven/Francis intersection; and
- A CCSP requirement for a project gateway landscape feature at the Haven/Francis intersection.

It is staff's belief that the number and degree of constraints applicable to the project site results limited opportunities for building and parking placement on the property, and warrants support of the requested front and exterior side setback variances. Especially in light of the fact that the Applicant has attempted to mitigate the impacts of the reduced setbacks by placing the building at an angle, such that only small portions of the building extend into the setback. The result is an average building setback of 35 feet on both Haven Avenue and Francis Street.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 16, 2018, 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 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with a slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to [a] minor lot line adjustments, side yard and setback variances not resulting in the creation of any new parcel; [b] Issuance of minor encroachment permits; and [c] Reversion to acreage in accordance with the Subdivision Map Act.

(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: *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 3: *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 and 2, above, the DAB hereby concludes as follows:

(1) **The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.** The subject site has a unique triangular shape. Due to this unusual configuration, the strict interpretation of the setback requirement would deprive the property owner of the ability to construct a viable industrial building on the project site, which is a significant hardship to the development of the property, which can only be mitigated by the application of the requested setback variances from Haven Avenue and Francis Street.

(2) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.** The unique triangular shape of the project site creates an extraordinary circumstance in that its shape limits the ability of the property to be constructed with a viable industrial building, while still maintaining the required minimum front and exterior side building setbacks. However, with the application of the requested variances, the project is still able to maintain an average building setback equal to the required minimum 35-foot building setback required from both Haven Avenue and Francis Street.

(3) **The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.** The strict interpretation of the setback requirement coupled with the unique shape of the property significantly limits the project site's development potential and would deprive the property owner of the ability to establish a viable industrial building of similar size to that which could be constructed on a standardly configured lot within the same (Rail Industrial) CCCSP land use district.

(4) **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** Setback requirements help ensure that properties receive adequate light, air, visibility, access, etc. An average setback of more than 35 feet is maintained on both street frontages to accommodate these needs. Furthermore, a thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of enhanced architectural design elements on building exteriors, intensified landscape elements, and decorative paving.

(5) **The proposed Variance 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 the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.** The proposed Project is located with the Industrial land use district of the Policy Plan Land Use Map, and the Rail Industrial land use district of the CCCSP. The development standards and guidelines, 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.

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 5: 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 6: **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 16th day of July 2018.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

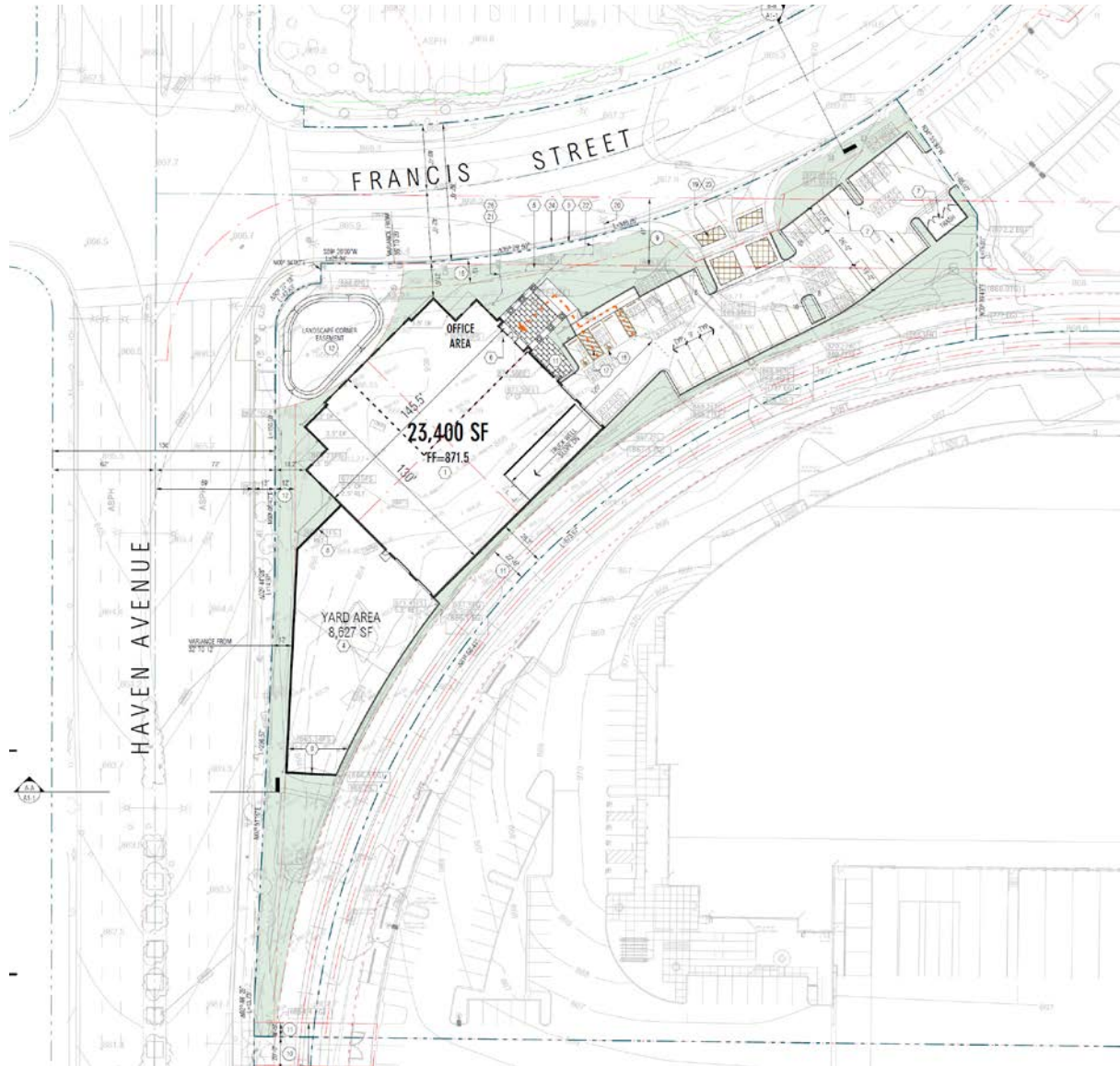
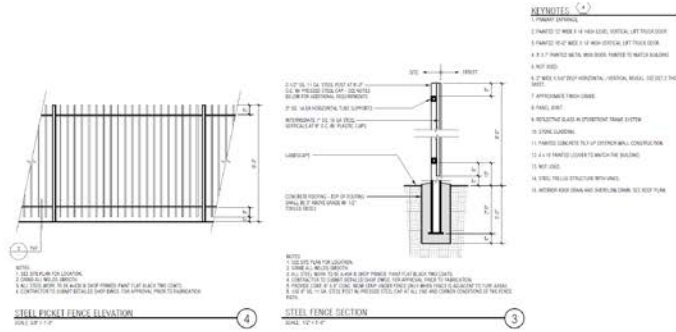


Exhibit C—EXTERIOR ELEVATIONS

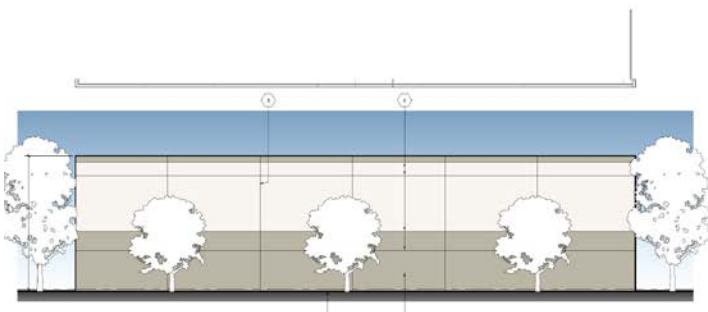


EAST ELEVATION
 SCALE: 1/8" = 1'-0"

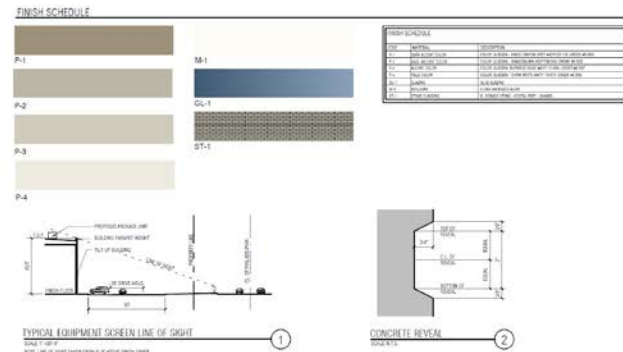


STEEL FENCE ELEVATION
 SCALE: 1/8" = 1'-0"

STEEL FENCE SECTION
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



TYPICAL EQUIPMENT SCREEN LINE OF SIGHT
 SCALE: 1/8" = 1'-0"

CONCRETE REVEAL
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

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: 7/16/2018
File No: PDEV18-019 & PVAR18-003
Related Files: N/A

Project Description: A Variance (File No. PVAR18-003) for a reduction in the minimum required front and exterior side (corner) setbacks of the California Commerce Center Specific Plan, from 35 feet to 20 feet for the Francis Street (front) setback, and from 35 feet to 12 feet for the Haven Avenue (exterior side) setback, to facilitate a Development Plan (File No. PDEV18-019) to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan. (APN: 0211-281-56); **submitted by RGA Architects for Sares Regis Group.**

Prepared By: Charles Mercier, Senior Planner
Phone: 909.395.2425 (direct)
Email: cmercier@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, 2010. 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 (File No. PDEV18-019) 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.

(b) The time limit for Variance approval (File No. PVAR18-003) shall be the same as the related Development Plan approval (File No. PDEV18-019). This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of the California Commerce Center Specific Plan and 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) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) Outdoor loading and storage areas, and loading doors, shall be fully screened from public view pursuant to the requirements of the California Commerce Center Specific Plan, as follows

(i) **The view of the proposed yard area from Haven Avenue shall be a fully screened by a decorative masonry wall (concrete block or tilt-up construction), which shall be designed to match the building architecture. The wall shall be of sufficient height to screen loading door openings from view from Haven Avenue, as determined by a sight line analysis provided with the construction drawings. The final wall design shall be subject to Planning Director approval.**

(ii) **The loading door openings proposed on the easterly building elevation shall be fully screened from view from Francis Street, by a decorative masonry wall (concrete block or tilt-up construction) that is designed to match the building architecture. The wall shall be of sufficient height to screen the loading door openings from view from Francis Street, as determined by a sight line analysis provided with the construction drawings. The final wall design shall be subject to Planning Director approval.**

(d) Gates to access outdoor loading and storage areas shall be view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

2.10 Signs. All Project signage shall comply with the requirements of the **California Commerce Center Specific Plan** and 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 Environmental Review. 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 33, In-Fill Development Projects) of the CEQA Guidelines, and is in full compliance with the following conditions:

(a) 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;

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

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

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

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

2.13 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 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.

2.14 Additional Requirements.

(a) **A Variance (File No. PVAR18-003) has been granted to allow deviation from the minimum required front and exterior side setbacks of the Rail Industrial land use district of the California Commerce Center Specific Plan, on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan, as follows:**

- (i) **A reduction in the minimum front setback for Francis Street, from 35 FT to 20 FT; and**
- (ii) **A reduction in the minimum exterior side setback for Haven Avenue, from 35 FT to 12 FT.**

(b) **A Development Plan (File No. PDEV18-019) has been granted to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan.**

(c) **The aforementioned Variance (File No. PVAR18-003) approval shall heretofore be inseparably tied to the aforementioned Development Plan (File No. PDEV18-019) approval.**



Development Advisory Board Decision

July 16, 2018

DECISION NO.: [insert #]

FILE NO.: PDEV18-019

DESCRIPTION: A Development Plan to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 East Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan (APN: 0211-281-56); **submitted by RGA Architects for Sares Regis Group.**

Part I—BACKGROUND & ANALYSIS

RGA ARCHITECTS FOR SARES REGIS GROUP, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV18-019, 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 2.05 acres of land located at the southeast corner of Haven Avenue and Francis Street, at 3500 East Francis Street, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Industrial	SP (Specific Plan)	Rail Industrial (CCCSP)
<i>North</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>South</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>East</i>	Industrial	Industrial	SP	Rail Industrial (CCCSP)
<i>West</i>	Commercial Office & Very Light Industrial	Industrial	SP	Business Park (Acco Airport Center SP)

(2) **Project Description:** The Applicant is requesting Development Plan approval for the construction of a 23,400-square foot industrial building on the project site. The proposed building is positioned diagonally on project site, facing the Haven Avenue/Francis Street intersection (see Exhibit B—Site Plan, attached). The front corners of the building extend into the required street setback areas for both Haven Avenue and Francis Street, requiring approval of a Variance (File No. PVAR18-003), which is being processed concurrently with this application.

The building's entry and office elements are situated at the northeasterly corner of the building, facing Francis Street. An 8,600-square foot outdoor storage area is accessed from the building's westerly side, adjacent to the project's Haven Avenue street frontage. The outdoor storage area extends into the required street setback area for Haven Avenue, requiring approval of the previously described Variance.

The applicant has proposed the use of an 8-foot high steel tube fence to secure the outdoor storage area. To ensure full screening of the area from public view, the Planning Department has imposed a condition of approval requiring that view of the area from Haven Avenue shall be a fully screened by a

decorative masonry wall (concrete block or tilt-up construction) designed to match the building architecture. The wall must be of sufficient height to screen loading door openings from view from Haven Avenue, as determined by a sight line analysis. The final wall design is subject to Planning Director approval.

A truck well interior to the building, which is accessed from the project's off-street parking area, is proposed at the southeast corner of the building. The Planning Department has imposed a condition of approval requiring that the proposed loading door openings must be fully screened from view from Francis Street by a decorative masonry wall. Like the screen wall required for the outdoor storage area, the wall must be designed to match the building architecture and must be of sufficient height to screen loading door openings from view from Haven Avenue.

On-site vehicular access will be from an existing drive approach on Francis Street, which will be limited to right-in/right-out movements. Reciprocal access rights with the neighboring industrial property to the east were previously established, granting access to the drive approach further east, on the adjacent property, which allows for full left-turn movements.

The CCCSP requires that off-street parking and loading spaces be provided pursuant to the requirements of the City's Development Code, and the building has been provided off-street parking in accordance with the Warehouse/Distribution Facility parking standards of the Development Code, shown below:

<u>Type of Use</u>	<u>Building Area</u>	<u>Parking Ratio</u>	<u>Spaces Required</u>	<u>Spaces Provided</u>
Warehouse/Distribution	23,400 SF	One space for each 1,000 SF of floor area for the first 20,000 SF, plus one space each 2,000 SF of floor area thereafter	22	36

The number of off-street parking spaces provided exceeds the minimum number of parking spaces required by the Development Code for Warehouse/Distribution Facilities. The increased number of parking spaces has been provided to afford increased flexibility in the types of industrial uses that may occupy the building, as well as potential increases in office area or the incorporation of manufacturing areas, as may be needed by potential tenants.

The proposed building is designed using concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, channel and V-groove reveals, clear anodized aluminum window mullions with blue glazing, and stone cladding and decorative steel trellises at key locations (see Exhibit C—Exterior Elevations, attached). Mechanical equipment will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens will be provided, which will incorporate design features consistent with the building architecture.

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code and CCCSP. This is exemplified through the use of [i] articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; [ii] articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; [iii] variations in building massing; [iv] a mix of exterior materials, finishes and fixtures; and [v] incorporation of base and top treatments defined by changes in color and materials, and changes in wall plane.

Substantial landscaping is proposed throughout setback areas, off-street parking areas, and stormwater retention areas (see Exhibit D—Preliminary Landscape Plan, attached). Although the project proposes reduced building setbacks along the Haven Avenue and Francis Street frontages, an overall landscape coverage of more than 24 percent has been provided (minimum 15 percent landscaping is required). Furthermore, a variety of accent and shade trees are proposed in 24-inch, 36-inch and 48-inch

box sizes, to enhance the project. In addition, decorative paving was previously installed at the project's Francis Street drive approach, and additional decorative pavement is proposed at other key locations throughout the project.

Public utilities (water and sewer) are available to serve the project, and laterals and meters were installed to the project site with the previous construction of Francis Street improvements. 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 a vegetated swales designed to accept runoff from building roofs, parking lots and project roadways, which lead to a detention basin at the Haven Avenue/Francis Street intersection, for stormwater infiltration. Any overflow drainage will be conveyed to Francis Street by way of parkway culvert.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 16, 2018, 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 33, In-Fill Development Projects) of the CEQA Guidelines, as it is consistent with each of the following conditions: [1] 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; [2] the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] the project site has no value as habitat for endangered, rare, or threatened species; [4] approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the SP (Specific Plan) zoning district, and is within the Rail Industrial land use district of the California Commerce Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code, the California Commerce Center Specific Plan, and the Rail Industrial land use district, including standards relative to the particular land use proposed (warehouse/distribution), 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 California Commerce Center 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 California Commerce Center Specific Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the California Commerce Center 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 (warehouse/distribution). 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 California Commerce Center Specific Plan

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

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

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

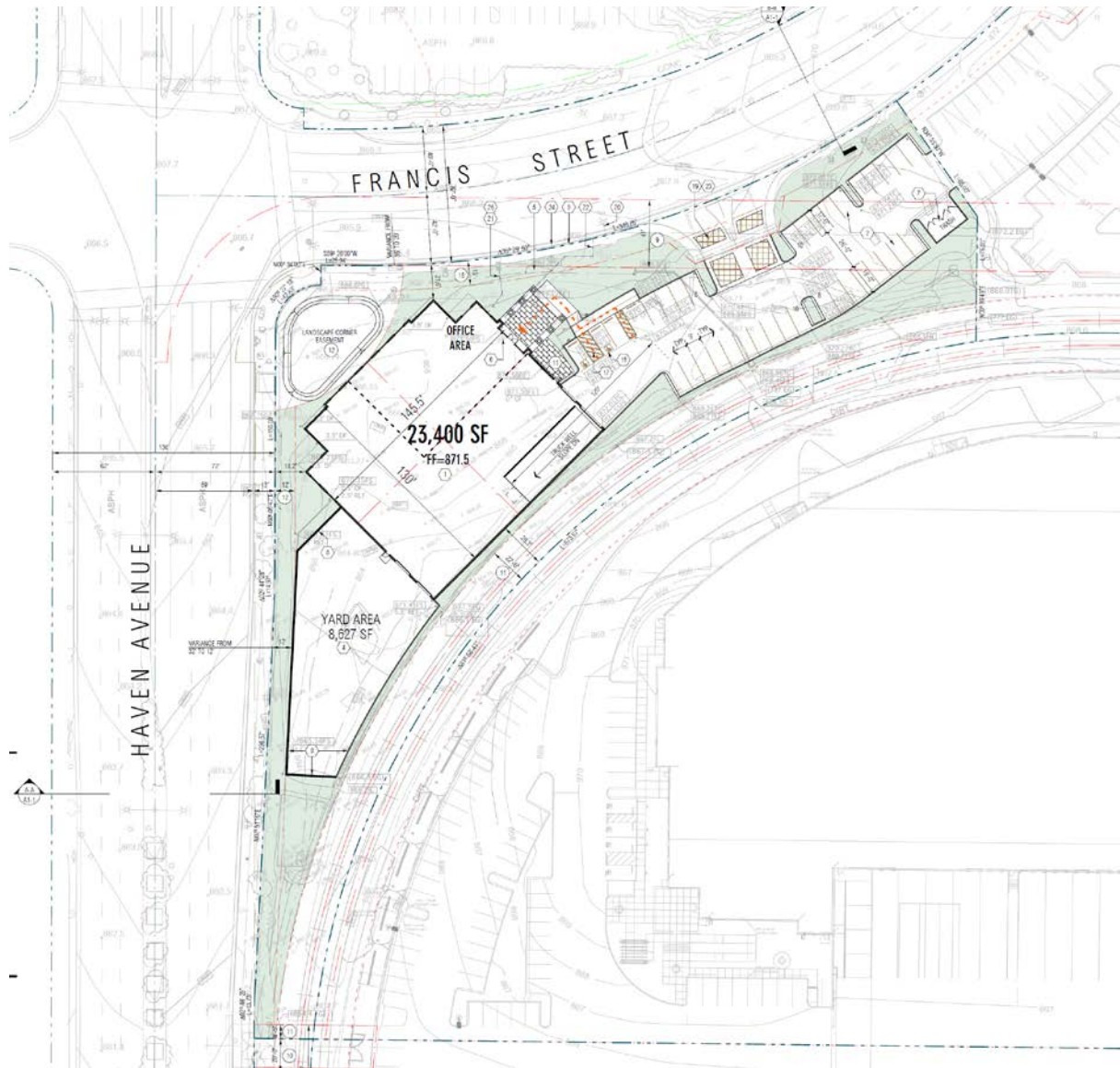
APPROVED AND ADOPTED this 16th day of July 2018.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—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: 7/16/2018
File No: PDEV18-019 & PVAR18-003
Related Files: N/A

Project Description: A Variance (File No. PVAR18-003) for a reduction in the minimum required front and exterior side (corner) setbacks of the California Commerce Center Specific Plan, from 35 feet to 20 feet for the Francis Street (front) setback, and from 35 feet to 12 feet for the Haven Avenue (exterior side) setback, to facilitate a Development Plan (File No. PDEV18-019) to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan. (APN: 0211-281-56); **submitted by RGA Architects for Sares Regis Group.**

Prepared By: Charles Mercier, Senior Planner
Phone: 909.395.2425 (direct)
Email: cmercier@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, 2010. 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 (File No. PDEV18-019) 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.

(b) The time limit for Variance approval (File No. PVAR18-003) shall be the same as the related Development Plan approval (File No. PDEV18-019). This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of the California Commerce Center Specific Plan and 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) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) Outdoor loading and storage areas, and loading doors, shall be fully screened from public view pursuant to the requirements of the California Commerce Center Specific Plan, as follows

(i) **The view of the proposed yard area from Haven Avenue shall be a fully screened by a decorative masonry wall (concrete block or tilt-up construction), which shall be designed to match the building architecture. The wall shall be of sufficient height to screen loading door openings from view from Haven Avenue, as determined by a sight line analysis provided with the construction drawings. The final wall design shall be subject to Planning Director approval.**

(ii) **The loading door openings proposed on the easterly building elevation shall be fully screened from view from Francis Street, by a decorative masonry wall (concrete block or tilt-up construction) that is designed to match the building architecture. The wall shall be of sufficient height to screen the loading door openings from view from Francis Street, as determined by a sight line analysis provided with the construction drawings. The final wall design shall be subject to Planning Director approval.**

(d) Gates to access outdoor loading and storage areas shall be view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

2.10 Signs. All Project signage shall comply with the requirements of the **California Commerce Center Specific Plan** and 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 Environmental Review. 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 33, In-Fill Development Projects) of the CEQA Guidelines, and is in full compliance with the following conditions:

(a) 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;

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

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

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

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

2.13 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 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.

2.14 Additional Requirements.

(a) **A Variance (File No. PVAR18-003) has been granted to allow deviation from the minimum required front and exterior side setbacks of the Rail Industrial land use district of the California Commerce Center Specific Plan, on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan, as follows:**

- (i) **A reduction in the minimum front setback for Francis Street, from 35 FT to 20 FT; and**
- (ii) **A reduction in the minimum exterior side setback for Haven Avenue, from 35 FT to 12 FT.**

(b) **A Development Plan (File No. PDEV18-019) has been granted to construct a 23,400-square foot industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, at 3500 Francis Street, within the Rail Industrial land use district of the California Commerce Center Specific Plan.**

(c) **The aforementioned Variance (File No. PVAR18-003) approval shall heretofore be inseparably tied to the aforementioned Development Plan (File No. PDEV18-019) approval.**

**CITY OF ONTARIO
LANDSCAPE PLANNING
DIVISION**

303 East "B" Street, Ontario, CA 91764

PRELIMINARY PLAN CORRECTIONS

Sign Off

<i>Carolyn Bell</i>	7/10/18
Carolyn Bell, Sr. Landscape Architect	Date

Reviewer's Name: Carolyn Bell, Sr Landscape Architect	Phone: (909) 395-2237
-----------------------------------------------------------------	---------------------------------

D.A.B. File No.: PDEV18-019	Case Planner: Chuck Mercier
--------------------------------	--------------------------------

Project Name and Location: Industrial Warehouse Building SEC Francis and Haven Ave, 3500 East Francis St

Applicant/Representative: RGA Architect/ Jacob Huber 15231 Alton Parkway ste 100 Irvine, CA 92618

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 6/6/18) 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.
-------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.
--------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------

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

Civil/ Site Plans

1. A1- 1P revise call out 8, vines do not climb up a picket fence. Note 15 gallon evergreen shrubs or block wall with vines.
2. Sht 3, move domestic water service line connection in Francis St east. Note 5' setback for backflow devices from paving and move swale to locate on level grade.
3. Sht 3, move fire water service line connection in Francis St east (to original proposed water line location #3 above). Note 5' setback for backflow devices from paving and move swale to locate on level grade.
4. Sht 2 Remove large area of gravel from water quality infiltration trench, 3'x3' area of rip rap at inlets ok.
5. Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
6. 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. Located on level grade. Coordinate with landscape plans.
7. 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.
8. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs, or 12" wide pavers or DG paving with aluminum edging where parking spaces are adjacent to planters.
9. Show ADA access route from the public sidewalk,

Landscape Plans

10. Show backflows, trash enclosures and transformers, with setbacks noted above with

landscape that is coordinate with the site plant palette (not a hedge encircling the utility).

11. Show all utilities on the landscape plans. Coordinate so utilities are clear of required trees.
12. Show 5' sidewalk, parkway landscape and street trees evenly spaced 30' apart. Refer to the landscape section of the revised California Commerce Center Specific plan (except for the use of turf grass). Show the 25' landscape easement on Haven, and V-44 street trees masses Canary Island Pine background tree and Quercus suber at sidewalk. Pages V-67- V-93, Secondary Identify statement exhibit 35 C with a 90' landscaped radius at the corner, evergreen columnar trees background (Bracychiton, Tristania) and flowering canopy trees (Magnolia, Chorisia, Jacaranda) foreground, no berm. Show buffer planting along rail road right of way: Pinus halepensis, Tristania Conferta shrubs: Elaeagnus, Heteromeles V-72.
13. Note that irrigation shall provide separate systems for tree stream bubblers with pc screens.
14. Parkways shall be planted with lawn replacements such as Kurapia, Yarrow, Fragaria, etc.
15. Provide an appropriate hydroseed plant mix for water quality basins and swales.
16. Dimension basins and swales to be no greater than 60% of the on-site landscape width to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving for safety and min 5' along parking lots for hedge row and trees.
17. Provide agronomical soil tests at 12" depth and include independent lab report on landscape construction plans. Sewage sludge or biosolids are not allowed. Note "Contractor shall install amendments per plan and then take a new soil test and provide report to landscape architect and city inspector to verify amendments installed are satisfactory prior to planting. Landscape architect shall verify report with amendments receipts on certificate of compliance.
18. Call out all fences and walls, materials proposed and heights.
19. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas.
20. 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.
21. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
22. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
23. 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.
24. 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

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Charles Mercier
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 15, 2018
SUBJECT: PDEV18-019

-
- 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 3500 E Francis St

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Charles Mercier, Senior Planner
Planning Department

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

DATE: June 12, 2018

SUBJECT: PDEV18-019 - A Development Plan to construct a 23,400 SF industrial building on 2.05 acres of land located at the southeast corner of Francis Street and Haven Avenue, within the Rail Industrial land use district of the California Commerce Center Specific Plan (APN: 0211-281-56). Related Files: PVAR18-003, PGPA18-001 & PSPA18-002

-
- 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: Not Listed (Type II)
- B. Type of Roof Materials: Ordinary / Panelized
- C. Ground Floor Area(s): 23,400 Sq Ft
- D. Number of Stories: One
- E. Total Square Footage: 23,400 Sq Ft
- F. 2016 CBC Occupancy Classification(s): Not Listed

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 2250 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 feet (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

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.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Charles Mercier, Planning Department

FROM: Douglas Sorel, Police Department

DATE: June 19, 2018

SUBJECT: PDEV18-019 – A DEVELOPMENT PLAN TO CONSTRUCT A
SPECULATIVE INDUSTRIAL WAREHOUSE BUILDING AT FRANCIS
STREET AND HAVEN AVENUE

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. Each number 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) 395-2873 with any questions or concerns regarding these conditions.



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: Charles Mercier, Senior Planner

DATE: June 11, 2018

SUBJECT: FILE #: PDEV18-019 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, June 25, 2018**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 23,400 SF speculative industrial warehouse building locate on 2.05 acres on the southeast corner of Francis St & Haven Ave, within the Commercial/Food/Hotel land use designation of the California Commerce Center Specific Plan [Related Files: PGPA18-001 & PSPA18-002].

APN: 0211-281-56

- 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.

Code
Department

Joe De Sousa
Signature

Supervisor
Title

6-12-18
Date

Engineering Department Conditions of Approval were not available at time of report distribution and will be provided at the Development Advisory Board meeting.



Development Advisory Board Decision

July 16, 2018

DECISION NO.: [Insert DAB Decision No.]

FILE NO.: PDEV17-037

DESCRIPTION: A Development Plan (File No. PDEV17-037) to add a 5,007 square foot addition to an existing Arco AM/PM service station with a convenience store that will include: 1) A new 1,369-square foot automated car wash; 2) A 290-square foot convenience store addition; and 3) A new 3,348-square foot fuel canopy, for property on 0.90 acres of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan. APN: 1050-491-08; **submitted by Empire Design Group, Inc.**

Part I—BACKGROUND & ANALYSIS

EMPIRE DESIGN GROUP, INC. (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV17-037, 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 0.90 acres of land located at 2156 S. Grove Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Arco Gas Station	Business Park	Grove Avenue Specific Plan	Commercial
<i>North</i>	Caltrans Facility	Business Park	Grove Avenue Specific Plan	Office/Commercial
<i>South</i>	Lowe's Shopping Center	General Commercial	Community Commercial	N/A
<i>East</i>	Vacant Land	Business Park	Grove Avenue Specific Plan	Business Park
<i>West</i>	Caltrans Facility	Business Park	Grove Avenue Specific Plan	Office/Commercial

(2) **Project Description:**

Background — On April 6, 1995, the Planning Commission approved a Site Plan and Conditional Use Permit (File No. 4841-S/CUP) for the construction of a 2,838 square-foot AM/PM Mini Mart located on the subject property.

On August 7, 2017, Empire Design Group, Inc. submitted a Development Plan to construct a new 1,369 square foot self-serve carwash, a 290 square foot convenience store addition, and a new 3,348 square foot fuel canopy at the subject location. Car wash facilities ancillary to fueling stations are permitted within the Commercial land use designation of the Grove Avenue Specific Plan.

Site Design/Building Layout — The existing Arco AM/PM gas station is comprised of an existing convenience store and a fuel canopy with four fuel pump stations. The gas station is surrounded by a Caltrans outdoor storage facility to the north and west sides of the property (**Exhibit A: Project Location Map**). The project proposes a new 990 square foot self-service carwash that includes a 379 square foot office that will be utilized by the store manager. The applicant has designed the proposed carwash bay to be away from public view. The new carwash facility and office will be located towards the northwest corner of the property, behind the existing convenience store. The exit of the car wash tunnel will be oriented toward Grove Avenue (approximately 135 feet from the east property line). Two new vacuum cleaning stalls are located on the northeast corner of the property.

The proposed carwash floor plan includes a carwash bay (45'X22') and an equipment room. The 379 square foot office consists of a (18'X21') office area, a closet, and a small restroom (**Exhibit C: Floor Plan**). The main sales office will be located inside the existing convenience store.

The new 3,348 square-foot fuel canopy (46'X72') will have six fuel pump stations and will be constructed towards the southeast corner of the property, approximately 29 feet from Grove Avenue and 53 feet from Philadelphia Street. Patrons utilizing the self-serve carwash facility will enter the site through an existing 40 foot wide drive aisle located on the southwest side of the property. A secondary drive aisle, located on the northeast corner of the property, will provide access to the fuel station and the convenience store (**Exhibit B: Site Plan**). The 290 square foot (22'X13') convenience store addition will be added towards the rear of the store, between the new carwash building and the convenience store and will not be visible from public view. This area will be used as an additional storage room for the convenience store.

Site Access/Circulation — Access to the site will be provided by two drive aisles. One is located along the northeast side (Grove Avenue) and the second, along the southwest side (Philadelphia Street) of the project site. The drive aisle located on the southwest corner of the site will be a shared 40-foot ingress/egress drive aisle that will provide access into the new carwash facility. Patrons will enter the carwash tunnel on the south and exit on the northeast side (**Exhibit B: Site Plan**). Access to the new 379 square foot office will be provided through a sidewalk on the northeast side of the office.

Parking — The project is required to provide a minimum of 24 off-street parking spaces pursuant to the parking standards specified in the Development Code and 25 parking spaces will be provided, exceeding the minimum parking requirement. The project will provide off-street parking pursuant to the type of uses & parking standards specified in the Ontario Development Code, as shown on Table 1 – Parking Analysis below:

Parking Summary Table 1				
Type of Use	Building Area (Sq. Ft.)	Parking Ratio	Spaces Required	Spaces Provided
Car Washes, Full-Service and Self-Service (Ancillary to existing gas station)	990 SF	One space per employee, minimum 10 spaces; plus required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses).	10	10
Convenience Retail Store -Existing Area -Proposed Addition	2,803 SF 290 SF	4 spaces per 1,000 SF of Gross Floor Area	12	13
Office	379 SF	4 spaces per 1,000 SF of Gross Floor Area	2	2
TOTAL	1,659 SF		24	25

Parking will be conveniently located along the front of the convenience store (East Elevation) and also scattered along the north & south sides of the project site.

Architecture — The project will feature a modern architecture style that exemplifies the high quality architecture required by the Ontario Development Code and the Grove Avenue Specific Plan. This is demonstrated by the incorporation of the following architectural treatments to the proposed carwash building, convenience store, and fuel canopy structure (**Exhibit D: Elevations**):

- Smooth machine troweled stucco finish;
- Chiseled stone caps;
- El Dorado stone base treatment on carwash and store;
- A 4-inch recessed windows on carwash' s southeast elevation with anodized mullion window system;
- El Dorado stone with chiseled stone cap and foam shaped cornice on all gas canopy columns; and
- Trellis with vine treatments on the convenience store's north, east, and south elevations.

Landscaping — The Specific Plan requires a minimum of 15% landscaping coverage, and 24% will be provided, exceeding the minimum requirements (see **Exhibit E: Conceptual Landscape Plan**). The landscape plan proposes a variety of new trees and shrubs throughout the site, such as:

- 3 x Coast Live Oak Trees (24" box);
- 3 x Jacaranda Trees (36" box);
- 7 x Shademaster Locust Trees (15-Gallon);
- An assortment of low-water use shrubs and vines (1-Gallon to 5-Gallon).

The project provides landscaping along both street frontages, on Grove Avenue and Philadelphia Street, and also along the north and west sides of the site. The project is proposing 20' landscape setback along Grove Avenue and Philadelphia Street, which will meet the minimum landscape requirements for the Grove Avenue Specific Plan.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Developments) of the CEQA Guidelines, which consists of projects characterized as in-fill development and meeting 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; and
- 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Business Park land use district of the Policy Plan Land Use Map, and the Commercial land use designation of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed carwash facility will provide the area with an additional service, promoting a variety of land uses and building types in the area, per LU1-6 (Complete Community). Additionally, the project will be well landscaped, and will contribute to the overall streetscape along Grove Avenue, per CD2-9 (Landscape Design) and CD3-6 (Landscaping); 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 Grove Avenue Specific Plan, including standards relative to the particular land use proposed (carwash), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is bordered by commercial uses to the south and currently contains an Arco AM/PM gas station. The proposed one-story carwash building, convenience store, and fuel canopy additions will not impose any privacy or view issues; 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 DAB (Development Advisory Board) has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Grove Avenue Specific Plan. The proposed project is complementary to the surrounding commercial development to the south, in terms of use, and will provide a landscape buffer along Grove Avenue and Philadelphia Street; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Grove Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed. The project as proposed, meets all design guidelines, including parking, landscaping, setbacks, FAR, fencing, noise and debris attenuation, and circulation. As a result of this review, the Development Advisory Board (DAB) has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Grove Avenue Specific Plan and the City's 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 16th day of July, 2018.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit C—CARWASH & OFFICE FLOOR PLAN

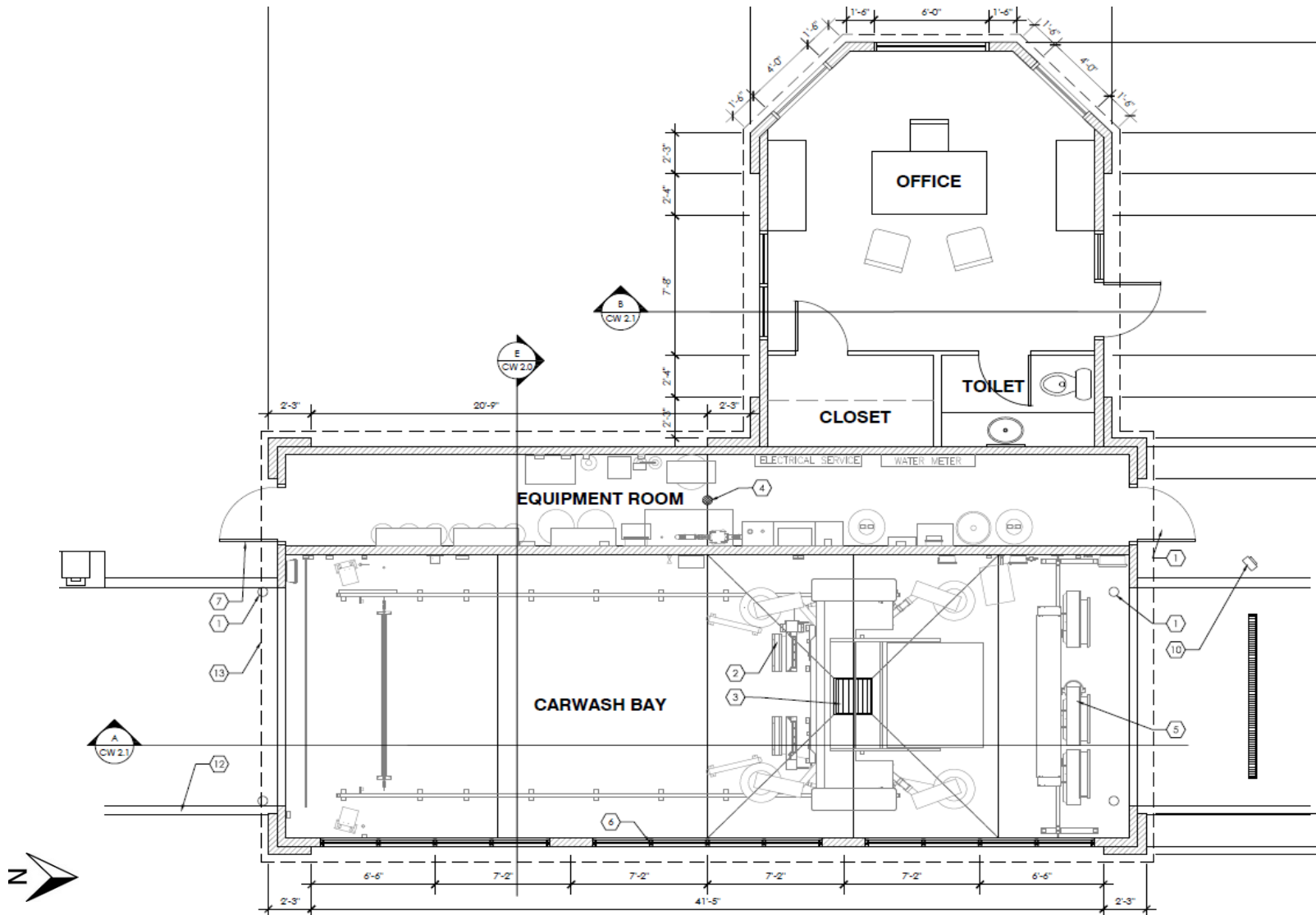


Exhibit D— CONVENIENCE STORE FLOOR PLAN

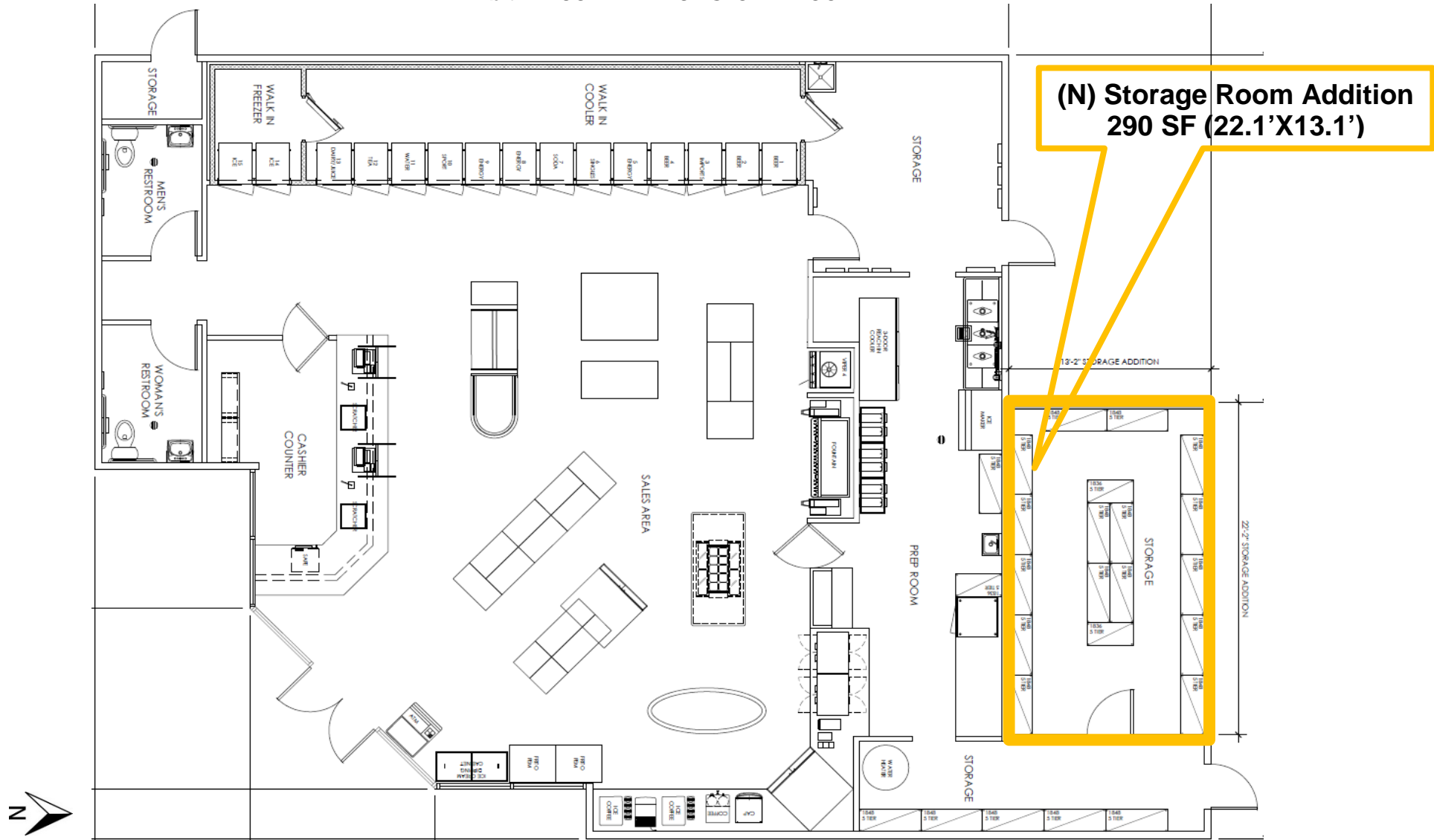
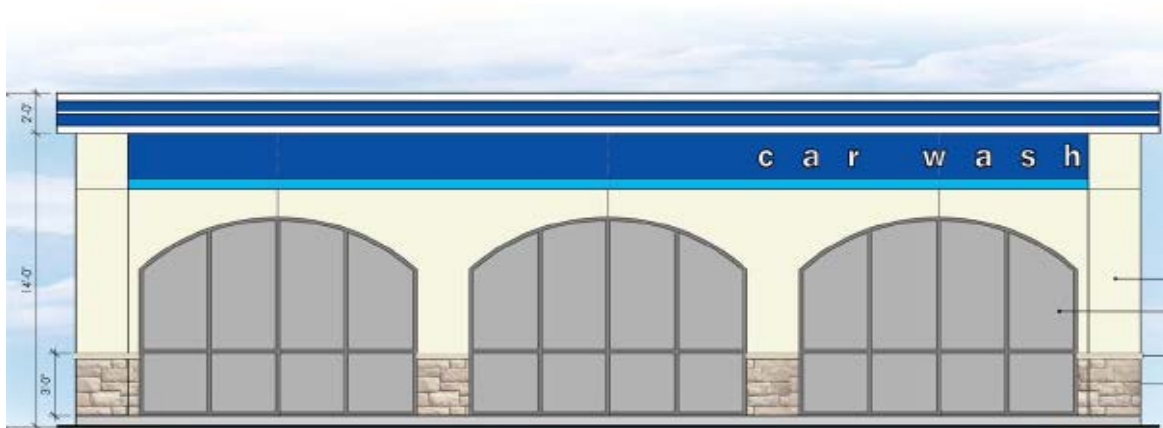


Exhibit F— CARWASH ELEVATIONS

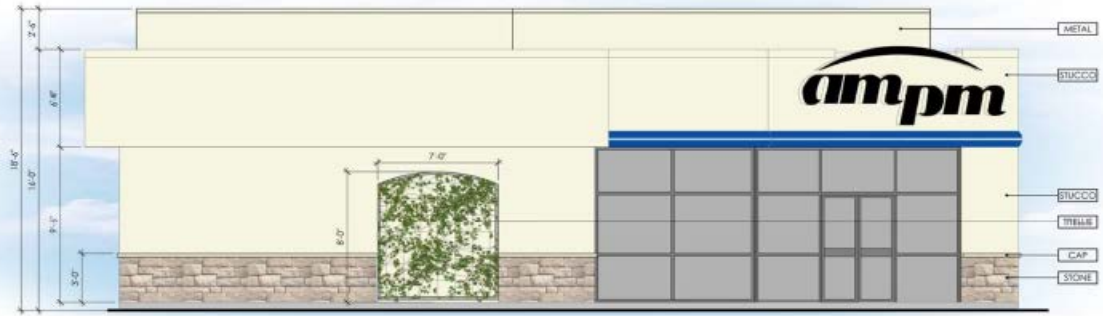


A CAR WASH FRONT ELEVATION
SCALE: 1/4"=1'-0"



CAR WASH RIGHT ELEVATION

Exhibit G— CONVENIENCE STORE ELEVATIONS

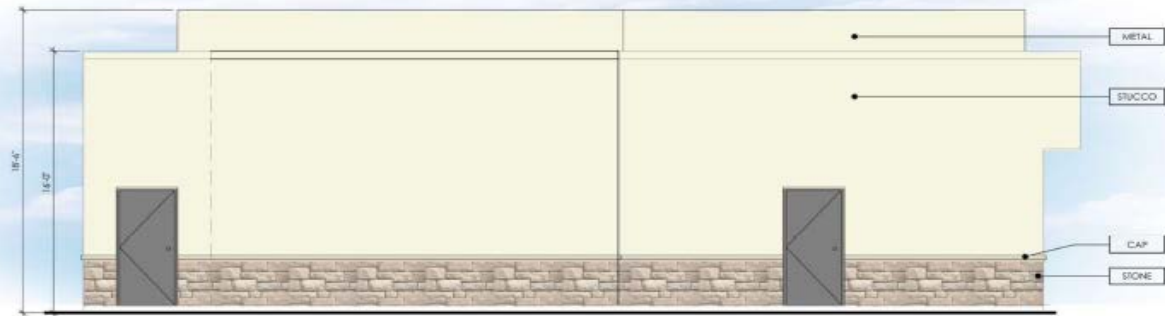


A C-STORE SOUTH-EAST ELEVATION
SCALE: 1/4"=1'-0"



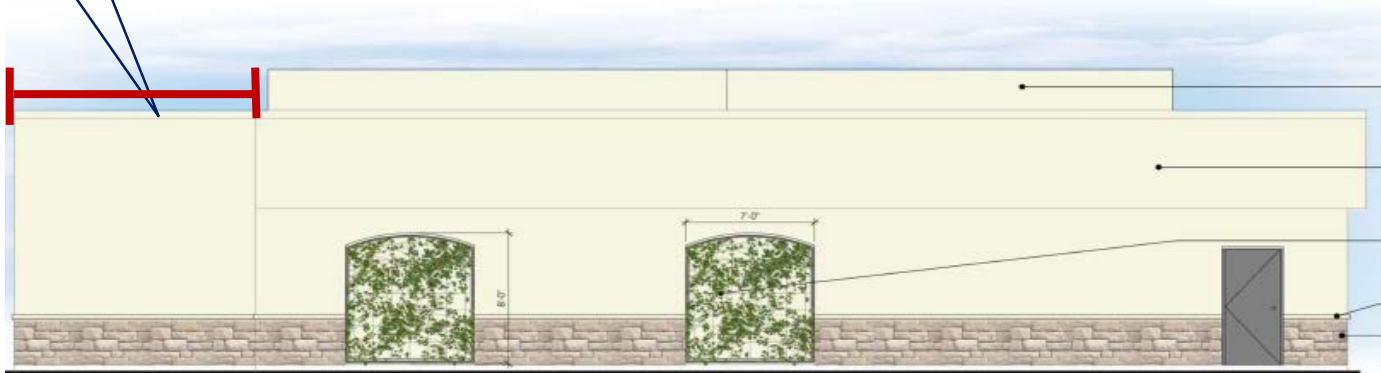
B C-STORE NORTH-EAST ELEVATION

Exhibit H – CONVENIENCE STORE ELEVATIONS



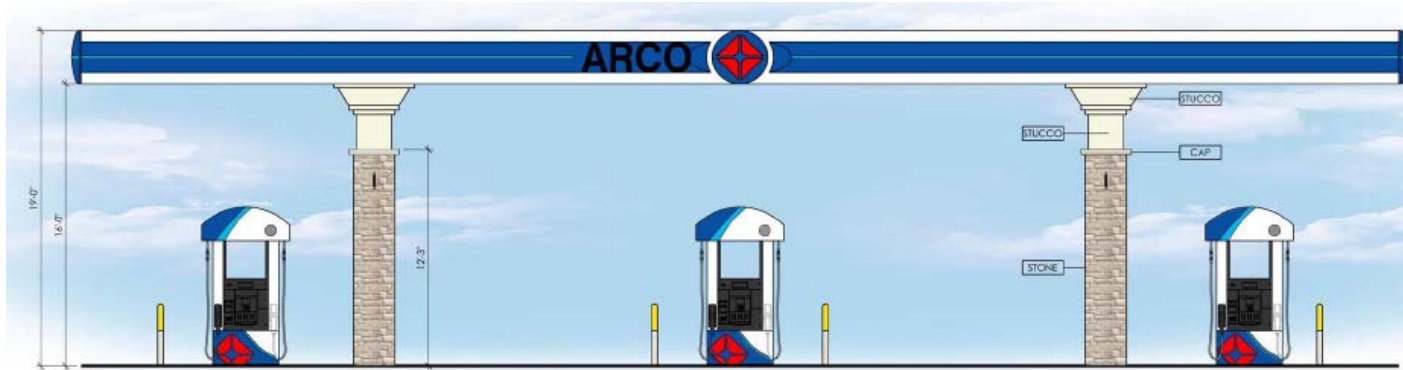
C C-STORE NORTH-WEST ELEVATION
SCALE: 1/4"=1'-0"

New Storage Room
Addition (13'X22')



D C-STORE SOUTH-WEST ELEVATION

Exhibit I – FUEL CANOPY ELEVATIONS



A CANOPY FRONT ELEVATION
SCALE: 1/4"=1'-0"



B CANOPY SIDE ELEVATION
SCALE: 1/4"=1'-0"

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: July 16, 2018

File No: PDEV17-037

Related Files: None

Project Description: A Development Plan (File No. PDEV17-037) to add 5,007 square feet addition to an existing Arco AM/PM service station with a convenience store to include: 1) A new 1,369-square foot automated car wash; 2) A 290-square foot addition to the existing convenience store; and 3) A new 3,348-square foot fuel canopy, for property on 0.90 acres of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan. APN: 1050-491-08; **submitted by Empire Design Group, Inc.**

Prepared By: Denny D. Chen
Phone: 909.395.2424 (direct)
Email: dchen@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) 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).

2.5 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 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). All proposed signage requires a separate sign permit review and approval.

2.8 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).

2.9 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.

2.10 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.

2.11 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.

2.12 Additional Requirements.

(a) Applicant shall work with Planning Department staff during the plan check process to ensure that all building elevations & architectural treatments are consistent with the approved building elevations.

(b) The Arco AM/PM store shall obtain and maintain a City Business License for the operation of the new carwash facility.

(c) Bollards shall be provided around all fuel pump stations to protect them from car damage.

(d) The four (4) metal trellis provided along north, east, and south sides of the convenience store shall also have vine(s) pockets (Landscaping) on the base of the metal trellis, so that the vines can grow on the trellis system. If unable to provide planters, potted plants with an irrigation system shall be provided.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company
Information Technology and Management Services Department conditions incorporated herein)

<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. <u>PDEV17-037</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos *A.A.* (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Denny Chen (909) 395-2424

DAB MEETING DATE: July 16th, 2018

PROJECT NAME / DESCRIPTION: PDEV17-037, a Development Plan to remodel an existing fueling station with convenience store, including the construction of a new automated car wash, a new office, and a new canopy on 0.90 acres of land.

LOCATION: 2156 South Grove Avenue

APPLICANT: Trisha Petro, Inc.

REVIEWED BY: *[Signature]* 6/28/18
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 6/28/18
 FOR Khoi Do, 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 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://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: _____

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 per Parcel Map No. 9082.**
- 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:**
- Property line corner 'cut-back' required at the intersection of Grove Avenue and Philadelphia Street.**
- 2.11 **Dedicate to the City of Ontario the following easement(s):**
- Public easement dedication for sidewalk behind the proposed driveway approach on Grove Avenue.**
- 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, approximately \$19,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - 1. **The applicant/developer shall pay a Storm Drain In-lieu Fee, approximately \$18,000, for a future 42-inch storm drain in Grove Avenue along the property frontage. Final fee shall be paid to the Engineering Department and 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	Grove Av	Philadelphia St	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
AC Pavement	<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	<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 checked="" type="checkbox"/> New Commercial Type Approach	<input checked="" type="checkbox"/> New Commercial Type Approach	<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 5-ft wide sidewalk adj. to curb <input checked="" type="checkbox"/> New 4-ft wide sidewalk behind proposed driveway approach	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken sidewalk panels	<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 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)
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 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 checked="" type="checkbox"/> New Service for Irrigation Only w/ Backflow Device	<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"/> Upgrade existing fixture to LED	<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 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 checked="" 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	<input checked="" type="checkbox"/> Remove existing driveway approaches no longer to be used and in-fill with curb, gutter, sidewalk and parkway landscaping	<input checked="" type="checkbox"/> Remove existing driveway approaches no longer to be used and in-fill with curb, gutter, sidewalk and parkway landscaping	_____	_____
Other Improvements	_____	_____	_____	_____

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

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 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 **A 10-inch and 36-inch sewer main is available for connection by this project in Grove Avenue and Philadelphia Street, respectively.**
(Ref: Sewer plan bar code: S11693 & S13070)
- 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:**
 - 1. **The Applicant/Developer/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>).**

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

D. WATER

- 2.27 **A 6-inch and 12-inch water main is available for connection by this project in Grove Avenue and Philadelphia Street, respectively.**
(Ref: Water plan bar code: W12362 & W11628)
- 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:**
 - 1. **The Applicant/Developer shall install a separate water service with a backflow device for irrigation purposes only per the latest City Standards.**



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) 395-2687 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 No. 1309.**
 - 2. **The proposed driveway approaches shall be constructed per City Standard Drawing No. 1204. Driveways shall be signed right-in/right-out so as to be enforceable.**
 - 3. **The Applicant/Developer shall be responsible to replace any existing street light fixtures along the property frontage with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 - Street Light Plans.**
 - 4. **Grove Avenue shall be signed "No Stopping Anytime"; Philadelphia Street shall be signed "No Parking Anytime".**

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 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.47 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.
- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 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. Generally located on Grove Avenue and Philadelphia Street, see Fiber Optic Exhibit herein.



- 2.50 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

- 2.51 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>

- 2.52 Other conditions:
1. The Applicant/Developer shall construct a new 2-bin trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.



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: PDEV17-037, 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 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:**
 - 1. **Three (3) copies of Right-Of-Way Dedication Form**
 - 2. **Three (3) copies of Public Easement Dedication Form**



SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

620 South E Street • San Bernardino, CA 92415-0153 • (909) 386-8401 • Fax (909) 386-8460

MEMORANDUM

DATE: March 22, 2018

PHONE: 909.386.8401

FROM: Andrew Bezdek
Hazardous Materials Specialist

TO: Denny Chen, Planner
Planning Department

SUBJECT: Empire Design Group, APN: 1050-491-08, 2156 South Grove

San Bernardino County Fire District, Office of the Fire Marshall, Hazardous Materials Division has the following conditions for this project:

1. A UST construction permit shall be obtained from this Department for any construction, installation or modification project that requires breaking concrete, disconnection or reconnection of any monitoring system, or disconnection or reconnection of any piping. This includes enhanced vapor recovery and in-station diagnostics installations and upgrades. Cold starts of the monitoring system that require re-programming of sensors also require a permit and a witnessed re-certification.
2. Prior to occupancy, the business operator shall be required to apply for one or more of the following permits, or apply for exemption from hazardous materials laws and regulations: a Hazardous Materials Permit, a Hazardous Waste Permit, an Aboveground Storage Tank Permit, and/or an Underground Storage Tank Permit.

Application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>

For additional information please contact The Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.





CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Planning Department

FROM: Douglas Sorel, Police Department

DATE: February 6, 2017

SUBJECT: PDEV17-037_rev 2: A DEVELOPMENT PLAN TO ADD A CAR WASH, OFFICE BUILDING, AND NEW CANOPY TO THE EXISTING GAS STATION AT 2156 SOUTH GROVE AVENUE

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

- Required lighting for walkways, driveways, doorways, parking lots and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed and maintained on the building as stated in the Standard Conditions.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

- The planned office is not to be used as a “caretaker’s unit” or habitable space. No bathing or showering facilities are permitted. A bathroom consisting of a toilet and sink is permissible.
- The business shall add additional security cameras to the existing surveillance system to cover the car wash entrance, the car wash exit, and the car wash payment box. Each camera shall record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the

premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: August 15, 2017
SUBJECT: PDEV17-037

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Bureau of Fire Prevention

DATE: September 7, 2017

SUBJECT: PDEV17-037 – A Development Plan to remodel an existing fueling station with convenience store, including the construction of [1] a new 990-square foot automated car wash, [2] a 290-square foot addition to an existing 2,803-square foot convenience store, [3] a new 324-square foot office, and [4] a new 3,348-square foot canopy over the existing fueling pumps, for a total of 7,755 square feet on 0.90 acres of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan (APNs: 1050-491-08).

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

No comments

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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-037
 Address: 2156 South Grove Avenue
 APN: 1050-491-08
 Existing Land Use: Gasoline Service Station
 Proposed Land Use: ancillary 990 SF automated car wash, 290 SF addition to an existing 2,803 convenience store, 3,348 SF gas station canopy
 Site Acreage: 0.907 Proposed Structure Height: 19 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 9/8/17
 CD No.: 2017-057
 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: <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: _____